

The Port Of New Mangalore (Goods In Transit) Rules, 1976

UNION OF INDIA

India

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Rule

THE-PORT-OF-NEW-MANGALORE-GOODS-IN-TRANSIT-RULES-1976 of 1976

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The Port Of New Mangalore (Goods In Transit) Rules, 1976 Published vide Notification Gazette of India, 1976, Part 2, Section 3 (i), page 2390.

2026.

G.S.R. 1344, dated 17th August, 1976. - Whereas a draft of the Port of New Mangalore (Goods in Transit) Rules, 1976, was published as required by sub-section (2) of Sec. 6 of the Indian Ports Act, 1908 (15 of 1908) in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dead the 15th December, 1975 under the Notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. G.S.R. 585 (E), dated the 15th December, 1975, inviting objections and suggestions from all persons likely to be affected thereby, till the expiry of a period of sixty days from the date of publication of the said notification in the Official Gazette. And whereas the said Gazette was made available to the public, on the 30th December, 1975. And whereas no objections or suggestions have been received from the public on the said draft. Now, therefore, in exercise of the powers conferred by sub-section (1) of Sec. 6 of the said Act the Central Government hereby makes the following rules, namely :-

1. Short title and commencement.

(1) These rules may be called the Port of New Mangalore (Goods in Transit) Rules, 1976. (2) They shall come into force at once. Imports

2. Free days.

- Free days for import cargo shall be admissible as follows.(a)Three working days (excluding Sundays and Port holidays) following the date of the complete discharge of the goods from the vessel on to jetties, quays or wharves, when goods are landed from the vessel into lighters, barges or other floating craft, the three working days shall be calculated from the date of complete discharge of the goods from the lighters, barges, or other floating craft on the jetties, quays or wharves.(b)In the case of salvaged goods, the free days shall be reckoned from the day following the date of notification of salvage by the Receiver of Wrecks in the Official Gazette of Karnataka State.

3. Free periods.

- The following free periods shall be allowed in addition to the free days.(a)Periods during which goods are detained by the Collector of Customs for examination under sub-sections (3) and (4) of Sec. 17, and for chemical test under Sec. 144 of the Customs Act, 1962 (52 of 1962), other than the ordinary processes of apportionment and certified by the Collector of Customs to be not attributable to any fault or negligence on the part of importers, plus one working day. The customs holidays shall also be treated as free periods in addition.(b)Periods during which the goods are detained by any Public Health Authority whether cleared or destroyed.

4. Transit Fees.

- Transit fees at the following rates shall be levied in respect of all goods left in the port's transit sheds or open space after the expiry of the free days and free periods till their delivery is effected.

Imports:classification	Howcharged	Rates
(i)Goods left lying in the transit sheds or open transit space and on which per day wharfage dues are fixed on weight	per ton	1st week Rs. 2.60 2nd week Rs. 6.00 succeeding period Rs. 10.00
(ii)Goods left lying in the transit sheds or in the open space and on which wharfage dues are fixed on measurement.	per cubic meter per day	1st week Rs. 2.30 2nd week Rs. 4.50 succeeding period Rs. 6.00
(iii)Liquid left lying in the transit sheds or in the open transit space and on which wharfage dues are fixed on liquid measures.	per 1000 litres per day	1st week Rs. 3.30 2nd week Rs. 6.00 succeeding period Rs. 10.00
(iv)Goods left lying in the transit sheds or in the open transit space and on which the rate of wharfage dues is or number fixed per each package or by	per each package or number per week or part of a week	1st week 13% the wharfage dues 2nd week 220% of the wharfage dues succeeding week 330% of the wharfage dues.

Notes - (a) In calculating the transit fees, the unit to be adopted shall be the one which is more favourable to the port.(b)Fractions of .50 and above of one unit will be rounded off as one and lesser fractions omitted. A minimum charge as for one unit shall be levied.(c)Demurrage on tranship

goods shall also be charged at the above rates.

5. Reduction of fees.

- The fees prescribed in rule 4 may be reduced by half, if the goods lie in the open without any covering provided by the port.

6. Survey of goods.

- If goods are detained for survey, then a period not exceeding seven days excluding Sundays and Port holidays, from the date of completion of discharge from the vessel may be excluded while calculating the transit fees, provided that the goods are removed within twenty-four hours after the completion of the survey.

7. Unclaimed goods.

- Transit fees shall not be charged on unclaimed goods provided that they are cleared within two months from the date of complete discharge of the vessel from which they were landed.

8. Empty or partially empty packages.

- Transit fees shall be payable on packages landed empty or partially empty.

9. Transit fees on Sundays and port holidays.

- Once transit fees begins to accrue, no allowance shall be made for Sundays and Port holidays.

10. Delivery of goods.

- Goods shall not be delivered to owners or consignees unless all dues leviable thereon, including transit fees, are paid.

11. Congestion of goods.

- If at any time the Traffic Manager of the Port apprehends a serious congestion in the transit sheds or the transit area which may affect the rapid transit of goods through the port, he may direct the owners or consignees of any specified goods to remove such goods from the Port premises within a specified period. If the goods are not removed within such period, the said Traffic Manager may cause them to be removed and restacked in any other place within the Port premises at the expense and the sole risk of owners or consignees. Goods so removed shall be charged transit fees at the rates for the third week under rule 4. Exports

12. Export cargo.

- No export cargo shall be admitted into the Port premises without the permission in writing of the Traffic Manager of the Port. Normally, export cargo for a vessel shall be admitted only after the vessel is open for exports.

13. Free days.

- Free days for export cargo shall be admissible as follows:(a)All cargo except salvaged goods-(i)Six days (excluding Sundays and Port holidays) from the actual date of receipt of the goods in the transit area.(ii)From the date the vessel is berthed for working cargo to the date the vessel completes loading.(b)Salvaged goods-Three days (excluding Sundays and Port holidays) from the date on which the goods were actually salvaged.

14. Shut out cargo.

(1)In the case of goods shut out from shipment and removed outside, in addition to the free days mentioned in rule 13, the working day next to the date of completion of taking in of the exports by the vessel shall also be allowed as a free day.(2)In the case of goods shut out by one vessel and subsequently shipped by another vessel the free period shall count up to twenty-one days, including Sundays and Port holidays and thereafter transit fees shall be payable till the goods are shipped.

15. Free periods.

- In addition to the free days, export cargo shall be allowed the following free periods, that is period during which goods are detained by the Collector of Customs for examinations under sub-sections (3) and (4) of Sec. 17 and for chemical test, under Sec. 144 of the Customs Act, 1962 (52 of 1962), other than the ordinary processes or appraisalment and certified by the Collector of Customs to be not attributable to any fault or negligence on the part of exporters, plus one working day. The customs holidays shall also be treated as free periods in addition.

16. Transit fees.

- 50 per cent of the transit fees as applicable for imports shall be revised after the expiry of the free days and free periods.

17. Reduction of rates.

- The rates specified in rule 16 may be reduced by half, if the goods lie in the open without any covering provided by the Port.

18. Congestion of goods.

- If at any time the Traffic Manager of the port should apprehend serious congestion in the transit sheds or other spaces allotted for the goods in transit to the detriment of the rapid transit of goods through the Port, he may cause the goods to be removed at the cost of the owner and may stack them in any open space within the port premises at the risk of the owner. Transit fees shall be leviable on such goods in accordance with the rules for the third week under rule 16.