# EAST COAST RAILWAY

Office of the
Principal Chief Commercial Manager
1st Floor, Rail Sadan
C.S.Pur, Bhubaneswar-17

**Commercial Circular No. 289(GC)/2022** Date: 13.09.2022

**Sub: Demurrage, Wharfage and Waiver – Review of the guidelines.**
**Ref: Rates Master Circular/Demurrage-Wharfage-Waiver/2016/0 (Circulated vide this office Commercial No.65(G)/2016 dtd 20.05.2016) and its amendments.**

Enclosed please find herewith a copy of Railway Board's letter No. TC-I/2022/201/efile/2(3394909) dtd.13.09.2022 regarding "**Demurrage,Wharfage and Waiver – Review of the guidelines**", which is self explanatory for information and necessary action at your end.

All concerned to note and act accordingly.

**Authority:** Railway Board's letter No. TC-I/2022/201/efile/2(3394909) dtd.13.09.2022 (Corrigendum No.32 to Rates Master Circular/Demurrage-Wharfage-Waiver/2016/0)

Encl: As above (04 Pages).

13/9/22

**(Anil Kumar S)**
**Dy. Chief Commercial Manager (FS)**

No. PCCM/95/DC/Pt.VI Date:13.09.2022

All Station Managers/ Goods and Parcel 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:-

**PCOM**: ECoR/SER/SECR/NR/NFR/ER/SR/SCR/WR/NER/CR/SWR/NCR/NWR/WCR/ECR/KRly. **SDGM**/ECoR/BBS, **Chairman**/RCT/BBS, **Dy.CVO**/ECoR/BBS, **Dy.COM(FOIS)**/ECoR/BBS, **PO/RCT**/BBS, **CAO(FOIS)**/NDLS,**Audit officer**/BBS. Rates Section /CCM/ECoR/BBS –10 sets **DRM** KUR,WAT,SBP/ECoR, **Sr.DOM**- KUR,WAT,SBP/ECoR, **CAO(FOIS)**, CRIS/NDLS, **Sr.DCM** KUR,WAT/SBP/ECoR **Dy.CCM(Claims)**/E Co.Rly, **FA & CAO**:E Co Rly, **FA & CAO(T)**/ECoR/BBS **Traffic Manager** VZP, Paradeep Port Trust / Paradeep.

13/9/22

**(Anil Kumar S)**
**Dy. Chief Commercial Manager (FS)**

**भारत सरकार GOVERNMENT OF INDIA**
**रेल मंत्रालय MINISTRY OF RAILWAYS**
**(रेलवे बोर्ड RAILWAY BOARD)**

No.TC-I/2022/201/efile/2(3394909) New Delhi, dt.13.09.2022

**General Manager**
All Zonal Railways

**Sub: Demurrage, Wharfage and Waiver – Review of the guidelines**
Ref: Rates Master Circular/Demurrage-Wharfage-Waiver/2016/0 and its amendments

Please refer to the guidelines regarding Demurrage, Wharfage and Waiver prescribed vide Rates Master Circular under reference.

The matter has been reviewed and it has been decided to revise the guidelines prescribed vide Rates Master Circular/Demurrage-Wharfage-Waiver/2016/0, as given below-

<table>
<tr><th>Chapter No. of the Circular</th><th>Para</th><th>Existing Guidelines</th><th>Revised Guidelines</th></tr>
<tr><td>Chapter-I</td><td>3.1</td><td>Demurrage charge shall be levied @₹150/- per 8-wheeled wagon per hour, or part of an hour, for detention of wagon in excess of the permissible free time for loading or unloading.</td><td>Base rate of Demurrage charge shall be ₹150/- per 8-wheeled wagon per hour, or part of an hour, for detention of wagon in excess of the permissible free time for loading or unloading. Demurrage Charge will be levied in graded manner as under-
<table>
<tr><td>Duration of excess detention beyond the free time of stock</td><td>Rate of Demurrage</td></tr>
<tr><td>Upto 6 hours</td><td>Base Rate (₹150 per wagon per hour or part thereof)</td></tr>
<tr><td>Beyond 6 hours upto 12 hours</td><td>Base rate + 10%</td></tr>
<tr><td>Beyond 12 hours upto 24 hours</td><td>Base rate + 25%</td></tr>
<tr><td>Beyond 24 hours upto 48 hours</td><td>Base rate + 50%</td></tr>
<tr><td>Beyond 48 hours upto 72 hours</td><td>Twice of Base rate</td></tr>
<tr><td>Beyond 72 hours</td><td>Thrice of Base rate</td></tr>
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13/09/2022

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| Chapter-I | 3.4.1 | PENAL DEMURRAGE CHARGE<br><br>In case excessive congestion takes place at any terminal/steel plant, CCM/COM/DRM can increase the demurrage rates, even at progressively increasing rate subject to a maximum of six times of the prevalent rate. This penal demurrage rates should be implemented only after giving wide publicity and due notice of 48 hours and should be applicable for the notified period. | PENAL DEMURRAGE CHARGE<br><br>In case excessive congestion takes place at any terminal/steel plant, PCCM/PCOM/DRM can increase the demurrage rates, even at progressively increasing rate, subject to a maximum of six times of the prevalent base rate. This penal demurrage rates should be implemented only after giving wide publicity (including through SMS/email) and due notice at terminal of 24 hours and should be applicable for the notified period. |
| Chapter-III | 2.7 | The delay beyond 10 days/next month period as mentioned above can be condoned only with the personal approval of the Divisional Railway Manager/Chief Commercial Manager (coordinating HOD) depending upon whether the powers to deal with the case lies at Divisional or Zonal level and after having ascertained that the reasons for the delay given in the application are satisfactory. Application for condonation of delay in preferring an application for waiver of Demurrage, however, shall be entertained only after the Demurrage Charges have been paid in full and the application is supported with proof of such payment. An application for condonation of delay once regretted either by DRM or by CCM(coordinating HOD) will not be reconsidered at any level. | Application for waiver will be considered only when preferred within the stipulated time period.<br><br>In case of Demurrage, the consignor/consignee should deposit the amount of Demurrage charges and submit the original proof of such payment along with his application while preferring application for waiver. |



13/09/2022

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| Chapter-III | 2.9 | In case of Category (i), waiver should normally be not done. However, if at all waiver is to be granted on justified and meritorious facts, speaking orders should be recorded in all such cases. As regards case pertaining to Category (ii) or Category (iii), waiver can be considered on merits of individual case.<br><br>*(The circumstances, which lead to accrual of Demurrage/Wharfage charges is grouped in three categories vide Para 2.8 of Chapter-III of the circular under reference)* | There may be no waiver of demurrage and wharfage for cases where reasons for accrual of demurrage/wharfage have been within the control of consignor/consignee. Application(s) for waiver may be considered only in cases where (a) the reasons for accrual have been beyond the control of consignor/consignee like restriction imposed by local administration/state government, local festivals, labour strike, transportation strike, general *bandh*s, agitations, riots, curfew, fire, explosion, heavy rains or other abnormal/unforeseen circumstances; and (b) demurrage/wharfage have been accrued on account of act of God, act of war, and act of public enemies.<br><br>*(The circumstances, which lead to accrual of Demurrage/Wharfage charges is grouped in three categories vide Para 2.8 of Chapter-III of the circular under reference)* |
| Chapter-III | 2.11 | Whenever the waiver exceeds 50% of the powers conferred on an officer, reasons for such waiver should be recorded in writing. | Application for waiver of Demurrage and Wharfage shall be entertained only for the cases where circumstances fall within condition given in Para 2.9 i.e. those which are not within the control of consignor and consignee and on account of Act of God, Act of War and Act of Public enemies.<br><br>Recording of reasons of waiver in the form of a reasoned speaking order shall be compulsory for all the cases of waiver, irrespective of the quantum of waiver. |
| Chapter-III | 4.0 | The waiver of demurrage/wharfage charge should be dealt as per the instructions contained in this letter. | Processing of applications for waiver of demurrage and wharfage charges shall be done electronically, and CRIS may develop system for the same.<br><br>Demurrage and wharfage collection and decision on waiver may be done in a time-bound manner. Each competent authority, as per the Schedule of Power, shall be required to decide on the request for waiver within a fixed time, and any failure to |

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| | | | adhere to the time-lines shall be flagged by the system to the next higher authority.<br><br>The waiver of demurrage/wharfage charge should be dealt as per extant instructions. |

These guidelines will be implemented **w.e.f.01.10.2022.**

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

**(Anshoo Pandey)**
**Director, Traffic Commercial, Rates**
**Railway Board**

No.TC-I/2022/201/efile/2(3394909) New Delhi, dt.13.09.2022

Copy to:

1. **Pr. Financial Adviser**, All Zonal Railways
2. **Dy.C&AG(Rlys)**, Room No.222, Rail Bhavan, New Delhi

*for* **Member(Finance), Railway Board**

No.TC-I/2022/201/efile/2(3394909) New Delhi, dt13.09.2022

Copy to:

1. **Pr. Chief Commercial Manager**, all Zonal Railways
2. **Pr. Chief Operations Manager**, all Zonal Railways
3. **Managing Director**, CRIS, Chanakyapuri, New Delhi-21.
4. **Chief Admn. Officer**, FOIS, Camp: CRIS, Chanakyapuri, New Delhi.
5. **MD, KRCL**, Belapur Bhavan, Sector-11, CBD Belapur, Navi Mumbai-400614.
6. **Director General**, National Academy of Indian Railways, Vadodara.
7. **General Secy.**, IRCA, New Delhi.
8. **Director, IRITM**, Vill-Kanausi, Manaknagar, Lucknow-226011

**(Anshoo Pandey)**
**Director, Traffic Commercial, Rates**
**Railway Board**

Copy for information:

**CRB, M(O&BD), M(Fin.),** Railway Board
AM(C), AM(T), AM(R), PED(TT/M), PED(Vig.), PED(Accts), **EDPG/MR, EDPG/MSR(D), EDPG/MSR(J),** EDTC/R, EDFM, ED(CC), ED(PG), EDTT(S), EDTT(F), ED(Coal), EDFC, EDVT, **OSD/MR,** Railway Board
TC(R), TC(CR), F(C), TT-III, Railway Board