



Rules and Regulations of Cochin Port Trust

RELATING TO TRAFFIC OPERATIONS

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Rules and Regulations of Cochin Port Trust relating to Traffic Operations

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NOTIFICATION

o. B/5814/64

28th August, 1967

The following regulations made by the Board of Trustees of Cochin Port in exercise of the powers conferred by clause (f) Section 123 of the Major Port Trusts Act, 1963 (38 of 1963) are hereby published for information of the public the same having been published by the Board for two weeks successively in the Official Gazette and approved by the Central Government as required by the section 124 thereof,
y:-

I. Short title and application:

i) These regulations may be called the Cochin Port Trust (Licensing of Clerks of Importers, Shippers and Clearing and Forwarding Agents) Regulations, 1966.

ii) They shall apply to the transaction of business in the Wharves and Docks.

iii) **Issue of License :** Licences shall be issued by the Trust's Traffic Manager in form 'B' attached, on the application being made to him in the prescribed form 'A' and on payment of the fee prescribed under regulation No. V. Subject to what is provided hereunder in Regulation IV regarding the issue of temporary licences, licences shall be issued only to the employees of the Clearing and Forwarding Agents who are licensed by the Customs Department.

iv) **Validity of licence:** The licences shall be valid for three years or till the end of the 3rd calendar year whichever is earlier and shall be renewable every 3 years.

v) **Issue of Temporary Licence:** Notwithstanding anything contained in Regulation II, temporary Licences in form 'D' attached shall be issued on application to the Trust's Traffic Manager in the prescribed form 'C' attached valid for one day only on payment of the nominal fee as indicated in Regulation No, V.

vi) **Licence fee:** The fee for issue of licences shall be :

) For original issue and annual renewal per licence	:	Rs. 52/-
) For duplicate and triplicate issue per licence	:	Rs. 156/-
) For temporary licence per day	:	Rs. 2/-

vii) A surcharge of 10% on the rates specified above shall be levied in addition.

viii) Change in the constitution of the firm:

In the case of any change in the constitution of a firm, the firm so reconstituted after the change shall make a fresh application for the grant of licence, though it may be in favour of the same person, unless the terms of the reconstitution automatically empower the person to act on behalf of the newly constituted firm also.

APPENDIX II
FORAM - "A"

(AS AMENDED VIDE NOTIFICATION APPROVED BY GOVT. GSR - 300 (E))

o,

**The Traffic Manager,
Cochin Port Trust.**

r,

Sub: Application for combined permit for Wharf Entry cum-Licence to transact business on behalf of C&F Agents having valid Custom's licence such as to make delivery of cargo to, and to take delivery of cargo from the Ports, Wharves and Docks.

I/We request the grant of a licence to transact business in the Port's Wharves and docks to our Clerks whose particulars are given below:

1. Name :
2. Designation :
3. Date of Birth :
4. Identity Marks :
5. Name of Firm :
6. Custom's licence No. and date of firm :
7. Signature :

I/we hereby undertake to abide by the terms and conditions for the grant of the licence. I/we indemnify the Port against all loss or damage caused to the port in allowing the above individual to transact business on our behalf in the Port's Wharves and Docks.

Three copies of passport size photo of the employee are enclosed herewith. Necessary fee is not herewith may be debited against our deposit account with the Port.

Signature of the Firm

APPENDIX - III

FORM 'B'

(Proposed to be Amended)

Permit for wharf entry-cum-licence to trans act business on behalf of C&f agents having valid
licence such as to make delivery of cargo to take delivery of cargo from the ports wharf & docks

Name :
 Designation :
 Date of birth :
 Identity Marks :
 Name of firm :
 Name & custom's Licence No. & Date of firm :
 Signature :

Conditions

This permit should be in possession of the holder and produced on demand by the Port/ CISF Official
for inspection.

This permit is not transferable and it should be returned to the issuing authority through Chief Security
Officer for cancellation in case of change in the personnel engaged for transaction and when no longer
required.

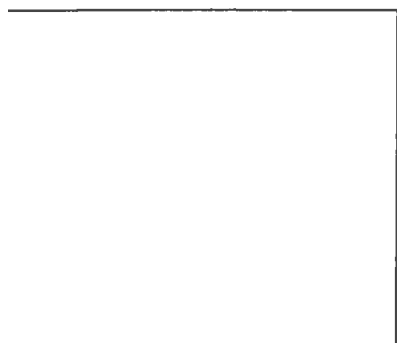
This permit is liable for cancellation at any time without notice.

This permit should be renewed every three years on remitting the prescribed fee prior the date of its
expiry.

In the event of loss of original/duplicate will be issued on application with prescribed fee.

The Port Trust is not in any way responsible for personal damage/injury that may be caused to the holder
of this permit due to accident within the premises of the port.

The holder of this permit will not be allowed to enter the wharves unless he possesses a duty slip
indicating the nature and duration of work, duly signed by the concerned employer/ firm.



Permit of validity from.....

To.....

Traffic manager or authorised Officer

Signature of Chief Security Officer or authorised Officer

FORM 'C'

o,

The Traffic Manager,

Cochin Port Trust.

ir,

Sub: Application for a temporary licence to transact

business in the port's wharves and docks.

I/ We request the grant of a temporary licence to beares Shri..... whose

articulars are given below, to transact business in the Port's wharves and docks.

Name :

Designation :

Father's Name :

Full address :

Age :

Height :

Marks of identification :

I/ We hereby undertake to abide by the terms and conditions for the grant of temporary licence and also indemnify the Port against all actions performed by the individual in pursuance of the grant of the temporary licence.

Signature of the Firm

FORM 'D'

Cochin Port Trust

Traffic Department

ary Licence No.

Valid upto 19

Shri..... is hereby granted a
ary licence to make delivery of cargo to, to take delivery of cargo from Port's wharves and docks
ialf of the firm specified below:

.....

Traffic Manager

Description of the Licensee:

Name :

Designation :

Father's Name :

Full Address :

Age :

Height :

Marks of identification :

Signature :

Name of the Firm

COCHIN PORT TRUST NOTIFICATION

(As amended vide Notification dated 28-11- 1978)

No, B/1872/ 69.

Dated : 29-7-1976.

The following regulations made by the Board of Trustees of Cochin Port in exercise of the powers conferred by sub-section (f) of section 123 of the Major Port Trust Act, 1963 (38 of 1963) and in supersession of the previous rules issued by the Cochin Port administration in this behalf are hereby published for the information of the public, the same having been published by the Board for two weeks successively in the official gazette and approved by the Central Government as required in section 124 thereof, namely:-

1. Short title and commencement :

(i) These Regulations may be called the Cochin Port Trust Public Bonded warehouse (Rent & other charges) Regulations, 1967.

(ii) They shall come into force on the date on which they are finally published in the official gazette.

2. Definitions and interpretation

In these Regulations, unless the context otherwise requires:

(a) 'Board' means the Board of Trustees constituted under the Major Port Trust Act, 1963, to Cochin Port.

(b) 'Collector of Customs & Central Excise' and 'Asst. Collector of Customs' have the the same meaning in the Customs Act, 1962.

(c) All other words and expressions not defined in these Regulations have the meanings assigned to them in the Major Port Trust Act, 1963, or the Customs Act, 1962, as the case may be.

3. Warehousing of goods in the Board's public Bonded warehouse:

The Board may store goods under Bond in its warehouse which may, from time to time, be appointed to the Public Bonded Warehouse by the Assistant Collector of Customs under Section 57, Customs Act, 1962. The class of goods that may be deposited in the warehouse will be subject to the decision of the Collector of Customs and Central Excise and the Boards and will be duly notified to the Public.

Warehousing transactions are of two sorts:-

- (1) Rental of compartments or rooms to consignees on a monthly basis: and
- (2) Storage of goods at daily rates.

The transport of goods from the Port Transit Sheds into the Public Bonded Warehouse or vice versa will be done by the owners of goods at their own expense and risk under customs supervision.

Appointment of warehouses :

The undernoted place under the control of the Board has been appointed by the Assistant Commissioner of Customs, Cochin to be a public bonded warehouse, wherein dutiable goods may be deposited without payment of duty on the first importation thereof under the Customs Department.

Premises appointed	Goods deposited
Storage shed 'A' in the Wharf on the Willingdon Island.	All dutiable goods except arms, ammunition and combustibles.

The Port Trust's official in-charge of the Bonded warehouse is called the Bond Supervisor.

Conditions and rates of rent for Goods Warehoused:

The following are the rates of warehouse rent fixed by the Board under section 49 (1) of the Port Trust Act, 1963, for the storage of goods under bond in the warehouse above mentioned.

) Rent for rooms allotted on a monthly basis:

Option	For first 30 days	From 31st day upto 120th day	From 121st day and above
Rooms measuring 9 sq. m.	Rs. 600 per mensem or part thereof	Rs. 900 per mensem or part thereof.	Rs. 1,200 per mensem or part thereof.

Rent for storage of cargo at daily rate:

Warehouse dues on goods stored in the general spaces of bonded warehouse, i.e. space not reserved for cargo on a monthly basis.

Sl. No.	Description of packages	Rent per day for the 1st 30 days	Rent per day from the 31st day upto 120th day	Rent per day from 121st day & above
		Rs.	Rs.	Rs.
	Bags and bales	Each 0.20	0.30	0.45
	Cases and crates	" 0.40	0.60	0.90
	Casks, Kegs, drums & Jars	" 0.40	0.60	0.90
	Carriage and motor cars	" 4.00	6.00	9.00
	Machinery unpacked	Per tonnage or part thereof 8.00	12.00	18.00
	Articles not enumerated	per 50 kgs 2.00	3.00	4.50

Rates for Bonding of Goods in open space:

	<u>Upto 30 days</u>	<u>From 31st day upto 120th day</u>	<u>Beyond 120 days</u>
or 100 sq. metre or less	Rs. 200 per mansem or part thereof	Rs. 300 per mansem or part thereof	Rs. 400 per mansem or part thereof

Notes:

- i) For occupation not covered by a valid permit obtained or renewed sufficient time in advance, penal rent at thrice the rate of normal rent specified in the Regulations shall be recovered on a pro-rata basis.
- ii) In this case, the Port will not issue any bond warrant as in the case of other bonded goods.
- iii) Open space will be let out at the above rate, only to such bonded goods, which cannot be taken to bonded warehouse.
- iv) Open space will be let out subject to the condition that the party will have to pay demurrage charges for on the goods less the amount payable by way of rent of the space, if the goods are not accepted by the Customs in bond.

7. Warehousing: All transactions connected with warehousing of goods in the warehouse will be governed by the provisions of Chapter IX of the Customs Act, 1962 and will be under the control of the Traffic Manager of the Port Trust who has been appointed the proper officer under Section 62 (1) of the Customs Act, 1962.

8. Destruction of bonded goods by reason of damage etc. Procedure:

An importer who has bonded his goods may be allowed to destroy them under the orders of the collector of Customs if whilst in bond they become unfit for consumption. The destruction in such cases should take place in the presence of a Customs Officer. Any charges incurred by the Port Trust in this connection will be recovered from the importer, in addition to the usual warehouse dues.

9. Periods for which goods may remain in Bonds: Subject to the Provisions of Section 61 of the Customs Act, 1962, goods may remain in a Warehouse for three years from the date of the bond or any reduced or extended period as may be decided under Section 61 (1) and 61 (2), Customs Act, 1962 (by the Collector of Customs) Executed under section 59 of the Customs Act, 1962, in respect of such goods and on the expiry of this period they must be cleared either for home consumption or shipment to a foreign port.

10. Delivery of goods when ownership changes: When the ownership of the whole of the bonded goods or part thereof changes, the obligation of the Importer in terms of the bond executed by him under Section 59 (1) of the Customs Act, 1962, shall continue to be in force except as provided in the proviso to sub-section (3) of Section 59 of the Customs Act, 1962.

11. Hours of delivery for bond goods:

The Public Bonded Warehouse will be closed at 5 p.m. on full working days and by 4 p.m. on Saturdays. Unless specially ordered by the Traffic Manager cargo intended for bond will not be delivered from the Port Trust's transit space after 4 p.m. on full working days or 1 p.m. on Saturdays.

2. Admission of goods into and delivery from the Bonded warehouse on Sundays and Holidays:

Normally the bonded warehouse is not open for admission or delivery of cargo on Sundays and holidays. However, the bonders require admission or delivery on these days written application should be to the Trust's Traffic Manager who may arranged to comply, on payment of the fees at the rates specified in the Schedule 'A' attached to these Regulations provided:-

- a) The removal of cargo is permitted from the Port Trust's transit space on such days
- b) The cargo delivered out of bonded warehouse or is or for shipment to vessel which has applied work on these days.
- c) The bonders concerned obtain the necessary permission from the Customs Department by at least 24 hours on the previous working day (or by 12 noon if the previous working day is a Saturday.)

3. Admission into or delivery of goods from the Bonded warehouse after working hours on working days:

The normal working hours of the Public Bonded Warehouse under the Control of the Port Trust are from 8 a.m. to 12 noon and 1 p.m. to 5 p.m. except on Sundays and holidays and upto 4 p.m. on working days. Should, however, bonders require admission or delivery after the working hours a written application should be made to the Traffic Manager, who will arrange to comply on payment of fees at the rates prescribed in Schedule 'A' provided:-

- a) The removal of cargo is permitted from the Port Trust's Transit space during such period.
- b) The cargo delivered out of Bonded warehouse for shipment to a vessel which has applied to work during such period.
- c) The bonders concerned obtain the necessary permission from the Collector of Customs & Central Excise by 3 p.m. on working days (or 1 p.m. on Saturdays).

Admission of goods into the warehouse as also deliveries from the warehouse for shipment should be carried out under Customs supervision, which can be arranged for by the bonders with Collector of Customs and Central Excise.

4. Loss of warrants: (i) Goods shall not be delivered out of bond without the production of the original warrant issued for the goods.

ii) In case the original warrant issued is lost duplicate warrant may be issued by the Traffic Manager on payment of the fees prescribed in the Schedule 'B' attached to these Regulations after the bonders have complied with the following procedure:

- a) The loss should be advertised in a local Malayalam Daily Newspaper and an English daily having wide circulation at the expense of the Bonders.
- b) A Bond or Agreement, in form attached, indemnifying the Board from all loss which may be incurred by reason of the presentation of the original warrant should be executed by the bonders and a sufficient surety for due performance of the obligations under such bond should be given by them to the satisfaction of the Board.

A duplicate warrant will be issued if necessary, after the lapse of seven clear days from the last date on which the loss was advertised.

Sd/

SECRETARY

SCHEDULE A

(Prescribed under Section 48 (1) of the Major Port Trust Act, 1963)

I. OVERTIME FEES

Item No.	Description of Service	Charges payable
(i)	Admission or delivery done outside working hours on working days.	Rs. 30.00 per hour or part thereof subject to a minimum of Rs. 60. 00 from each applicant.
(ii)	Admission or delivery done on Sunday and holidays.	Rs. 60.00 per hour or part thereof subject to a minimum of Rs. 120,00 from each applicant.

Conditions:

(1) Application for (i) overtime work including night work on Sunday and holidays must reach the Traffic Manager, Cochin Port Trust with copy to wharf Superintendent not later than 3 p.m. on the previous working day (ii) for work, including night work, outside working hours on working days not later than 3 p.m. on the same day.

(2) Overtime work shall not ordinarily be permitted between 12 noon and 1 p.m., 5 p.m. and 10 p.m. and 3 a.m. and 8. a.m.

(3) Applications for overtime work shall be accompanied by the full amount of fees chargeable for such work but the Traffic Manager may allow such payment to be made within a week of the date of the submission of the bill after obtaining the necessary guarantee to the effect.

(4) The overtime fees at the prescribed rates shall be paid by each applicant applying for such work, whether the services requisitioned are availed of or not.

(5) For purposes of these rules "holiday" means any day declared to be a holiday in this behalf by the Port Trust Authority and 'working hours' means 8 a.m. to 12 Noon and 1 p.m. to 5. p.m.

(6) Applications for keeping open the Public Bonded warehouse will not entitle to overtime work in the Transit Sheds for delivery of import cargo into bond or receipt of export cargo for shipment from bond, for which separate applications shall be made to the Traffic Manager, Cochin Port Trust, in accordance with the Port Trust Rules.

SCHEDULE B

(Prescribed under Section 48 (1) of the Major Port Trusts Act, 1963)

CHARGES FOR THE ISSUE OF WARRANTS:

- | | |
|------------------------------------------------------------------------------------|-----------------------------------------------|
|) For issue of single warrant for goods covered by a Bond Bill of Entry. | Free |
|) For issue of warrants for each of the sub- items covered by a Bond Bill of Entry | Rs. 4.00 for each warrant in excess of one |
|) For issue of a duplicate warrant, original having been lost. | Rs. 12.00 per each copy of duplicate warrant. |
|) For issue of certificate of goods on hand covered by a warrant. | Rs. 12.00 per each certificate. |

AMOUNT OF INDEMNITY TO BE EXECUTED BY PERSONS REQUIRING DUPLICATE WARRANT FOR BONDED GOODS, WHEN THE ORIGINAL IS LOST,
UNDER REGULATION 13 (ii) (b).

We (or 1), A.B., now of..... and C & D of the same place are jointly and severally to the Port Trust of Cochin, their successors and assigns in the sum of Rs to be paid said Port, their successors, or assigns for which payment we jointly and severally bind ourselves lively and our legal representatives.

Dated this day of 19.....

Where as the warrant dated the day of 19 and bearing Number which was issued by the said Port Trust to in respect of has been lost and. And whereas the said owners of the said goods and have on the advertised in newspapers the loss of the said warrant but no answer has been received to the said advertisements and the said had applied to the said Port Trust to issue Duplicate of the said warrant they have agreed to do upon receiving this Indemnity. And whereas the said have at the request of the said agreed to become their surety for the performance of the conditions after contained. Now the condition of the above written Bond is such that if the and the said and their respective legal representatives or any or either of them shall and will from time to time at all times hereafter effectively indemnify and save harmless the said Port Trust, their successors or assigns from and against all suits, costs, charges, damages, claim and demands whatsoever which shall be brought or prosecuted against the said Port Trust, their successors or assigns by any person or persons whomsoever by reason of the said warrant not having been produced or being lost, mislaid, or dealt with in any way, or by reason of the said duplicate warrant having been issued over by the said Port Trust to the said or for or by any reason or on account of any other matter or thing whatsoever in anywise relating to premises, then the above written Bond is to be of full force and of no effect otherwise the same shall be and remain in full force and virtue.

Witness my hand and seal and delivered by.

COCHIN PORT TRUST

Cochin - 3,

23rd February, 1970.

No. B/2693/68

The following Regulations made by the Board of Trustees of Cochin Port in exercise of the powers conferred by sub-section (n) of section 123 of the Major Port Trust Act, 1963 (38 of 1963) are hereby published for the information of the public. the same having been published by the Board for two weeks successively in the Official Gazette and approved by the Central Government as required by Section 124 there of namely:

1. Short title, application and commencement :

- (i) These Regulations may be called the Cochin Port Trust (Licencing of jetties, slipways and Boat pen) Regulations, 1968.
- (ii) They shall apply to all jetties, slipway and boatpen within tthe Port limits.
- (iii) They shall be deemed to have come into force on 20-12-1968.

* 2. Licence fees:

The fees for the issue of licences shall be:

- a) Jetties & Piers ... Rs. 515 per jetty per annum;
- b) Slipways ... Rs. 453 per slipway per annum;
- c) Boatpen ... Rs. 215 per boatpen per annum.

Additional fee for selcted payment of licence fee - Rs.150/- per jetty, slipway, boatpen, etc., per month or part thereof shall be received from the date of expiry of the validity period of previon licence.

In addition to the above, or inspection fee at Rs. 250/- each jetty/slipway to levied from each applicantas port survey/marine staff will have to be engaged for site inspection using ports launches before according Bauctow for the Constrction

The revisid rate will be effective from 1-7-96

3. Payment of fees and application for licence:

The licence fee is payable in advance to the Financial Adviser & Chief Accounts Officer, Cochin Port Trust and the receipt for the same shall be produced to the Deputy Conservator, Cochin Port Trust along with the application for the licence, stating therein:

- a) The owner's name and address:
- b) Situation, Survey No. and other description etc,
- c) Any other relevant information.

Period of construction:

The construction shall be completed within six months from the date of licence to the entire satisfaction of the Deputy Conservator, Cochin Port Trust.

Maintenance of jetties etc:

Jetty, boat shed and slipway, as the case may be shall be maintained by the licensee in good and substantial repair to the satisfaction of the Deputy Conservator, Cochin Port Trust and it shall not be extended or altered in any way without the previous sanction of the Chairman, Cochin Port Trust.

Removal of jetties etc:

When so required by the Deputy Conservator, Cochin Port Trust. The licensee shall remove the slipway and boatpen, as the case may be at his own cost and without any compensation whatsoever, three months after receiving notice in writing and shall not erect any other structure on any part of the foreshore without previous sanction from the competent authority.

Cancellation of licence of taking control of jettied etc. by the port:

In the event of delay or default in such erection and completion or any breach at any of the terms, the Trust may cancel the licence and assume control of or otherwise dispose of all or any part of the jetty, slipway or boat pen as the case may be and/or remove and dispose of any other structures or improvements effected on the said site that may have been constructed as well as the site thereof, at the expense of the person concerned and the licensee shall have no right in the land in consequence of the cancellation made thereon. It shall be opened to the Deputy Conservator to appropriate or set off the cost of the removal or other damaged the Port may sustain due to the licensee's default out of the sale proceeds of the things removed or disposed of in the manner herein before provided. The licence granted, unless otherwise cancelled, shall remain in force for a period of one year.

Avoidance of obstruction to navigation:-

The slipway or boat pen shall not produce into the backwater or the sea and shall not cause any obstruction to free navigation. Jetties shall not be constructed so as to cause obstruction to free flow of current. Embankments of force-shore shall not be injured or distributed causing earth slipping into the back water or navigation.

Additional fee:-

Additional fee of Rs.50/- per jetty, pier, slipway, boatpen, etc. per month or part thereof shall be levied for late payment of licence fee, from the date of expiration of the validity period of the previous licence.

Failure to observe conditions:

The licensee shall abide by all the conditions stipulated above and failure to observe any of the conditions may entail cancellation of the licence.

A surcharge of 10% on the rates specified above shall be levied in addition.

S/d

SECRETARY

Kerala Gazette No. 32 dated 9th August 1977

COCHIN PORT TRUST

NOTIFICATION

No. B5/5280/71

6th July, 1977

The following regulations made by the Trustees of Cochin Port in exercise of the powers conferred by sub section (n) of Section 123 of the Major Port Trust Act, 1963 (NO. 38 of 1963) are hereby published for the information of the public, the same having been previously published twice as required under sub section (2) of Section 124 of the Said Act and having been approved by the Central Government as required by sub-section (1) thereof namely:-

1. Short title, application and commencement- (1) These Regulations may be called 'the Cochin Port Trust (Licensing of China Fishing Nets) Regulations, 1976'.
- (2) They shall apply to all China Fishing Nets situated or erected within the limits of Cochin Port Trust.
- (3) They shall Come into force from the date of their publication on the official Gazette.

II. Definitions- In these regulations, unless there is anything repugnant in the subject or context-

"Port" means the port of Cochin Comprised within the territories of the Kerala State, the limits of which have been demarcated in the Government of India late Ministry of Transport Notification No. 11-(107)/49 dated 8-1-1952.

"Chairman means the Chairman of the Cochin Port Trust.

"Deputy Conservator" means the Deputy Conservator of the Cochin Port Trust.

"Net" means China Fishing Net.

"Licensee" means a person to whom licence is granted to erect or construct China Fishing Nets.

III China Fishing Net to be licenced-No person shall as owner, lessee, employee or in any other capacity erect, use or keep in possession any net or its structure within the port limits unless it has been duly licensed under these regulations.

IV. Licensing fee and penalty - (1) An inspiration fee of Rs. 24 (Rupees twenty four only) is payable by the applicant in respect of each net.

2) The fee for issue of a licence shall be Rs. 144/- (Rupees one hundred and forty four only) per month or part thereof irrespective of the location or size of the net. The licence fee shall be payable in advance to the Financial adviser & Chief Accounts Officer of the Cochin Port Trust under advice to the Deputy Conservator.

3) A penalty of Rs. 22 (Rupees Twenty Two only) for every month or part thereof may be imposed in case of non-payment of the licence renewal fee.

4. Licencing of China Fishing Net- (1) Every application for the licensing of a Net under Regulation III shall be made to the Deputy Conservator of the Port in Form 'A' along with the receipt for payment of the fees prescribed under regulations IV (1).

1) On receipt of the application for licence the Deputy Conservator shall inspect the site or/ cause the site to be inspected in the presence of the owner or of any person duly appointed for the purpose by such owner and may grant licence in Form 'B' on being satisfied that the net on erection will not cause any obstruction to navigation or to the adjacent nets.

2) The licensee shall not misuse the premises and shall maintain it in a clean and sanitary condition at all times to the satisfaction of the Port and Health authorities.

3) Subject to the provisions of these regulations every licence issue in Form 'B' shall be valid for a period of one year from the date of the original issue and shall be renewable every year.

5. Construction and repair of the China Fishing Net- (1) The construction of the Net shall not cause any obstruction to the foreshore or cause the embankment to be mutilated or cause erosion or obstruct the free flow of current.

1) The construction of the Net shall not protrude into the backwater or the sea so as to cause any obstruction to free navigation.

2) The Net shall be kept in good repair at all times to the satisfaction of the Deputy Conservator.

3) The construction shall be completed within six months from the date of the licence to the satisfaction of the Deputy Conservator.

4) Without permission in writing obtained from the Deputy Conservator the licensee shall not alter the position of a China Fishing Net or its position, All repairs and alterations shall be completed within 15 days from the date of the permission in writing granted for the same.

6. Change of ownership or control of licensed China Fishing Net.

1) The licensee shall have no right to ownership in respect of the bed of the backwaters in consequence of erection of the Net.

(2) The licensee shall not lease out the net.

(3) The License shall not be transferable.

VIII Revocation of Licence- (1) If in the opinion of the Deputy Conservator the licensee of a Fishing Net has contravened any of these regulations. The Deputy Conservator may call for an explanation and if the explanation is not satisfactory, issue warning to the licensee or require the licensee to remove the structure at his own cost without any right to claim compensation within 72 hours after receiving notice in writing from the Dy. Conservator in this behalf.

(2) If the licensee fails to remove the structure as ordered by the Dy. Conservator within the stipulated time, the Deputy Conservator may cancel the licence and assume control of the same and cause it to be removed and the structure disposed off by public auction or in any other manner as deemed fit by the Dy. Conservator. The expense incurred in this connection shall be recovered from the sale proceeds and in case the sale proceeds becoming insufficient the balance amount shall be recovered from the owner of the net.

IX Liability of the port- The Port shall be Immune from any Liability for compensation for any damage caused to the net or structure by natural cause or otherwise.

X. Appeal- An appeal against any of the decisions of the Dy. Conservator under these regulations shall lie with the Chairman. Such appeal shall be submitted in writing within 72 hours after the decision of the Dy. Conservator has been communicated in writing to the licensee and the decision of the Chairman shall be final.

FROM 'A'

(See Regulation V (1))

Name and address of the applicant :

Location and survey No. :

Description of the China Net :

DECLARATION

I..... do hereby declare that I fully understand the provisions under Section of the Major Port Trusts Act, 1963 (38 of 1963) and the regulations made there- under viz. " the Cochin Port Trust (Licensing of China Fishing Nets) Regulations, 1976 " I also affirm that I shall not claim any right in the area of backwaters and beds of back waters where in the structures of China Fishing Net are erected to be erected, on strength of the annual license for the China Fishing Net granted to me by the Trust. I solemnly declare that I shall fully abide by the said regulations. I shall remove the structure in to any part as may be directed by the Dy. Conservator or any officer empowered on this behalf without any compensation. I am also aware that the licence so granted is not transferable.

Signature of the applicant

Witness : 1.

2.

FORM 'B'

(See Regulation V (2))

COCHIN PORT TRUST LICENCE
FOR CHINA FISHING NET

Licence No.

Order No..... dated.....

Name and address of owner.

Description of China Net and survey No.

Fees collected.

Date of issue.

7. Date of expiry of licence.

FORM 'B'

(See Regulation V (2))

COCHIN PORT TRUST
LICENCE FOR CHINA FISHING NET

Licence No..... is hereby granted to Shri..... vide order No..... dated..... to erect China Fishing Net at..... is Survey No..... A sum of Rs..... (Rupees..... only) is collected on..... towards licensing fee. This licence is valid up to

Dated :

Deputy Conservator

KERALA GAZETTE

EXTRA ORDINARY

PUBLISHED BY AUTHORITY

Vol. XX] Trivandrum, Saturday , 1st February 1975 [NO. 54
12th Megha 1896

**COCHIN PORT TRUST
NOTIFICATION**

No. B-2191/75.

Cochin-682 003,
Dated the 1st February, 1975.

In Supersession of the notifications, Nos. 6-P11 (61)/52 dated 14-9-1953, 6-P11 (43)/53 dated 20-7-1953, 19-P (38)/47-1 dated 22-6-1949, 19-P (38)/47-II dated 22-6-1949, 6-P11 (65)/51 dated 16-6-1953 and G. S. R. No. 1241 dated 13-10-1960 issued by the late Ministry of Transport under sub-section (1) of section 6 of the Indian Ports Act, 1908 and S. R. O. N. 2518 dated 29-7-1957 issued under section 4 and sub-section (1) of section 29 of the Petroleum Act, 1934 by the Ministry of Works, Housing & supply, the following regulations made by the Trustees of Cochin Port in exercise of the powers conferred by sub-sections (f) to (o) of section 123 of the Major Port Trusts Act, 1963 (No. 38 of 1963) are hereby published for the information of the public, the same having been previously published twice as required under sub-section (2) of section 124 of the said Act and having been approved by the Central Government as required by sub-section (1) thereof namely:-

I. PRELIMINARY

1. Short Title- These regulations may be called the Cochin Port and Dock Regulations, 1975.
33/187.MC.

2. Definitions- In these regulations, unless the context otherwise requires:-

- 1) "Act" means the Major Port Trusts Act, 1963.
- 2) "Board" means the Board of Trustees of the Port of Cochin as constituted under the Act;
- 3) "Bulk oil vessel" means a vessel licensed to carry petroleum in bulk as cargo;

-) "Chairman", "Deputy Chairman", "dock", "vessel", "master", "owner" and "goods" have the same meanings assigned to them in the Major Port Trusts Act, 1963;
-) "Deputy Conservator" means the officer for the time being in charge of the Marine Department and includes the Harbour Master and any other Officer or Officers acting under the authority of the Deputy Conservator;
-) "Excluded Petroleum" means the petroleum having its flash point not below ninety-three degrees Centigrade.
-) "Financial Adviser & Chief Accounts Officer" means the Officer for the time being in charge of the Accounts Department and includes the deputed and assistants to the Financial Adviser and Chief Accounts Officer and any other officer or officers acting under the authority of the Financial Adviser and Chief Accounts Officer;
-) "Flash Point" of any petroleum means the lowest temperature at which it yields a vapour which will give a momentary flash when ignited;
-) "Fuel Oil" means petroleum having a flash point of not less than sixty-five degree Centigrade;
-) "Gas free Certificate" means a certificate granted by an officer appointed by the Central Government in this behalf to the effect that a vessel has been thoroughly cleaned and freed from petroleum and inflammable vapour;
-) "Motor Vehicle" means vehicle propelled by mechanical means;
-) "Petroleum" means any liquid hydro carbon or mixture of hydro-carbons and any inflammable mixture (liquid viscous or solid) containing any liquid hydrocarbon;
-) "Petroleum Class 4" means petroleum having a flash point below twenty-three degrees Centigrade;
-) "Petroleum Class B" means petroleum having a flash point of twenty-three degrees Centigrade and above but below sixty-five degree Centigrade;
-) "Petroleum Class C" means petroleum having a flash point of sixty-five degrees Centigrade and above but below ninety-three degrees Centigrade;
-) "Petroleum in bulk" means petroleum contained in a receptacle exceeding one thousand litres in capacity;
-) "Petroleum vessel" means a vessel carrying more than 2500 litres of petroleum Class A or petroleum Class B excluding bunkers;
-) "Port" means the major Port of Cochin.

- 19) "Traffic Manager" means the officer for the time being in charge of the Traffic Department and includes the deputies and assistants to the Traffic Manager and any other officers or officers acting under authority of the Traffic Manager;
- 20) "Vehicle" means any cart, carriage, lorry, truck or other wheeled contrivance, used for the transportation by road of human beings or of property.

II. GENERAL

3. Board not responsible for any act of or default of, Port officials.- The Board shall not be responsible for any act or default of any Port Officer or Deputy Conservator or Harbour Master or of any deputy or assistant of any of the authorities aforesaid, or of any person acting under the control or direction of any such authority, deputy or assistant or for any act or default of any pilot, or for any damage sustained by any vessel in consequence of any defect in any of the moorings, hawsers or other things belonging to the Board which may be used by the vessel.

III. ADMISSION OF VESSELS INTO PORT

4. Notice of the expected arrival of a vessel- When a vessel is expected to arrive in the Port a notice shall be sent in advance at the earliest possible moment in the prescribed form to the Deputy Conservator of the Port by the master, owner or agent of the vessel expressing also the particular berth of any, which the vessel would prefer to occupy; the expression of such preference shall not, however, entitle the vessel to any particular berth. Copies of such notices shall also be sent simultaneously to the Traffic Manager and the Harbour Master.

5. Allotment occupation and vocation of berths.- The allotment of berths shall be in the discretion of the Traffic Manager. In exercising his discretion, the Traffic Manager shall be guided by the following rules, namely:-

- 1) Berthing of vessels should be so arranged that.- (i) When the agents of a vessel have expressed a preference for any particular berth the Traffic Manager shall, whenever possible, arrange for such a berth and where it is not possible to allot the berth desired, the Traffic Manager shall give due intimation to the agents.
- ii) Other things being equal the vessel first arriving at the Port limits and reporting to the signal station shall be given priority in the allotment of berths provided her draughts and other nautical considerations permit her to be placed in the moorings.
- iii) Over riding priority may be given to Government vessels embarking or disembarking troops, or

g or shipping Government stores, to passenger steamers, or to vessels landing or shipping live- stock.

f) The allotment will be done in such a way as not to cause any loss to the Port, other factors being common.

1. The priority of the use of a mooring secured to vessel does not however, secure her a choice of mooring. Such choice is dependent upon the working arrangements.

2. (a) No vessel berthed within the Port shall draw fires of main boilers or effect such repairs as will necessitate more than 12 hours to raise steam without the special permission of the Deputy Conservator of the Port which must be obtained in writing by the master or agents of the vessel; the Deputy Conservator will grant such permission in consultation with the Traffic Manager.

g) If a vessel fails to discharge or load on any one day the quantities specified below except for persons beyond the control of the vessel (for example weather, labour troubles) the Traffic Manager may call upon her to vacate her berth within 24 hours of the receipt of notice, and another waiting vessel desires access to the berth, such vessel shall vacate the berth within the time specified in the notice.

i) Export vessel must load daily a total quantity equivalent to a least 50 tonnes of general cargo, or 100 tonnes of bag cargo, per working hatch.

i) Vessels discharging general cargo must discharge daily a total quantity equivalent to a least 50 tonnes per working hatch;

i) Vessels discharging import bag cargo must discharge daily a total quantity equivalent, to at least 150 tonnes per working hatch.

i : For purposes of this sub- regulation, the expression "day" shall mean a day of 24 hours from 6 a.m. to 6 a.m.

Nothing in this sub- regulation shall be deemed to prevent a vessel having for discharge or intake Port lesser quantities of cargo than those specified above from having access to a berth, or from the other Port facilities.

3. Notwithstanding the provisions above mentioned regarding the priorities in the allotment or berths, the Traffic Manager shall have the discretion to arrange the berthing of vessels in any particular manner, if he finds that such arrangement will facilitate the best use of the berths or that such arrangement will serve the general interests of shipping to the best advantage.

5) Preferential of berths in public interest- Notwithstanding anything contained in the foregoing regulation, the Board may direct that preference be given in the allotment of berth to any vessel or vessels,

if in their opinion it is desirable to do so in the public interest.

in exercising these powers, the Board shall be guided by the following, namely:

1. These powers, which are overriding in nature, shall be exercised only in case which warrant the Board's direction in public interest.

2. Such direction shall be made only when the Board is satisfied that it is necessary to interfere with the decision of the Traffic Manager made in accordance with Regulation 5.

3. Government direction issued from time to time regarding preferential allotment of berths to vessels calling with cargo like sugar, edible oil, food grains, defence cargo etc., will have overriding priority.

4. Allotment of dedicated berths to particular types of cargo/ ship will not be unduly disturbed.

5. Priorities in respect of any berth/groups of berths are duly considered before the directions are issued.

6. In the normal course preferential berthing shall be done in consultation with the Traffic Manager and Deputy Conservator.

7. It will be ensured that no avoidable hardship is caused to the owners or agents of ships calling at the Port.

8. Refusal to allot a berth- If the Traffic Manager or the Deputy Conservator considers that there is no good reason for not allotting a berth to vessel he may refer the question to the Chairman of the Board and pending the Chairman's decision he may refuse to allot a berth and explain the reasons therefor at the meeting of the Berthing Committee and in writing to the Steamer Agents if required after Chairman's decision is obtained.

9. (a) Master to be in command of vessels- A vessel shall not be permitted to enter or leave or to be moved from one berth to another unless the master of such a vessel or the Chief Officer holding a Master's Certificate is on board and is in actual command. Under exceptional circumstances, such as the death or serious illness of the master, special arrangements shall be made with the Deputy Conservator.

(b) Order etc., of the Deputy Conservator to be carried out- Masters and owners of vessels shall obey all directions of the Deputy Conservator in relation to the rotation and manner of approaching the port entrance and of coming into or going out of Port.

9. Berthing of Tankers in ballast at Dry Cargo Wharf Berths- Tankers in ballast will not be berthed at a dry cargo wharf berth unless a certificate to the effect that the vessel is free from dangerous vapour issued by the appropriate Inspector of Explosives is produced:

Provided that a vessel used for the carriage of petroleum in bulk which has not carried petroleum

point below sixtyfive degree Centigrade since her last gas free certificate was granted, may be berthed
 certificate issued by the master of the vessel stating that the tanks have been properly cleaned out.

3. Vessels to be under steam or assisted by tugs:- A vessel shall not be permitted to navigate
 Port's channels or entrance unless propelled by her main engines or assisted, when necessary, by
 sufficient steam or motor tug or tugs. The Deputy Conservator may in the events of insufficient propelling
 being provided by the master or owner, or in any case in which he considers it desirable to do so,
 employ the Board's and any other available tug or tugs for duties in connection with any vessel navigating
 channels or entrance or berthing and unberthing; and the master or owner of every such vessel shall
 reimburse charges for the use of any tug of the Board in accordance with the rates fixed from time to time
 on his behalf and shall also pay for the use of any other tug engaged at such rate as the owner of the
 vessel usually charges for a similar work.

4. Supply of Lines Hawsers, etc- A vessel entering the channel and berthing at wharf or stern
 shall have in readiness and supply for use, such steel wire or other hawsers or lines having not less
 100 fathoms length as may be required for each bow and quarter, and such other ropes, lines and fenders
 as may be necessary to facilitate berthing or to protect the vessel from injury whilst hauling into the berth.

5. Vessel to have sufficient number of crew and appliances on board- Masters or owners of vessel
 shall employ sufficient number of crew, and keep in readiness such as may be necessary appliances on
 board for working their vessel in and out of the Port channel and in Port. In default or whenever necessary
 the Deputy Conservator may, at his discretion, employ such number of personnel, and make available such
 appliances as he may consider necessary at the expenses of the master or the owner.

6. Anchors to be ready- Vessels when entering, leaving or being moved in the Port, shall have both
 anchors ready for letting to at a moment's notice.

7. Stowing of Anchors- Immediately after vessels shall have been moored in their berths and so
 long as they shall remain in Port, one of their anchors shall be properly stowed. (the other having been
 used while berthing) in such a manner that there shall be no projection outside the lines of the vessel's

8. Projections from a vessel's side- Vessels when entering, leaving, being moved or lying at
 side berths, shall have their sides free of all projections. Their boats, davits and derricks shall be swung
 up. Their yards shall be braced or peaked within the beams, and gangway ladders shall be unshipped.

9. Master's etc., responsibility for accidents- Master and owners of vessels shall be held responsible
 for accidents which may in any way result from failure to adopt any of the precautions specified in these
 regulations.

10. Vessel lying outside the channel to be moved:- A vessel lying at the outer roads near the entrance

channel shall be removed by the master or owner if and when required by the Deputy Conservator. Such removal should be effected within one hour on receipt of order of the Deputy Conservator. However this time limit may be relaxed by the Deputy Conservator in exceptional cases after recording in writing the reason for doing so. Should such removal not be effected promptly within one hour or such further time limit as allowed by the Deputy Conservator, it shall be carried out under the orders and directions of the Deputy Conservator at the risk and expense of the Master or owner of such vessel"

18. Vessels to be upright while berthings or unberthing:- Vessel shall be upright while berthing at or unberthing from the alongside berths.

19. Masters etc., to place his vessel into her berth:- The berth to be occupied by a vessel alongside a wharf shall be decided by the Traffic Manager and the berth to be occupied in stream shall be decided by the Deputy Conservator and the master or owner shall place such vessel in such berth on his own responsibility. A pilot of the Board shall normally be put on all vessels to assist in moving them from channel entrances to their appointed berths and vice versa or from one berth to another berth in Port.

20. Masters etc., to take all precautions on board to safeguard life or property -

(a) a vessel in Port shall be in the charge of her master or owner and it shall be the duty of the master or owner to see that all gangways are securely placed and that, when not in use, all hatch ways are properly secured and covered in order to safeguard both life and property and that when in use they are properly illuminated as a safeguard against any person or persons falling in.

b) Whenever welding operation are to be conducted on board any vessel in Port the prior permission of the Deputy Conservator shall be obtained by the master, owner, or steamer agents. During the operations, it shall be the responsibility of the master or owner to see that all precautions are taken for the prevention of fire (by removing all inflammable material from the vicinity, having a fire extinguisher ready and fire-hose rigged) and that the operations are supervised by a responsible persons.

21. Mooring, unmooring and moving vessels in port- Masters and owners of vessels and syrans, bindals and other persons in charge of launches, brages, cargo boats or other small craft shall obey the directions of and shall offer no obstruction, to the Deputy Conservator or his assistant in regard to the mooring, unmooring or moving of any vessel in Port. Launches, barges, cargo boats or other small crafts, shall not be moored or allowed to lie offside vessels except three in a row alongside each hatch, and the Deputy Conservator shall employ whatever means may be required, which he may consider reasonable to enforce this regulation. A vessel except launches, barges, cargo boats or other small craft shall not be required to be moved from her berth without previous intimation, as to the mode and time of removal having first been given. If it becomes necessary the Deputy Conservator shall employ whatever mens may be required, which he may consider reasonable, to enforce his orders, and the expenses so incurred shall without

ice to any penalty which the master or owner of vessel may be liable be payable by such master or
 . Masters of vessels shall ascertain from the Deputy Conservator the drafts which thier vessels may

2. Mooring to be done properly- Masters or owner of vessel lying at alongside berths shall not
 the ropes or hawsers of thier vessel to be made fast to any place or places at these berths other
 amson posts, bollards, moorings posts, cleast, ringbolt or other appliances specially provided for the
 se.

3. Vessel to be in charge of competent persons- During such time a vessel remains in port the
 r of owner or a responsible Dock officer not below the rank of 3rd offices shall be incharge of the
 and sufficent crew shall always to be on board and the officer in charge shall superintend and direct
 rrying out of all duties in connection with the vessel or loading or unloading her cargo. In case of
 officer in charge of a vessel is not a holder of certicate of competency the master of the vessel shall
 ponsible for his action."

4. Watchman to kept on deck- A vessel in Port shall maintain a quarter mater or watchman always
 y on deck, who shall be stationed in charge of the vessel's shore gangway and who shall attend to
 ig ropes and lines of the vessel and shall clause their adjustment from time to time as necessary
 ally in the case of vessels moored at stream berths when the bow and stern mooring hawsers and
 shall be attended to and adjusted as necessary at the time when any vessel at an adjacent stream
 s leaving. In default, the master or owner of the vessel shall be liable for any damage resulting from
 default.

5. Vessel's propeller not to be worked- (a) While a vessel is berthed at any of the alongside or
 i berths in Port, her propeller shall not be moved either by power or hand without the previous written
 sion of the Deputy Conservator and subject to scuh conditions as he may direct.

b) Master and owners shall be respnsible for any damage that may result from the moving of
 oppeller by power or hand notwithstanding that permission has been obtained under sub- regulation

6. Anchor or other gear dropped to be recovered- Masters and owners of vessels shall be
 isible for the immediate buying any anchor or gear that may have been dropped over board from thier
 is Port and shall take steps for the removal from the water of any such anchor or gear with all
 able despatch.

7. Vessels to be properly ballasted- Vessels in Port shall be kept so loaded or ballasted that in
 ent of fire or other emergency arising, they may, with safely and without danger be removed from
 erths.

28. Repairing vessels- (1) A vessel shall not carry out repairs in Port unless a suitable berth is allotted and subject to the condition that the owner master or any person in charge of a vessel shall not allow the commencement of any repairs, involving the use of naked lights, gas-cutting or welding apparatus, to or in the vicinity of the fuel storage tanks or the fuel system or involving the entry of any person into any fuel storage tank, of such vessel wherein petroleum may have been deposited unless such owner, master or other person in charge of the vessel has obtained a vapour-free certificate from the Inspector of Explosives. Such owner master or other person in charge of such vessel shall indemnify the Board for any loss or damage what soever arising directly or indirectly from any breach of this regulation.

(2) A berth allotted under this regulation shall be vacated to any other suitable wharf or steam berth if available as and when required for vessel desiring to load or unload cargo

(3) When a vessel is under repairs in the port and if in the course of repairs it becomes necessary to open up any of the overside pipes, such pipes shall be rendered safe by being blanked off. If an overside pipe cannot be blanked off and rendered safe then it shall not be opened up. The master or the officer in charge of the vessel and the owners of the vessel shall be held responsible for any accident that may in any way arise from neglect to take these precautions and for all liabilities that may arise as a result of the accident.

(4) Repairs to or works on any vessel shall be carried out in such a manner that no chipping, scaling, pieces of wood or iron or like loose substances or materials shall be allowed to fall in water, and canvas chutes or staging shall in every instance be erected in order effectively to prevent any such loose materials as aforesaid from so falling. The Traffic Manager or the Deputy Conservator may, if he considers it desirable, prohibit chipping or repairs causing excessive noise between the hours of 9-30 p.m. and 6.00 a.m.

29. Use of inflammable materials etc., on board vessel- Pitch, resin, tallow or other inflammable materials shall not on any account be melted on board any vessel or on the quays, except in such manner and in such places as shall be appointed by the Deputy Conservator or Traffic Manager; nor shall any pitch, tar, oil, flax, oakum, straw, shavings, or other inflammable or combustible article be allowed to remain on the deck of any vessel or on the quays, wharves or roads.

30. Goods etc. not to be allowed to fall- No. cargo, goods, or substance whatsoever shall be thrown or allowed to fall from any vessel, quay or pier in the water within the Port limits. In the event of any such cargo, goods or substance being so thrown or allowed to fall as aforesaid, the person, master owner, or stevedore in whose charge the cargo goods or substance was at the time shall be responsible and held liable for any loss or damage which may arise in consequence.

31. Notice to be given of goods, rubbish etc., fallen in Water and recovery of such goods etc- (1) Any person of the master or owner of any vessel or any stevedore or unloading any vessel who allows any

, goods or substance as detailed to fall from any vessel, pier or quay into water within the Port limits forth with give notice of the occurrence and furnish all particulars connected therewith to the Traffic Manager and the Deputy Conservator and shall immediately take measures to have the said cargo, goods or substances removed from the water.

2) In the event of any such person, master or owner of a vessel or stevedore not having removed cargo, goods or substances as aforesaid from the water within eighteen hours of the receipt of notice from the Deputy Conservator calling upon him to do so, the Deputy Conservator may remove such cargo, goods or substance at the expense of such defaulting person, master, owner or stevedore as aforesaid and all expenses shall be recovered from the persons, master, owner or stevedore without prejudice to any liability to which that person, master, owner or stevedore may be liable.

2. Ashes, rubbish etc., not to be deposited on quay etc., without permission. - No person shall, without authority from the Traffic Manager deposit upon any quay or pier, in the shed or in any part of the wharf's premises at the wharves or other alongside berths, any ashes, ballast, baskets, bottles, cinders, dirt, dust, refuse, rubbish, shavings, stones, or other like loose materials or substances.

3. Prevention of materials falling in water and disposal of ashes etc.- Masters or owners of vessels or stevedores loading or unloading ashes, ballast, bricks, cinders, coal, dust, lime, rubbish, shingle, stones, or any other loose matter things, shall use for such purposes a canvas cloth or wooden chute, to the satisfaction of the Deputy Conservator. Ashes, cinders, dust and rubbish shall be landed on the quay in such a manner as may be directed by the Traffic Manager whence it will be carted away at the expense of the master or owner of the vessel.

4. Bilge water etc., not to be pumped overboard.- No Ballast, earth, ashes, stones, rubbish, waste materials, filth, oil, ballast water containing oil, bilge water, sewage or refuse or any other article, substance or thing of whatever kind liable to foul or capable of fouling the water, shall be thrown, discharged, placed, or emptied or allowed to leak or flow or to fall from any vessel, quay or pier in the water within Port limits.

5. Cleaning of bilges etc.- Bilges before being cleaned out shall be freely flushed and they, as well as tanks, shall be left open for at least one hour before any person shall be allowed to enter for cleaning or any other purpose. During this time and while the cleaners or others are at work either in the bilges, or other confined spaces on board a vessel, a constant supply of fresh air shall be pumped into such tank or other confined space by means of ventilating fans fitted with stout permanently distended hose sufficiently long to reach the most distant compartment. Masters and owners of vessels shall be held responsible for any accidents that shall in any way arise from neglect to take these precautions.

6. Projections from deck of a vessel.- Projections from deck of any vessel which interfere with the loading or unloading of any other vessels in Port shall be forthwith removed on requisition by the Traffic Manager.

37. Exhaust, etc., pipes.- Exhaust steam or water from winches or other machines or engines on board vessels while at alongside berths shall be laid down the side of the vessel to below coping by a hose or other effective appliance.

38. Gangway lights.- Between sunset and sunrise at least two lights shall be exhibited at the gangway of every vessel in the Port the lights being provided one at each end of the said gangway.

39. Fenders.- Fenders which do not float shall not be used over the side of any vessel. Fenders provided by the board shall not be lifted or removed by masters of vessels or their stevedores.

40. Bells.- Bell shall not be struck to denote the hour on board vessels while lying at any alongside berth.

41. Dangerous animals and fire arms.- Vicious or dangerous animals and load guns or loaded fire-arms shall not be kept or allowed on board any vessel while lying in port.

42. Vessels with dangerous Cargoes etc.- The Deputy Conservator may order the immediate removal from the Port of any vessel having on board animal manures or other offensive or dangerous cargoes, or any person suffering from an infectious disease.

43. Master etc. of vessels responsible for damage- Masters and owners of vessels shall be held liable for any damage whatsoever that shall have been caused by their vessel or servants to any of the works or property of the Board and the Board may detain their vessels until compensation claimed by the Board is paid or security has been given for the amount of damage caused.

44. Vessels lie at risk of master etc.- All vessels in the Port shall lie at the risk of their masters or owners, and such masters or owners shall be held responsible for any loss or damage that may arise in consequence of their faulty navigation or by reason of their breaking a drift from their anchors or moorings.

45. Master's etc. responsibility for acts of crew etc.- Masters and owners, of vessels shall be held liable and responsible for the acts of the crew and of any person or persons that shall be employed about or on board their vessels.

46. Board not liable for delay, etc. - The Board shall not be liable in respect of any detention or delay to vessels, entering, remaining in, or going out of the port or in their progress from one berth to another within the port or for detention or delay in the discharge or loading of cargoes from or into vessels, or for dead freight, delay in the loading and unloading of goods owing to a glut of vessels or goods or other circumstances beyond their control, or of a stoppage in the delivery of goods from any cause whatsoever.

47. Masters of vessels to report, immediately, outbreak of fire, explosion, leak or collision -

(a) In the event of any fire or explosion occurring on board any vessel which is in the Port - whether in cargoholds or bunkers or any other place - or if such vessel springs leak or suffers a collision, the master

vessel shall immediately report the occurrence to the Deputy Conservator by the quickest available means. If this report is made by signal a written or verbal report shall follow as soon as possible. In the event of fire or leak, the master shall make the international code urgent signal by day, and by night the red light signal, signifying her condition, and shall keep the same hoisted until the fire is extinguished or the leak is stopped.

2) The Board shall have the right to take such steps as it may consider necessary to extinguish fires in the Port and its premises, whether such fires be ashore or afloat.

3) The owner of the vessel in which the fire has occurred or the owner of the goods or articles damaged shall pay the hire charges, of all plant and appliances used to extinguish fire.

4) Any one observing a ship's fire shall immediately (i) inform the ship's officer who shall be responsible for raising the alarm required under sub - regulation (e).

i) If the ship is alongside a quay, treat the fire as on shore and raise the alarm required under sub - regulation (e) and also inform the ship's officer who at once also raises the alarm required under sub - regulation (e)

2) The following methods shall be used for raising an alarm.

i) A float by day - Hoist international flag 'DQ' sound blasts on ship's siren namely, short, short, long, continuously until the fire brigade arrives.

i) A float by night - Sound siren as above, hoist two red lights one above the other six feet apart. On ships are alongside the alarm is to be raised by telephone in addition to above procedure.

i) Ashore by day or night - Run to the nearest telephone and ring up telephone No. 6555 and on connected state clearly.

fire in ship at.....

fire ashore at.....

5) Under - water- repairs - No. person shall dive in the waters within the port limits (or creep under or creep them) for anchors, cables and stores or for cargoes lost or supposed to be lost there in or for purpose of undertaking under - water repairs to vessels, without the prior permission of the Deputy Conservator.

6) The sinking of a boat to be reported by the master of a vessel, in certain circumstances - The master of any vessel in the port, alongside which and cargo or other boat may from any cause be sunk taking in cargo or passengers from or discharging cargo or passengers into such vessel, shall forthwith report the fact of such sinking and the place where it occurred to the Deputy Conservator.

50. The sinking of any boat in the Port to be reported by the master of the boat - The master of any cargo or other boat which may from any cause be sunk in the Port shall forthwith report the fact of the sinking and the place where it occurred to the Deputy Conservator.

51. Lighters, boats and other craft to be beached only at places assigned - No lighters boats or other craft shall be brought ashore or beached for purpose of repair, except at such places, as may be assigned to the Deputy Conservator for the purpose.

52. Boats and other craft not to make fast to quays, wharves or landing places - No boats, lighters, or other crafts shall be permitted to lie alongside or make fast to the quays, wharves or landing place, except when loading or unloading, or for the purpose of taking off or landing passengers or baggage.

53. Tindals and crew to remain in boats - Tindals and the men composing the crew shall remain in their respective boats, lighters and other craft when alongside the quays, wharves or landing places and shall obey the orders and directions of the Deputy Conservator or the Traffic Manager or both.

54. Boats, lighters and other craft to keep clear of quays and landing places when required to do so - Any person who being a tindal or a member of the crew of any boat, lighter or other craft when required to do so by the Deputy Conservator or the Traffic Manager, fails to keep such boat or other craft clear of quays and landing places shall be liable to penalty.

V REGULATIONS IN RESPECT OF QUAYS AND SHEDS, LOADING AND UNLOADING OF VESSELS AND RECEIPTS, DELIVERY AND SHIPMENT OF GOODS.

55. Cargo work in the Port under the Traffic manager - The loading and unloading of vessels in the Port shall be subject to the overall control of the Traffic Manager who may at his discretion prohibit the discharge of such goods at the alongside berths which in his opinion are likely to obstruct traffic or cause congestion or hinder the convenient use of these alongside berths. Such goods shall be discharged overseas or handled elsewhere as directed by the Traffic Manager. Notwithstanding the provisions of regulation 54 the Traffic Manager may at his discretion also remove to such other places under his jurisdiction as he deems fit (provided such places are within the Customs Area) any goods upon landing at the alongside berths soon thereafter the storage of which at the berths is likely to obstruct traffic or cause congestion. The apportionment of quay space to be occupied by each vessel shall similarly be determined by the Traffic Manager.

56. Use of cranes - The allocation of cranes shall be normally in the order of the receipt of the requisitions for their use subject to their availability provided that the Traffic Manager may at his discretion alter the allocation of the cranes in a manner that will ensure the best use of the cranes in the general interests of ship's work and other deliveries generally.

57. Vessel to be moored before working cargo - Goods shall not be loaded or unloaded from a vessel

Port until that vessel shall have been moored at her appointed berth.

58. Breaking bulk - (1) Before the master, owner or agent of vessel proceeds to "break bulk" he shall deposit with the Traffic Manager a true copy of the general manifest which will not be returned. The master, owner or agent of a vessel shall also lodge with the Traffic Manager a true copy of the freight manifest in which must be entered the details appearing in the General Manifest and also the gross weight of each consignment manifested not less than six clear working days before proceeding to break bulk. When a consignment comprises of individual packages of uneven weights the gross weight of each package shall be furnished. The Traffic Manager may reduce this period in the case of cargoes loaded into the vessel at the last port of call of the vessel and also in the case of vessels which load cargoes at any of the ports in India.

(2) Non - submission of the manifests referred to in subregulations (1) within the stipulated time may result in the vessel concerned not being permitted to break bulk.

(3) In cases where permission has been granted by the Traffic Manager to discharge "other Port cargo meant for sub - sequent transshipment" the formalities specified in sub - regulation (1) shall be observed by the master, owner or agent of the vessel concerned, before commencing discharge of such cargo and the Traffic Manager shall have powers to stop such discharge unless the manifests have been deposited and lodged within the time stipulated in sub - regulation (1)

59. Production of vessel's papers, cargo details etc- Masters, owners and agents of vessels if and when called upon by the Traffic Manager shall produce any book, voucher or other document relating to the landing or shipment of their vessel's cargo. In the case of imports of bag goods, a true copy of manifest showing the quantities under owner's marks, of the goods contained in each hatch of the vessel shall be deposited with the Traffic Manager before unloading is commenced. If required to do so by the Traffic Manager, a true copy of the manifest showing similar particulars shall be deposited with in the case of imports of other types of cargo as well.

60. Removal of iron, steel, machinery packages, long and unwieldy heavy lifts from the Port- notwithstanding the provision of regulation 55, consignment of iron, steel, machinery packages, long and unwieldy heavy lifts landed in the Port may be removed by the Traffic Manager at his discretion to any premises in the possession of the Board at the cost of the consignees, owners or importers and without giving previous notice to them if he considers it necessary to do so for the safe and convenient working of the Port.

61. Floating timber- (1) All floating timber discharged from vessel inside the Port shall be properly rafted and removed. Any floating timber which the importer or his landing agent is unable to transport on the day of discharge shall be properly rafted and secured in such manner and at such places as may be directed by the Deputy Conservator in this regard.

(2) The master of any vessel discharging timber into the sea at the Port shall cause such timber to be actually lowered into the water and shall not allow it to be thrown overboard.

62. Discharge and shipment of coal- (1) The discharge or shipment of coal, in bulk or otherwise, from ships at the wharf berths, may be effected only with the written permission of the Traffic Manager, who may refuse such permission in case where he considers that any loss or damage to property is likely to arise from coal dust or otherwise, caused by such discharge or shipment;

(2) Permission accorded to discharge or ship coal, in bulk or otherwise on and from shore, shall be subject to the importer or shipper or other accredited agent agreeing to reimburse the entire cost of clearing the wharf of the residue.

63. Loading and unloading of cargoes likely to foul wharves-

(a) Molasses and other goods of a nature likely to foul the wharves or transit sheds or to cause damage to other goods may be discharged from a vessel on to the wharf only with the permission of the Traffic Manager and subject to the owner or consignee of the goods undertaking to pay to the Board the expenses incurred by the Board for cleaning the wharf and transit shed.

(b) The decanting on the wharves from drums or other receptacles of vegetable, fish or other oils preparatory to their shipment in bulk shall not be permitted. Where shipments in bulk of oils are to be effected, the oils shall be transported in tank wagons or tank lorries and pumped directly therefrom into the vessel's tanks, or where the oil has been transported in tank barges directly from barges into the vessel's tanks.

64. Removal from wharf of any rotten, etc., goods discharged from vessel- If any vessel shall discharge any goods substance in such a rotten, putrid, damaged or other conditions as to be a nuisance, injurious or dangerous to health in the opinion of Health Officer of the Port or if any goods or substance discharged from any vessel become rotten, putrid or otherwise as to be a nuisance or injurious or dangerous to health in the opinion of the Health Officer of the port, the Traffic Manager may require the owner thereof, if the owner should disclaim, deny or dispute the consignment or decline all responsibility, or if the owner should disclaim, deny or dispute the consignment or decline all responsibility, or if there is no owner, the master, owner or agent of the vessel from which the goods or substance, had been discharged, forthwith cause the said goods or substance, to be removed, and if such owner of the consignment or such master, owner, or agent of the vessel as the case may be, shall, on being so required, refuse or neglect, for the space of eighteen hours after notice, to remove such goods or substance, then such removal may be effected in such manner as the Traffic Manager may think fit and he may, if he thinks it necessary, cause the said goods or substance to be destroyed, and the said owner of the consignment or the said master, owner, or agent of the vessel, as the case may be, shall, within forty-eight hours after demand in writing by the Board all the costs of expenses attending or occasioned by such removal and destruction and such cleaning, purifying or disinfecting the place of discharge or storage as may be considered desirable, and shall be further liable to the prescribed penalty.

65. Transfer of vessels from their berths- The Traffic Manager or the Deputy Conservator may direct vessel to move from any one berth to any other vacant berth for adequate reasons. The master, owner, agent of the vessel shall be responsible for the cost of removing any cargo not shipped from the old to the new berth, provided that twenty-four hours notice to transfer shall have been given. The Board shall be responsible for any delay which may be caused to a vessel in effecting a transfer under this regulation.

66. Vessel overlapping or double banked- Vessel occupying quay-side berths shall give such facilities for loading and unloading cargo to and from vessel occupying outside berths as the Traffic Manager may consider reasonable, and the Board shall not be responsible for any delay or demurrage that may occur, on account of overlapping or double banking of vessel, to the outside loading or unloading of such vessel.

* 67&68

Regulations 67&68 repealed and new Regulations framed.

69. Discharge of a vessel's cargo to be under the Supervision of master, etc., or stevedore- their duties-(1) Cargo shall not be discharged, loaded or shifted in any vessel in the Port except under the direction and supervision of the master or owner of the vessel or of a stevedore licensed by the Board to perform such work in the Port.

(2) The owners, or stevedore shall be liable in respect of any loss or damage arising from the careless or improper slinging of goods on board such vessel and shall in every instance observe the following cautions:-

- (i) that the sling is laid out flat without turns or kinks before any goods are loaded therein;
- (ii) that after each sling has been made up and with the first strain on heaving up, the running loops shall be beaten home with a wooden bar in order that the grip may be made secure.

70. Masters, etc., and stevedores working cargoes to provide proper lights on board- Master and agents of vessel and the stevedores working the cargoes of such vessels shall be jointly and severally responsible for the proper provision of lights in all those parts of vessels, where work is being carried on or in any way connected, directly or indirectly. With the use of the Board's cranes, quays, piers or other works. In default they shall, jointly and severally, be liable in respect of any loss or damage to life, limb or property that may result.

71. Marking up of slings- Cranes not to be used under vessel's comings- Slings of import goods shall be made directly under the open hatchway of any vessel unloading and in no circumstances, whatsoever, shall the Board's cranes be employed for the purpose of breaking out or removing goods from under the slings.

72. Use of vessel winches- (1) Masters and owners of vessel employing their own cranes or winches in the loading or unloading of goods shall do so at their own risk and responsibility in respect of any loss or damage to goods arising from any cause whatsoever.

(2) The ship's officers shall ensure that the Port comes work quite clear of the ship's gear-

73. Heavy lifts- The Traffic Manager may prohibit the landing from any vessel of any single article package of over 10 tonnes in weight, except by the Board's cranes provided for the purpose, should it in his opinion, be necessary or advisable to do so.

74. Discharge of heavy packages- (a) Single articles and packages of one metric ton and over in weight shall not be loaded on board any vessel unless the gross weight of each such article or package is marked thereon by the consigners and their agents in the manner set out below.

(1) Manner of marking of heavy packages- (i) The gross weight on a heavy package shall be marked thereon in English and, as far as possible, in the regional language also with a kind of paint which is not easily effaceable.

(ii) Where a heavy package is of a light colour, black paint shall be used and where the package is of a dark colour, white or yellow paint shall be used.

(2) Gross weight to be marked in metric Tons or Kilogrammes- The gross weight of a heavy package shall be marked thereon in metric tons or kilogrammes.

(3) Places of marking- The gross weight shall be marked on two sides of a heavy package so that wherever the package is the marking is easily visible.

(4) Size of letters or figures- Every letter or figure used to mark the gross weight of a heavy package shall be at least seven and half cms. in length and one half cm. in breadth.

(5) Manner of packing- (i) The goods in a heavy package shall be securely packed in strong covering such manner that there is no movement of the goods inside the package or any danger of the disintegration of the goods or the covering.

(ii) The covering shall be of such material and nature as can stand the strain of the package being handled during the course of loading or unloading so that the risk of any injury to persons who handle the package is minimised.

(6) Marking of approximate weight in certain circumstances- Where at the place from where a heavy package is consigned there are no means available for determining the correct weight of the package, the anticipated minimum and maximum weight of package, in metric tons, or kilogrammes, shall be marked thereon in the manner herein before specified.

Provided that such anticipated maximum weight shall be so assessed that it does not fall below the actual weight of the package.

(b) Consigner and their agents, the master, officers, owners and agents of vessel and stevedores shall be held liable for any breach of the provisions of this regulation.

75. Discharge of dangerous, hazardous and fragile goods- Kegs or drums of oils, paints, bricks,

enware, pipes and similar goods, which require careful handling, and as far as practicable, dangerous hazardous cargo shall be discharged from a vessel in iron trays and not in wile or rope net slings: the ds shall not be liable or responsibe in respect of any loss or damage to such goods arising or resulting the non-observance of this provision.

76. Use of the Boards and other gear etc., - All gear, iron sheets, slings, trubs and other articles ided by the Boards shall, when no longer required, be returned to the Board's store's and shall not he ying about the quays of roads. Masters and owners of vessels and stevedores shall be charged hiring on all such gear, iron sheets slings, tubs and other arrticles from he date of issue until return to the is. All gear and other articles not provided by the Board shall be removed from the quays or road n two hours of deposit thereon; in default removal will be effected by the Traffic Manager at the expense e masteer or owner of the vessel or stevedore or other persons to whom such gear belong.

77. Supply of labour by the Board for working goods.- (1) The Board may provide the necessary jr for handling (on shore) import and export goods and goods for transshipment at the alongside berths, he Boards shall not be responsible for loss or damage arising in consequence of sufficient labour being tainable owing to strike or riots, to the sudden outbreak of epidemic disease or to any other cause nd their control.

(2) The Board may, however, permit owners of cargoes or thir agents to undertake the landing or nent of goods from and on vessel, subject to such conditions as may be prescribed by the Board from to time.

(3) Labour shall be supplied under the following conditions:-

- (i) Applications shall be madde in writing and signed by the master or chief officer or agents of the vessel requiring labour.
- (ii) Applications for labour at night shall be made by 2.30 p.m. for the following day by 3.30 p.m.
- (iii) In case where labour is orderd and supplied but no fully or properly utilised, the Board may call upon the master, Chief officer or agents to pay the actual cost of labour rendered idle during such time as it shall not have been properly utilised.
- (iv) In case where labour is ordered and supplied but sent away or not required after work shall have commenced at 8 a.m. or 6 p.m., the Board may call upon the master, Chief officer, or agents to pay the actual cost of labour for the whole day or whole night as the case may be.
- (v) Vessel coming to the alongside berths in the afternoon, shall be supplied with labour only if such is available, unless previous orders have given by the Traffic Manager.

78. Storage and shipment of export goods:- (1) Goods brought into the Port sheds or premises at the wharves for shipment shall remain in the custody of and at the sole risk and responsibility of the owners, shippers or the agents as the case be; the Board does not assume any custody of or responsibility for such goods. Goods for shipment shall be received in the sheds or in the open spaces at the wharves, only under the orders of the Traffic Manager. They shall be stored at such places as directed by him and shall under no circumstances be allowed to obstruct the traffic at the wharves.

(2) Owners or their representatives intending to ship goods shall fill in the export application in quadruplicate which shall be in the form set out in Appendix 'A' to these regulations (except the columns in which the shipping fees payable are to be entered) and shall sign the same. Such application shall show full details of the consignments covered by it including the description and quantity of cargo and the weight or measurement or litreage of each consignment, as the case may be, according to the unit on which quay dues and stream dues are assessable on the goods. (The weight or measurement shall be shown in the metric system). Where the dues are assessable on the weight basis the gross (and not the net) weight of the consignment shall be shown. Where the consignment comprises heavy lifts (that is to say packages each weighing above 1-5 tonnes) the gross weight of each such heavy lift and its measurement shall be shown in addition. The Export Application thus filled in and accompanied wherever necessary by invoices or such other documents in support of the weight of measurements declared, shall be presented, at the main office counter when the applications shall be checked, the charges assessed and received and the export application endorsed by the Financial Adviser and Chief Accounts Officer in token of receipt of the charges due thereunder.

(3) Goods for shipment shall not be admitted into the Board's transit sheds or premises at the wharves unless the shipper of the goods produce at the shed the triplicate copy of the export application referred to above. These goods shall not be loaded on board any vessel at the wharf berths or into any lighters for shipment by any vessel in the Port, unless-

(a) the customs export shipping bill with the "let export" order from or the Reshipment application duly passed by the Customs Department has been produced; and

(b) the shipper of the goods produces the necessary receipt for the other charges that may be due to the Board on the said goods. The Traffic Manager may, however, allow the shipment of goods in special case (where the parties have deposit accounts with the Port) in anticipation of the actual debit being raised towards the aforesaid charges due to the Board, provided the parties concerned guarantee payment of the charges and give it in writing that the charges may be debited to their deposit account/s.

(4) Subject to the conditions stated in regulation 77 the Board will provide labour for the handling of all such export goods (excluding items which are not handled by the Port and mentioned in the Port's schedule of Rates) from the place of storage to the slings, of derricks or cranes for shipment by the vessel

earned, but the shippers shall make their own arrangements for keeping an account of the cargo so loaded and obtain the necessary mate's receipts therefor.

9. The receiving, sorting and stacking of import goods.- The Boards may, subject to the conditions laid down in regulation 77 and the reservations enumerated below, undertake the receiving, sorting and stacking of general import goods unloaded on the quays except such items of cargo as may be determined by the Board from time to time:-

- (i) Iron and steel bars, hoops, pipes and similar materials and articles will be stacked according to marks, provided only that such goods shall not be discharged from the vessel in a mixed condition.
- (ii) Sugar, rice and other bag goods will be sorted and stacked in the transit sheds only according to the owner's principle marks on the bags.
- (iii) When a vessel carries cashews and other homogenous cargo under several marks for landing at the Port wharves, the master, owner or agent shall discharge the cargoes consignment wise or in not more than two marks in each sling, failing which such master, owner or agent shall be liable to arrange for the sorting of the cargoes in the transit sheds or to defray the cost of such sorting.
- (v) The Traffic Manager may refuse to receive any goods discharged from a vessel which, for want of description or proper distinguishing marks, he considers would be difficult to deliver to proper owners.
- (v) The Board may refuse to deliver part only of a consignment of iron and steel bars, hoops, pipes or of any similar materials or articles.

10. Responsibility for goods- (a) The Board will not take charge of or be responsible for any import goods unless discharged on to the quay side or fendered alongside the quay after being boated from the vessel and discharged thence on to the quay:

Provided that no responsibility shall attach to the Board after the expiry of seven clear working days from the date of taking charge of such goods by the Boards.

b) The responsibility of the Board for the condition or safe custody of goods imported shall not commence until such goods have been received into the charge of the Traffic Manager. The Board shall not be answerable or liable for deficiencies of merchandise produced by natural or unavoidable causes nor for damage or deficiencies caused to cargo such as motor vehicle castings and other fully fabricated goods owing to their being unpacked or unprotected. Subject to the provision of regulation 87, the Board shall not be answerable or liable for any losses or deficiencies whatever. Unless ascertained, pointed out to or acknowledged by the Traffic Manager previous to the removal of the goods from the premises.

81. Responsibility for import goods- Import goods unloaded from vessel alongside (except in cases of special arrangements where the landing and delivery of goods is undertaken by the owners of the vessels) may be received charge of on the quay by the Traffic Manager who may undertake their proper stacking either on the quays or in the sheds and may hold such goods for delivery to the proper owner.

82. Damaged etc. goods landed - Remarks will be passed on all goods landed from any vessel in an apparently broken, chafed or damaged condition and for all such goods the Board shall not accept or admit any responsibility or liability whatsoever.

83. Damaged etc., goods landed by night- The Board shall not be liable in any manner in respect of goods of the undernoted classes if discharged at night. Ship owners and agents desiring to discharge such goods at night shall be deemed to have been permitted to do so entirely at their own risks and responsibility:-

All packages containing bullion specie

Cinimatograph film.

Clocks and watches

Currency notes.

Electroplated ware.

Gold and silver ware.

Gold and silver leaf.

Gold and silver cloth, lace, thread, braid.

Kinkon real or imitation.

Heavy lifts of over 3 tonners.

Ivory (elephant's tusks or moose's teeth)

Silk piece-goods.

Stamps and stamped papers.

Statues (bronze or marble).

Unprotected castings.

Velvet and velvets.

Wines and spirits.

84. Responsibility for amount of goods only received:- The Board shall accept responsibility in respect of import goods only for the number of articles or packages acknowledged and signed for by the Traffic Manager in the receipts granted for such import goods to the master, owner or agents of the vessel.

85. Issue of receipt and remark list - (A) The Traffic Manager shall furnish receipts (in the form at

ndix 'B') to masters owners or steamer agents of vessels in respect of all goods landed at the Willingdon d warves of which the Board assumes custody not later than end of the fourth working day following late of landing. In respect of goods landed in damaged or defective condition, receipts (in the form ppendix 'C') known as "Receipts for import cargo (in respect of) broken or damaged package" will be shed except in the case of certain types of homeogeneous cargoes like bagged cargo, where the arks" will be shown on the original receipts themselves and a separate "remarks" list will also be shed.

(B) Consignments of liquor:- Consignments of liquor shall be tallied under marks (in the form set n Appendix 'D') as in the case of other import cargo with this difference that no remarks will be made ding the outward condition of the packages.

:- The following procedure shall be adopted for the landing and clearance of consignments of liquor:

(i) Separate lockfasts will be allotted in the transit sheds to the agents of steamer lines on application em to the Traffic Manager at least a week before the arrival of the steamer giving the approximate required.

(ii) At the time of landing from vessels berthed at the wharf or (from lighters in the case of boated o) the consignments of liquor shall be handled by the Port and stacked in the lock fasts allotted to the ctive steamer agents.

(iii) The lockfast shall be locked by the steamer agents with a lock belonging to them and by the with its own lock, and the keys will be retained by the steamer agents and the Port respectively.

(iv) The goods shall remain in the lockfast in the transit shed under the custody of the steamer agents the time they are landed until clearance and the Port shall not be responsible for damages to or ages in the contents.

(v) The goods shall be delivered jointly by the Port and the steamer agents under the direct rvision of their representatives after the Port and Customs formalities are undergone and the necessary es paid in full as in the case of any other import cargo.

(vi) The consignments of liquor shall not be allowed to be stored any where outside the lockfasts pt with the written permission of the Traffic Manager which shall be granted only in exceptional nstances, when there is shortage of lockfast accomodation, provided the steamer agents take full nsibility and indemnify the Port against all loss and claims and in such a case they will be permitted st their own watchmen on such occasions.

36. Valuable goods - Packages containing bullion, specie, precious stones, gold dust, jewellery or property of considerable value and appearing on the general manifest shall be delivered direct to rs by the masters or owners of vessels under their own responsibility, but only after intimation has been

given to the Traffic Manager (through his officers in the shed) for examination and verification of the Customs and other documents. In like manner shippers of the articles enumerated in this regulation shall make similar arrangements for shipment.

87. Responsibility for lost or damaged goods- (a) The Board shall not be in any way responsible for the loss, destruction or deterioration of, or damaged to, goods, of which it has taken charges, unless notices of such loss or damaged has been given within seven clear working days from the date of taking charge of such goods by the Board under sub-section (2) of Section 42 of the Act and no responsibility shall also attach to the Board after the expiry of seven clear working days from the day of taking charges of such goods by the Board. The Board shall not also be responsible for the import goods which have been opened for Customs examination and such goods shall lie in the Board's premises at the entire risk of the owner thereof.

(b) The Board shall not assume any custody of or responsibility for import goods landed at or export goods brought (for shipment) to the Fort Cochin Wharf. They shall remain on the Board's premises in the custody and at the sole risk and responsibility of the owners or steamer agents as the case may be.

(c) The Board shall accept no responsibility whatsoever for loss of or damage to import or tranship goods unless notice of loss or of the damage alleged shall have been received prior to the delivery of transshipment of such goods or the expiry of the period mentioned under sub-regulation (a) whichever is earlier, provided that, in the case of import goods opened for Customs examination. Such notice shall have been received prior to the taking over of such goods for this purpose.

(d) In respect of consignments of liquor the Board shall accept no responsibility whatsoever, for damages to or shortage in the contents [vide Note under regulation 85 (B)]

88. Delivery of goods, steamer agents delivery order- The goods landed at the wharf berths and received charge of by the Traffic Manager shall be delivered only on production of a delivery order on the Traffic Manager issued by the steamer agents of the vessel discharging such goods.

89. Delivery of goods- payment of charges- Owner or their representative applying for delivery of goods shall fill in the import application in quadruplicate which shall be in the form set out in Appendix 'E' (except the column in which the landing fees payable are to be entered) and will sign the same. Such application shall show full details of the consignments covered by, it including the description and quantity of cargo and the weight or measurement/ lirage of each consignment, as the case may be, according to the unit of which quay dues and steamer dues are assessable on the goods. (The weight or measurement shall be shown in the metric system). Where the dues are assessable on the weight basis the gross (and net) weight of the consignment shall be shown. Where the consignment comprises heavy lifts (that is to say packages each weighing above 1.5 tonnes) the gross weight of each such heavy lift and its measurement shall be shown in addition. The import application thus filled in and accompanied by the delivery

r issued by the steamer agents and invoices or such other documents in support or weights or measurements declared, shall be presented at the main office counter when the application shall be checked, charges assessed and received and the import application endorsed by the Financial Adviser and Chief Customs Officer in token of receipt of the charges due thereunder. The triplicate copy of the import application thus endorsed accompanied by the delivery order issued by the steamer agents and the duplicate of the Customs Import Bill of Entry with the Customs "out of charge" order shall then be presented to the Board when an officer of the Board will examine the document and being satisfied that they are in order and on being furnished with an acknowledgment for the goods, will grant delivery and authorise the removal of the said goods out of the wharf premises.

90. Detention of goods for freight etc.- Goods landed from a vessel and given into the custody of the Board shall be detained for freight or other charges payable to the owner of the vessel on receipt of notice in writing from the master or owner of the vessel or his agents. Such goods shall be retained in the warehouses or sheds or other premises of the Boards as the case may be at the risk and expense of the owners of the said goods until the lien shall have been discharged.

91. Delivery of goods overside- In every case where delivery of goods is given over a vessel's side received into boats or floated in the Port for removal by the party, the master or owner shall himself take such steps as he may think necessary to secure payment of any outstanding amounts that may be due in respect of freight or other charges.

92. Opening of packages by the owners- Permission granted by the Collector of Customs to owners or their representatives, at their request, to open packages, shall be countersigned by the Traffic Manager.

93. Opening of packages and restrictions- No packages shall be opened at the wharf premises by the importer, exporter or owner for appraisement, examination, or survey without the permission of the Traffic Manager. No Workmen shall be employed to open package at the wharf premises for appraisement, examination or survey, unless they are in possession of badges issued by the Traffic Manager under Regulation 121.

94. Packages opened at owner's risk- Goods opened by order of the Customs Department for examination for appraisement, or for survey at the request of the steamer agents or of the owner's of the vessel shall lie and remain at the risk of the owner thereof.

95. Delivery of goods- Goods loaded into railway wagons lorries, hand-carts or such other conveyances in the process of clearance from the wharf premises, but not removed from the wharf, shall lie at the risk of the owner thereof.

96. Removal of goods by parties from wharf etc.- Goods shall not be removed from the quays, roads or sheds unless covered by a Customs Import Bill of Entry or Export Shipping Bill with the Customs "Out

of charge" order or "pass into town" order respectively and upon production of the relevant receipt given by the Board for landing or shipping fees and wharfage, and receipt for other charges that may due upon the goods. The Traffic Manager may, however, allow such removal of goods in special cases (where the parties have deposit accounts with the Port) in anticipation of the debit being raised towards these other charges due upon the goods provided, the parties concerned guarantee payment of the charges and give it in writing that the charges may be debited to their deposit account.

97. Removal of goods- The Traffic Manager may order the removal of all uncleared goods from the wharf transit sheds or quays to the overflow sheds or other open area inside the wharf premise immediately after the expiry of the free period allowed under the Board's scale of rates and without any previous notice whatsoever to the owner of the goods.

98. Arms and ammunition- The Master, owner or agent of every vessel entering Port and having on board, as import cargo for discharge packages containing arms and ammunition, shall furnish to the Traffic Manager a complete list of all such packages before the arrival of the vessel in Port. No ammunition except that of safety class including safety fuse for blasting railway fog signal and percussion caps shall be landed at the wharf or stream berths. Packages containing arms and ammunition shall be sealed by the master of the vessel before discharged, and shall under no circumstances be discharged at night. Immediately they are discharged, they shall be delivered direct to the owners who shall make all necessary arrangements, in advance, to take delivery of the package accordingly. The Board has no liability or responsibility whatsoever, in respect of any such packages discharged from a vessel otherwise than in strict conformity with this regulation.

Note- Package containing arms and ammunition, the property of the Central Government or any State Government, will not be required to be sealed before discharge.

99. Entry and berthing of vessels carrying explosives etc.- (1) Vessels having on board explosives or discharges:- Vessels having commercial explosives as detailed in Appendix 'F' on board for discharge shall not ordinarily be permitted to enter the Port.

(2) Berthing of naval vessels having on board explosives:- Naval explosives in combatent warships berthed in the stream berths or alongside wharf berths when stowed below docks in properly fitted magazines and under the supervision laid down in the Naval Magazine and Explosive Regulations, and in the case of warships, to which the Naval Magazine and Explosive Regulations do not apply, subject to the production of a certificate from Flag Officer Commanding, Southern Naval Area, Cochin certifying that the particular warship is an orthodox warship and therefore deemed to have satisfactory regulations for the safe custody of explosives on board, provided there is no handling e. g., embarking or disembarking of explosives ammunition in that ship.

3) Dry Docking of Naval vessels having on board explosives:- naval explosives such as filled shells, rads, bombs, and Q. F. ammunition in magazine fitted with racks stowage in combatent warships berthed dock for short periods with full crew on board and subject to Naval Magazine and explosive Regulations, in the case of warships to which the Naval magazine and Explosive Regulations do not apply, subject to the production of a certificate from the Flag Officer Commanding Southern Naval Area, Cochin, certifying that the particular warship is an orthodox warship and therefore, deemed to have satisfactory regulations for the safe custody of explosives on board, for the following purposes, provided there is no handling, loading and disembarking of explosives/ammunition in that ship:

- (i) coating of bottoms and examination of underwater fittings.
- ii) effecting repairs which, it is known will not entail work in the vicinity of compartment containing explosives i. e., to shift propellers, repairs to rudders. etc.

40. Carbide of calcium and calcium phosphide.- (1) (a) The master or owner of a vessel carrying cargo of carbide of calcium or calcium phosphide shall, on arrival in port immediately give notice to the Deputy Conservator and the Traffic Manager of the nature and quantity of the respective cargoes.

b) The owner or agent of the consignment of carbide of calcium or calcium phosphide for shipment to the Port shall give at least one week's notice to the Deputy Conservator and the Traffic Manager of the nature and quantity of the respective cargoes together with the name of the vessel (and its expected date of arrival) by which the consignment is to be shipped. Such notice shall be accompanied by a declaration from the master or agent of the said vessel that the consignment will be taken on board the vessel.

ii) The hold of a vessel carrying carbide of calcium and calcium phosphide shall be efficiently ventilated until all carbide or calcium and calcium phosphide has been discharged or until the vessel has left the Port. Similarly the hold of a vessel loading carbide of calcium or calcium phosphide shall be efficiently ventilated during the process of loading and until the vessel has left the Port.

ii) Carbide of calcium and calcium phosphide shall be brought into Port only in hermetically closed drums (the metal should have no copper in its composition) each containing not more than 224 lbs. (100 Kgs.) and of such strength and construction as not be liable to be broken or to become defective en route in conveyance otherwise than by gross negligence or extra ordinary accident and such carbide of calcium shall be packed in receptacles as laid down in Rule 6 of the Carbide of Calcium Rules. 1937. However, the carbide of calcium and calcium phosphide is brought in small tins or cans (or suitable make), such tins or cans shall be packed in wooden cases.

v) A drum containing carbide of calcium or calcium phosphide shall not be opened within the limits of jurisdiction of the Board except in an authorised place of storage.

(v) Every reasonable precaution shall be taken to prevent the contact of water or moisture with carbide of calcium and calcium phosphide and where such contact may have occurred, to prevent the gas evolved from being ignited; in such cases the orders of the Traffic Manager shall be obtained at once over the telephone or otherwise as to the disposal of the affected packages. Whenever in the opinion of the Traffic manager it is necessary to dispose of the affected package by submerging in water it shall be done only under the direction of the Deputy Conservator.

(vi) Every drum containing carbide of calcium or calcium phosphide shall be labelled and the label shall bear in conspicuous characters the name and address of the owner or his representative as well as the following markings namely.

(a) 'Carbide of calcium' or 'calcium phosphide' as the case may be;

(b) Dangerous if not kept dry: and

(c) The contents of this package are liable, if brought into contact with moisture, to give off a highly inflammable gas.

The names and addresses of the consignees or owners shall be marked on drums containing carbide of calcium or calcium phosphide.

(vii) (a) Vessels carrying consignments of carbide of calcium or calcium phosphide for discharge shall land the same within 48 hours of their being berthed at the wharf berths. Immediately on their being landed these goods shall be removed out of the wharf premises on delivery or loaded into railway waggon if so required. They shall not be allowed to remain or to be stored in any part of the Board's premises, except in the calcium carbide shed provided at Ernakulam wharf for the purpose subject to availability of accommodation.

(b) Similarly consignments of carbide of calcium, or calcium phosphide for export shall be loaded not earlier than 48 hours before the vessel on which they are loaded leaves the wharf berths.

The consignments for export shall be brought into the Wharf premises only when the vessel is ready to take the cargo. They shall not be allowed to remain or to be stored in any part of the Board's premises except in the calcium carbide shed provided at Ernakulam wharf for the purpose subject to availability of accommodation. In the event, space is not available at the calcium carbide shed, they shall forthwith be put on board the vessel and in order to enable this, owner or agent shall see that he is ready in all respects (with the necessary documents) to effect shipment as the goods are brought in.

Note : The Deputy Conservator may relax the period of 48 hours stipulated in special cases subject to such conditions as may be specified by him depending on the merits each case.

(viii) No carbide of calcium or calcium phosphide shall be landed or shipped between the hours of

and sunrise.

) A vessel having carbide of calcium or calcium phosphide on board shall, while in Port have on a competent watchman.

) The owner or agent of a consignment of carbide of calcium or calcium phosphide shall be liable to make good to the Board the amount of any expenses incurred by them in taking precautions to prevent ignition of gas given off by carbide of calcium or by calcium phosphide as also all expenses incurred in extinguishing and fighting any such ignition of gas. Such owner or agent shall also be liable to make good to the Board the amount of any claims for loss of life or injury caused to persons employed in the work of handling carbide of calcium or calcium phosphide and to compensate the Board for any damage to the property or for any claims against it in respect of damage to the property of other persons arising as a result of ignition of gas given off by such consignments.

) (a) The landing of carbide of calcium or calcium phosphide shall not be permitted except under the direct supervision of the Safety Inspector or any other person duly authorised by the Board from time to time and on production of a permit granted by the Customs authorities.

) Consignments of carbide of calcium or calcium phosphide for shipment shall not be permitted to be taken to the Board's premises except under the direct supervision of the Safety Inspector or any other person duly authorised by the Board from time to time and on production of a permit granted by the Customs authorities.

) (a) If the officer supervising the landing, observes a receptacle defective or in any way different from those authorised by the instructions contained in sub-regulations (iii) and (vi) he shall on no account allow it to be landed until a written order as to its disposal has been obtained from the Collector of Customs or from an officer of Customs duly authorised by him in his behalf.

) If the officer supervising the admission of the consignment into the Board's premises, observes a receptacle defective or in any way different from those authorised by the instructions contained in sub-regulations (iii) and (vi) he shall on no account allow it to be brought into the Board's premises, but shall forthwith bring this to the notice of the Traffic Manager and the Deputy Conservator over the telephone or in person and the Deputy Conservator may take such action as is necessary under the circumstances and may recover such expenses for so doing as may have been incurred.

) Receptacles containing carbide of calcium or calcium phosphide which do not satisfy the requirements of sub-regulations (iii) and (vi) or which are defective, and which the Collector of Customs orders to be submerged in deep water shall be submerged in water of not less than 18 metres in depth in the direction of the Deputy Conservator of the Port without any compensation to the consignee.

) When the owner of the carbide or calcium phosphide or his agent fails to take reasonable

precautions to prevent the ignition of gas given off by carbide of calcium or calcium phosphide as required by sub-regulation (v), the Deputy Conservator of the Port may take such action as is necessary for the safety of other vessel and property in the Port and may recover such expenses for so doing as may have been incurred.

(xv) Due precautions shall be taken to prevent unauthorised person from having access to the carbide of calcium or calcium phosphide.

(xvi) In no circumstances shall a naked lamp or other unprotected artificial light be taken near the place of storage of carbide of calcium phosphide.

(xvii) The hammer and Chisel to be used on the Carbide of Calcium or Calcium Phosphide drums shall be of non-ferrous metals.

101. Combustibles etc., on board a vessel- Combustibles and explosive for signalling, purposes only shall be allowed on board any vessel in Port and shall be secured under lock and key in suitable cases or magazines in a safe place set apart for such purpose and no person shall have access thereto unless in the presence of an officer of the vessel whose duty it shall be to see such places securely relocked, the key being kept in charge of the master or owner of the vessel.

102. Acids, matches fire works etc.- No packages, containing acids, aqua fortis, oil of vitriol, matches, manufactured fireworks, or other goods of a dangerous nature permitted to be brought into the wharf premises, shall be placed on any quay in the wharf premises unless distinctly marked as such on the outside of such package; and no such package shall, under any circumstances, be allowed inside the transit sheds. Package containing matches, or such manufactured fireworks as defined in Division 2 of Class No. 7 Schedule I of the Explosives Rules, 1940, as are specified in Appendix "G", if allowed to remain in the wharf premises, must be watched continuously by or at the expense of the owners of the goods or the master or owner of the vessel.

Packages containing safety cartridges including safety fuse for blasting, railway fog signals and percussion caps as defined in the Explosives Rules, 1940 shall immediately on landing be forthwith removed to the hazardous goods shed at the expense of the owners of the goods subject to availability of accommodation.

Packages of acids, aqua fortis, or oil of vitriol shall not normally be discharged from a vessel at night. Any discharge of such cargoes at night will be allowed only under the express orders of the Traffic Manager.

103. Discharge of ethyl fluid (tetra ethyl lead)- Ethyl fluid may be landed at the along side berths with the previous consent in writing of the Traffic Manager subject to the following conditions:-

(1) Ethyl fluid imported into the Port shall be packed in specially constructed steel drums of great

17th. The drums shall be sealed with an inner outer bung. Rolling drums shall be fitted as an added protection for the shell during handling. In addition, drums shall be distinctly marked to show that they contain fluid.

2) Owners or consignees of ethyl fluid shall make previous arrangements with the Collector of Customs and Traffic Manager for the immediate removal from the Board's premises of the entire consignment;

3) Ethyl fluid may be landed only:-

a) between 8 a.m. and 5 p.m. at such berths as the Traffic Manager may direct, and

b) after all disembarking passengers have landed from the vessel;

4) No discharge of ethyl fluid shall begin until:-

(i) The following documents have been presented to the Traffic Manager :-

a) Delivery order from the steamer agents;

b) Duty paid customs Bill, or Entry (passed in full out of customs charge);

c) Detailed Invoices covering the consignment or consignments;

d) Import application (triplicate copy) duly passed by the Financial Adviser and Chief Accounts Officer.

ii) The necessary road and / or rail vehicles by which delivery is to be effected are in position for the loading of the consignment or consignments there in;

ii) The Traffic Manager has satisfied himself that the equipment and material necessary for dealing with any leakage that may occur during or after discharge are available for immediate use, the requisite protective equipment and material as under being supplied by the owner or consignees:-

sets of:

a) Rubber gloves;

b) Rubber boots;

c) Rubber apron or oilskin suit;

d) Respirators.

A suitable respirator is the canister type containing a minimum of 500 cc. of activated charcoal. A fresh service type respirator is satisfactory. An air - line mask may be used, if available.

5) When discharge has been permitted every consignment of ethyl fluid shall be inspected on board vessel by the owner, the consignees or their representatives, competent to do so and an officer deputed

by the Traffic Manager. No ethyl fluid drums showing any signs of leakage shall be landed until suitably repaired or placed in a larger receptacle or container offering sufficient protection from leakage;

Note : In the event of leakage, measure set out hereunder in sub- regulation (II) must be taken.

(6) (a) Discharge of ethyl fluid shall be supervised by a responsible, competent and fully informed representative of the owner or consignees of the consignments having adequate technical knowledge of the commodity;

(b) Labour and personal handling and supervising the handling of drums shall be equipped with heavy gloves of canvas or leather;

(7) The owners or consignees shall provide labour for handling of drums containing ethyl fluid to be discharged on the quay for their immediate removal therefrom direct to the road or rail vehicles and the subsequent loading of the drums into the said vehicles for immediate removal of the consignment from the Board's premises;

(8) Ethyl fluid drums shall be handled singly, and discharged singly in wire -net slings by the Board's cranes and removal from the slings by the consignees labour direct to road or rail vehicles placed in position for their immediate delivery.

Note : Barrel hooks should on no account be used in discharge.

(9) After any consignment of ethyl fluid has passed over the Board's wharves, jetties, open storage areas or roads, the owner's or consignee's representative shall inspect the places over which the consignment has been carried and shall clean any points where leakage has taken place or suspected to have taken place. This inspection and cleaning shall be carried out in the presence of an officer deputed by the Traffic Manager for the purpose and the owner's and the consignee's representative shall thereafter issue a certificate that the Board's premises are free from contamination and fit for general use.

(10) No ethyl fluid drum shall in any circumstances be stored in any of the Board's transit sheds or warehouse;

(11) In the event of leakage measures as set out below must be taken:

(a) If ethyl fluid comes into contact with the skin, the part of parts affected should be washed clean at once with solvent such as kerosene, followed by soap and water;

(b) Clothing that becomes contaminated by ethyl fluid should be removed immediately and cleaned by repeated rinsing in a non-inflammable dry cleaning fluid:

(c) Shoes and leather covered articles that become contaminated by ethyl fluid should be discarded and destroyed;

) If ethyl fluid can be smelt it is being breathed. Men should be directed away from any place where be smelt.

) Men assigned to deal with leakage of ethyl fluid must wear the protective equipment as prescribed - regulation (4) (iii)

) The area in which leakage of ethyl fluid has occurred (including the outside of a drum) should be treated as follows -

) Flush with kerosene some other light oil solvent followed by water. If the surface permits wash thoroughly with soap working up as much lather as possible and, again flush with water,

) If contamination of an absorbant material has taken place such as Wooden flooring, dunnage, or packing material, then such material must after treatment as above be removed or burnt.

1. Ethyl fluid is highly coloured by means of a dye (usually yellow, red or blue) so that leakage is immediately discernible Furthermore ethyl fluid has a distinctive and rather sweet smell.

If it is possible to obtain quickly a supply of common bleaching lime (CaO Cl₂) the area should be treated generously with a mixture of bleaching lime and water in the form of a thin slurry (never a powder), alternatively a 5 per cent solution of sulphuryl chloride (SO₂ Cl₂) in kerosene may be used.

) Drums containing ethyl fluid for shipment shall be brought to the Willingdon Island wharves only obtaining the prior permission of the Traffic Manager. They shall not be allowed to remain anywhere on the quay or any other place at the Willingdon Island wharves but should be shipped immediately.

) In the case of ethyl fluid being handled at stream berths and /or overside, via lighters, by vessels alongside berths, advance information in writing shall be given to Deputy Conservator with copy to the Traffic Manager. The master, owner or agents of the vessel in the case of imports and the shippers in the case of exports shall be responsible for the strict observance of all the above Rules and conditions.

Unpressed cotton, aloe fibre, unpressed hemp, cotton fly, oily waste, American cotton, etc. - packages of unpressed cotton, known as buffaloes, docras and bundles, American cotton, hemp and jute, in full pressed bales. Indian, aloerhea, coir and other fibres, flex, waste (clean and oily) and cotton except in full pressed bales or such other packing as may be specified from time to time by the Traffic Manager, grasses of all kinds, coal - tar, pitch and cinema and camera films except those having a cellulose, or other safety base, exposed or unexposed packages in wooden or light metal cases, and scrap or films of cellulose, acetate or other safety base, packed in wooden cases or iron or steel drums and hazardous goods which the Board may from time to time notify in this behalf, shall not be placed on the wharves or stored in the transit sheds, but shall forthwith on arrival of the vessel be taken delivery of by the importer of the goods or by the master, owner or agents of the vessel and if any such package is brought

into the Board's premises for shipment it shall not be placed on any quay, wharf or road but shall forthwith be shipped. The Traffic Manager, may be arrangement, allow unpressed cotton, and other hazardous goods to be stored on the quays or other open spaces, at the risk and responsibility of the owner and the Board will not be responsible or liable for any damage sustained from rain or from any cause whatsoever. Unpressed cotton and other hazardous goods shall be removed by the owners or shippers, if called upon on six hours' notice being given by the Traffic Manager, and if not so removed, the Traffic Manager may remove such goods at the cost of the said owner or shipper. Packages of American cotton cannot be received into any of the transit sheds normally but will be landed on the quay and removed immediately and stored in the Port's Fumigation chambers, for fumigation, at the expense of the owner; provided that the Traffic Manager may at his discretion, for sufficient reasons, allow the storage of these packages in the transit sheds under conditions to be stipulated by him.

105. Gases permanent, dissolved and liquified under pressure, -Packages consisting of cylinders containing gases, liquids or dissolved acetylene under pressure may be handled on the quays subject to the following conditions:-

(i) (a) Cylinders containing gases and liquids under pressure shall comply in every respect with the provisions of the Gass Cylinder Rules, 1940 or under such conditions as have been specially permitted by an order in writing by the Chief Inspector of Explosives in India

(b) Cylinders containing dissolved acetylene shall comply with instructions issued in this behalf.

Note:- Empty dissolved acetylene cylinders normally contain a small amount of acetylene dissolved in acetone and absorbed in porous moss. They shall be treated as full for purposes of this Rule.

(ii) Discharge of loading at night of cylinders containing gases, permanent, dissolved and liquified under pressure will not be permitted;

(iii) When such cylinders are discharged at the Willingdon Island wharves, delivery from ship's side shall be effected by the consignees immediately, failing which the Traffic Managers shall arrange for their immediate removal elsewhere to a safe place and the cost of such removal will be recovered from the consignees;

(iv) After being landed and until removed from the wharf premises or placed in the hazardous goods shed, these cylinders shall be subsequently protected from the sun's rays by a suitable covering;

(v) Packages consisting of cylinder containing gasses, permanent, dissolved and liquified under pressure shall be brought for shipment at the Willingdon Island wharves only after obtaining the prior permission of the Traffic Manager. They shall not be allowed to remain anywhere on the quay or any other place at the Willingdon Island wharves, but shall be shipped immediately. for shipment in stream the prior permission of the Deputy Conservator shall be obtained and they may brought alongside steamers in cargo

or other no-propelled craft under two only.

Other hazardous goods, poisons etc- (a) (i) Goods which are notified from time to time as 'hazardous goods' by the Board, those declared as 'Poisons' in the Notification of the Ministry of Home Affairs No. 28/ 2/ 58 -P-IV dated the 8th August 1958. (Vide items mentioned in the list at Appendix 'H') and similar notification pertaining by the subject and the commodities mentioned in the United Kingdom Ministry of Transport and Civil Aviation Report entitled "The Carriage of Dangerous Goods and Explosives" or International Maritime Dangerous Goods Code with the exception of those goods for the landing of which specific rules have been laid down elsewhere in these regulations, shall be landed or discharged only under a permit issued by the Chairman of the Board or any other officer of the Board duly authorised by him in this behalf, on an application being made, in the case of landing by the agents before the arrival of the vessel, and in the case of shipment, by exporters individually before the goods are brought ashore for shipment.

(ii) The goods referred to above shall be carefully packed, marked and labelled in conformity with the provisions laid down in the United Kingdom Ministry of Transport and Civil Aviation Report or International Maritime Dangerous Goods Code referred to above. The label shall contain the directions for the handling of such goods and a warning or caution statement, which are necessary and if complied with, are adequate for the protection of any personnel using or handling it.

Definition: "Label" means the written, printed, or graphic matter on the immediate or remote container of the goods or wrapper of retain package, if any, of such goods.

(iii) Packages consisting of the goods referred to in sub-regulation (a) shall not be stored at the Port or Island wharves except as expressly permitted in writing by the Traffic Manager. Such goods shall not be discharged into lighters except as expressly permitted in writing by the Deputy Coservator and if landed at the jetties, the person or person responsible for the landing of such goods shall see to it that they are properly packed, handled and stored with due regard to the nature of the hazard involved and to the provisions of the relevant Acts or Rules in force regarding the handling, storage of such goods.

(iv) The master, owner or agent of vessel carrying hazardous goods in transit, but not for discharge, shall obtain the prior permission of the Deputy Coservator before entering the Port, furnishing all details of the goods and their storage.

V. PETROLEUM VESSELS AND BUNKERING OF VESSELS

(a) Petroleum vessel- (1) Hoisting of flag on arrival- The master of every vessel carrying Petroleum Class 'A' or Petroleum Class 'B' in bulk or cases as cargo on board shall, on arrival at the Port, hoist the flag 'B' of the International Code of Signals at the fore and shall during the day keep such flag flying and at night exhibit a red light visible all-round the compass at the fore or where it can best be seen.

(2) Exhibition of red flag by harbour craft.- Every harbour craft carrying petroleum shall exhibit, during the day, a large square red flag in such a position as may be visible all round the compass and during the night a red light visible all round the compass.

(3) Berthing of vessel.- Vessels carrying Petroleum in bulk shall normally be berthed in the special oil berth and shall not be piloted in to the Port on the strength of the flood tide or taken out on the strength of the ebb tide:

Provided that in exceptional cases when oil berths are not available, owing to dredging operations or to lack of vacant oil berths, vessels carrying Petroleum in bulk as cargo on board may be berthed in other berths, subject to the previous permission in writing of the Chairman of the Board.

(4) Precautions to be taken in berthing vessel amongst other shipping etc.- No vessel carrying Petroleum in bulk as cargo on board shall be taken amongst other shipping (unless proceeding to an oil berth or to another berth according to the direction of the Deputy Conservator of the Port) or berthed at a berth other than oil berth or allowed to enter the Dry Dock until her master produces a certificate granted by an officer appointed by the Central Government in this behalf that such officer has examined the tanks with the aid of a vapour testing instrument and that the vessel is free from dangerous vapour and is in a fit stage to enter the dock.

(5) Other precautions- (i) No vessel carrying Petroleum class 'A' in bulk shall load or discharge general cargo unless all the tank hatches are effectively closed.

(ii) No member of the crew of any harbour craft going along side a vessel carrying petroleum shall have in his possession matches or any other inflammable material.

(iii) No harbour craft containing Petroleum Class 'A' shall cast off in such manner as may involve risk of collision when other vessels are manoeuvring in the vicinity.

(iv) The master or any other person for the time being in charge of any vessel having Petroleum on board shall take effective measures for preventing the escape of Petroleum from the vessel by leakage or otherwise.

(v) No vessel shall approach within 60 meters of any vessel discharging dangerous Petroleum in bulk in the Port of Cochin except with the previous permission of the Deputy Conservator obtained in writing and in conformity with any direction that may be issued by him in that behalf. This rule shall not apply to vessels with a pilot on board and manoeuvring in turning basin in Ernakulam channel opposite to oil jetties-

(vi) The oil barges used for bunkering vessels in the Port shall be seaworthy, manned, equipped and employed in accordance with the Petroleum Rules, 1937 as amended from time to time. Responsible deck and engine room officers of the ship shall supervise the operation and take all necessary safety precautions on board the vessel receiving oilbunkers.

- i) Armoured hose shall be used to connect the valves on board to the pipeline on shore and all connections shall be made completely leak-proof and mechanically and electrically continuous before discharge or loading of Petroleum in bulk is commenced.
- i) All pipes and other appliances used in the landing and loading of Petroleum in bulk shall be free leakage.
- c) The owner, agent or master of the bulk oil vessel shall take all due precautions for the prevention of fire in landing or loading of Petroleum in bulk.
- c) The owner, agent or master of the bulk oil vessel shall take adequate steps to prevent any person under his control from smoking at or near the place where Petroleum in bulk is being landed or loaded and prevent any person engaged in such landing or loading from carrying, fuses, matches or any appliances liable to produce fire or for producing ignition.
- i) Iron or steel hammers or other instruments capable of causing a spark shall not be used for the purpose of opening or closing the hatches or tank lids of a Petroleum ship, nor shall the chipping of iron or steel or painting be carried on in the vicinity.
- i) During the time any bulk vessel is in the Port, a responsible officer and engineer of the vessel shall always be on board, night and day to carry out and give effect to the provisions of these rules. In the absence of the master, the senior deck officer on board shall be the responsible officer. When loading or discharging is proceeding or about to be started it is absolutely essential that the master or chief officer or the chief or the second engineer must be on board and see that every necessary precaution is taken for the safety of the vessel and her cargo and during all such time the engines, boilers and machinery shall be maintained in working order so that the vessel may be moved as soon as steam can be raised, as required by the Deputy Conservator of the Port.
- i) Throughout the period that Petroleum is being landed or loaded the pipelines and other fittings on the oil jetty shall be under constant supervision of a responsible officer of the Port fire services, in addition to the fire flot standing by the tanker.
-) When the landing or loading of Petroleum has been commenced such landing or loading shall be proceeded with, due diligence, and if it is discontinued, the tanks and holds of the Petroleum ship shall immediately be closed.
-) Admission to the enclosures (on Ernakulam foreshore) within which the exchange pit and the tanks are situated and to the Ernakulam oil jetties shall if the Chairman of the Board so directs, be regulated by means of permits which shall, on application, be issued by an officer authorised by him in this behalf, to any person of the public as having business to transact within the above premises in some way connected with the purposes services or work of the Port.

Persons carrying fuses matches or any appliances whatsoever for producing ignition shall not be permitted to enter the premises mentioned in the above sub- regulation.

(b) Bulk oil vessel discharging and loading dangerous petroleum at the Port of Cochin.

(1) Notice to Deputy Conservator- Before any Petroleum Class 'A' is landed or loded, the owner, agent or master of the bulk oil vessel shall give due notice to the Deputy Conservator.

(2) Place of loading or discharging- Petroleum Class 'A' in bulk shall be loaded or discharged at the Ernakulam oil jetties only except under special circumstances as provided in sub-regualtion (a) (3)

(3) Ventilation of holds etc.- Before any Petroleum Class 'A' contained in casks, barrels or other containers is landed, the holds of a bulk oil vessel having on board such containers shall be thoroughly ventilated, and after all Petroleum Class 'A' has been removed from any bulk oil vessel the holds and tanks shall be rendered free from inflammable vapour.

(4) Discharge of Petroleum- (i) Petroleum Class 'A' may be discharged day or night subject to the provisions of sub-regulation (b) (6) but such discharge must commence before sunset; and should anything occur during such discharge after sunset to necessitate a repair to the plant pipes or connection such discharges shall be discontinued until after sunrise:-

Provided that if that ships have been connected to shore pipelines, and they have commenced discharged of Petroleum Class 'B' in bulk or flushed the pipelines by pumping water before sunset they may thereafter commence discharge of Petroleum Class 'A' in bulk even though discharge of petroleum Class 'A' is actually commenced after sunset.

(ii) Bulk oil vessel which conform to the requirements of Appendix "I" shall be permitted to discharged Petroleum by steam from their own boilers or by internal combuston engines places in a position remot from cargo holds and pump rooms.

(iii) In bulk oil vessel which conform to the requirements Appendix "I" and whose cargo pump is driven by electric mottor, the electric motor shall be of approved design and its connection shall be islocated form the cargo pump by a gas-tight bulk-head of sufficient height to preclude the possibility of inflammable vapour enterning the motor compartment. A gas-tight gland shall be fitted where the driving shaft passes though the bulk head.

(5) Precautions while raising steam on board- In the event of its being necessary to interrupt pumping in order to raise steam on board, the oil pipes in the vicinity of the vessel shall be flushed with water and the valve on pier head shall be closed before the boiler fired are lighted.

(6) Restriction on use of electric power.- The use of electric power while loading or discharging Petroleum Class 'A' is not permitted unless the vessel's electrical installations complies with Lloyd's or other

red society's requirements for electric fittings for ships carrying oil having a flashing point less than 65°

) By-pass valve- Every vessel discharging Petroleum Class 'A' shall be fitted with a by-pass valve on the discharge side of the pump having a connection back to the ship's tanks.

) Use of fire or light - From the time when the holds or tanks of a bulk oil vessel are first opened for the purpose of loading or landing Petroleum Class 'A' until such time as all Petroleum Class 'A' shall have been loaded into or removed from such holds or tanks and the holds or tanks shall have been securely closed down, and in the case of landing, rendered free from inflammable vapour as required by this regulation, there shall be no fire or artificial light on board such ships or at or near the place where the Petroleum Class 'A' is being loaded or landed.

Provided that this sub-regulation shall not prohibit boiler fires in the case of vessels conforming with the requirements of Appendix "I"

Provided also that this sub-regulation shall not prevent the use of lamps, heaters, cookers or similar type of safe apparatus, electric or otherwise, so designed, constructed and maintained as to be incapable of igniting inflammable vapour.

) Prohibition of smoking etc - The owner, agent or master, of the bulk oil vessel shall take adequate precautions to prevent any person under his control from smoking at or near the place where petroleum Class 'A' is being landed or loaded and to prevent any person engaged in such landing or loading from carrying matches or any appliances whatsoever for producing ignition.

) Precaution while loading and discharging - (1) Armoured hose shall be used to connect the valves on board to the pipeline on shore and all the connections shall be made completely leak proof mechanically and electrically continuous before the discharge or loading of Petroleum in bulk is commenced.

) All pipes and other appliances used in the landing and loading of Petroleum Class 'A' in bulk shall be free from leakage.

) When a ship has finished discharging or loading Petroleum other than Petroleum Class 'C', the cargo hold shall be immediately emptied of Petroleum by pumping water through the line

0 (iv) The Chief Inspector of Explosives may by written order grant exemption in any particular case from the provisions of sub-regulation 10 (i) and (ii), if he is satisfied with any other means other than an armoured hose system which will ensure leak proof continuity mechanically and electrically."

) Loading or landing to be done diligently.- When the landing or loading of petroleum Class 'A' has been commenced, such landing or loading shall be proceeded with, with due diligence and if it is discontinued, the tanks and holds of the Petroleum ship shall immediately be closed.

(12) Precautions of escape of petroleum.- No Petroleum Class 'A' shall be discharged or allowed to escape into the waters of the Port.

(13) Precautions against fire.- (i) The owner, agent or master of a bulk oil vessel shall take all due precautions for the prevention of accident by fire in landing or loading Petroleum Class 'A'.

(ii) Iron or steel hammers or other instruments capable of causing a spark shall not be used for the purpose of opening or closing the hatches or tank lids of a petroleum ship nor shall be chipping of iron rust or paint be carried on in the vicinity.

(iii) Fires and lights (other than electric filament lamps or self - contained electric lamps, heaters cookers or other similar type of safe apparatus, so designed, constructed and maintained as to be incapable of igniting inflammable vapour) shall not be used upon the quay upon which Petroleum Class 'A' is being landed or loaded or upon which Petroleum Class 'A' is lying.

(iv) Throughout the period that Petroleum Class 'A' in bulk is being landed or loaded the pipelines and other fittings on the oil jetty shall be under constant supervision of a responsible officer of the Port fire services, in addition to the fire float standing by the tanker.

(14) Distance between Petroleum vessels.- Two or more Petroleum ships shall not, except for purpose of transshipment, lie within 30 metres one another unless in the opinion of the Deputy Conservator of the Port it is impracticable to maintain such distance.

(15) Responsible officer to be on board.- During the time any bulk vessel is in the Port, a responsible officer and engineer of the vessel must always be on board, night and day, to carry out and give effect to the provisions of this regulation. In the absence of the master, the senior deck officer on board shall be the responsible officer. When loading or discharging is proceeding or about to be started, it is absolutely essential that the master or chief officer and either the chief or the second engineer must be on board and see that every necessary precaution is taken for the safety of the vessel and her cargo and during all such time the engines boilers and machinery shall be maintained in working order so that the vessel may be moved as soon as steam can be raised, if so required by the Deputy Conservator of the Port.

(16) Other precautions.- (i) Every vessel having Petroleum other than fuel oil on board as cargo, whilst moored in the Port, shall keep the end of a wire howser having an eye, paid out to the water's edge at the bow and shore to enable a tug to take hold in case of emergency.

(ii) Every vessel having Petroleum other than fuel oil on board as cargo when discharging or loading or while hatches are open shall have her fire hoses connected and all fire hoses connected and all fire extinguishing appliances ready for immediate use, and if the Petroleum being loaded or discharged or stowed in the holds is Petroleum Class 'A' all awnings shall be furled.

Admission to enclosed oil jetties.- Admission to the enclosures (on Ernakulam foreshore) within the exchange pit and the like are situated and to the Ernakulam oil jetties shall, if the Chairman of the Port so directs, be regulated by means of permits which shall on application, be issued by an officer appointed by him in this behalf, to such of the public as have business to transact within the above premises or otherwise connected with the purposes, services or works of the Port.

Persons carrying fuses, matches or any appliances whatsoever for producing ignitions shall not be permitted to enter the premises mentioned in sub-regulation 17 (1).

Packed Petroleum and its products - (1) Landing of packed Petroleum- Packed Petroleum products shall be landed at jetties provided for the purpose or in barges or lighters, and only at such places as the Deputy Conservator of the Port may direct. A list of Petroleum Class 'A' and its products or inflammable liquids flashing below 23°C is given in Appendix "j". This list, however, is for guidance and is not exhaustive. Any other commodity which (by virtue of its composition and property) is capable of being classified under the categories of dangerous Petroleum and its products or other inflammable liquids flashing below 23°C shall be dealt with according to the sub-regulations set down herein.

Notice before discharge of consignment- Steamer agents of vessels having Packed Petroleum products for discharge at the Port shall advise in writing the Deputy Conservator of the Port and the Traffic Manager of the Port at least a week in advance of the vessel's expected date of arrival. Similar notice should be given both by the shippers and the steamer agents in the case of consignments for shipment.

Other restrictions on landing and shipment of packed Petroleum and its products- Not more than ten thousand liters of Petroleum Class 'A' and thirty thousand liters of Petroleum Class 'B' and its products shall be landed or shipped at the wharf by any one particular vessel.

All packed Petroleum landed shall, as far possible, be immediately removed by the importer as soon as possible outside the wharf premises and in order to enable this, the importer shall see that he is ready in advance (with the necessary documents, conveyances) to effect delivery of the goods, before the landing is commenced, provided that the Traffic Manager, may at his discretion, allow the landing of packed Petroleum, even though the importer is not ready to clear the goods, when there is sufficient accommodation available in the Board's Petroleum shed for the storage of the goods landed and in such cases the goods shall be transported and stored in the Petroleum shed as landed with all due precautions.

No packed Petroleum shall be brought into the wharf premises for shipment unless the exporter has first produced a certificate from the vessel on which it is to be loaded, indicating readiness to receive the same; and all packed petroleum brought into the wharf premises shall forthwith be put on board the vessel on which it is to be loaded and in order to enable this, the exporter shall see that he is ready in advance (with the necessary documents etc.) to effect shipment, as the goods are brought in.

(4) Permission prior to landing or shipment of Petroleum and its products.- No imported petroleum or its products shall be landed except with the permission of the Deputy Conservator of the Port and the Collector or Customs. Similarly, no Petroleum or its products shall be shipped by vessels or loaded into lighters for shipment without the prior permission of the Deputy Conservator. The specific written permission of the Traffic Manager should also be obtained before packed petroleum and its products are discharged at or brought for shipment to the Willingdon Island wharves.

(5) Petroleum rules to be complied with- Petroleum and its products shall be contained in receptacles complying with the provisions or rules 27 or 28 of the Petroleum Rules, 1937 as the case may be.

(6) Receptacles to be free from leakage, etc.- No Petroleum or Petroleum product contained in casks, drums, or other receptacles shall be landed or shipped unless such receptacles are free from leakage and are of such strength and construction as not to be liable to be broken or to leak except in case of gross carelessness or extraordinary accident, The steamer agents in the case of imports and the shippers in the case of exports should furnish a certificate to the effect that the receptacles comply with the above rules.

(7) Time of loading and discharging- Vessels shall not normally load or discharge packed Petroleum and its products except between the hours of sunrise and sunset. In exceptional case, discharging or loading may be permitted with the prior written permission of the Deputy Conservator or Traffic Manager, as the case may be, under the conditions laid down in the said permission

(8) Precautions- (i) Special arrangements to maintain a thoroughly efficient watch and ward shall be made by the ship and all necessary precautions against fire or smoking shall be strictly observed whilst the vessel is at the wharf berth, Similar arrangements shall be made on shore as well. Every care shall be taken to safeguard the ships at the adjoining berths. A clearance of at least 15 meters should be maintained between the vessel handling petroleum and its products and the vessels at the adjoining berths unless in the opinion of the Deputy Conservator of the Port, it is impracticable to maintain such distance in which case the clearance may be reduced to not less than 7.5 meters,

(ii) An officer serving on board the vessel who holds a certificate of competency, not lower than that of second mate, should be on duty at the hatch from which any Petroleum and its products are being discharged or into which they are being shipped, until the discharge or shipments is completed. On shore, the operations should be conducted under the immediate supervision of an officer of the Port not lower in rank than an Assistant Wharf Superintendent.

(iii) No fire, naked light of any description, and no smoking shall be allowed within 15 metres of the vessel handling Petroleum or its products.

(iv) No inflammable cargo other than packed Petroleum or other Petroleum products shall be landed or shipped at the same time.

No person engaged in handling or loading Petroleum or its products shall carry fuses, matches or other appliance for producing ignition or explosion.

Buckets containing dry sand shall be placed at convenient points; the fire pumps with foam gun shall stand by on either side of the vessel handling Petroleum and its products.

The master, owner or agent of the vessel and/or the importer or exporter, as the case may be, in every case provided that a cooper and solderer are in attendance throughout the time while any packed Petroleum is being landed or shipped at the Willigdon Island wharves.

Leaky receptacles- The steamer agents and the shippers shall see that the receptacles are properly examined, and no leaky receptacles are landed or shipped. In the case of imports, any leaky receptacles found shall be kept aside on board and shall not be landed along with sound ones. After the receptacles are completely landed and are either removed to the Petroleum shed or cleared from wharf premises, the contents of the leaky receptacles shall be transferred into sound containers in lighters offside of the vessel, under the supervision of the Preventive Officer on duty on board the discharging vessel.

The steamer agents shall have to do this at their own risk and expense. These receptacles shall be landed only then, be landed and transported carefully to the Petroleum shed or cleared from the wharf, as the case may be. In the case of cargo for shipment, it should be brought into the wharf premises, only if the receptacles comply with sub-regulations (5) and (6) and are in sound conditions. The contents of any leaky receptacles should be transferred into sound container outside the wharf premises to the satisfaction of the Assistant Wharf Superintendent on duty before it is taken into the wharf premises.

Approval by Deputy Conservator- In respect of discharge or shipment of packed Petroleum and its products, by means of cargo lighters, the boats and their equipment must be approved by the Deputy Conservator and his written permission to conduct such operations must be obtained in advance of the expected date of arrival. When harbour craft are used for the landing or shipment of Petroleum the quantity of such Petroleum afloat in harbour craft at any time should in no case exceed eighty thousand litres and not more than twelve harbour craft, of which not more than six shall be wooden harbour craft could be used for the purpose at the same time. In the case of Petroleum Class 'A' the limit afloat in harbour craft is restricted to thirty thousand litres.

Other requirements- All harbour craft and sailing vessels carrying packed Petroleum and its products, shall proceed only under tow within the Port limits. Landing and shipping operations shall be carried out without delay. Harbour craft containing such Petroleum are not permitted to idle alongside any other vessel.

The requirements of sub-regulations (8) and (9) shall also be complied with in respect of vessels carrying dangerous Petroleum afloat in the stream.

(iii) During the loading or discharged of packed Petroleum and its products at any hatch, no other cargo shall be handled at the hatch.

(iv) Not more than twelve thousand litres of packed Petroleum may be shipped into or landed from a sailing vessel transhipped from another vessel into a sailing vessel.

(v) General cargo and Petroleum Class 'A' may be loaded into or discharged from, any vessel simultaneously, provided that they are contained in sparated holds; but when Petroleum Class 'A' is being loaded into a discharged from a vessel no other cargo should be loaded into or discharged from such vessel.

(vi) No Petroleum Class 'A' shall be in actual transit in the harbour between sunset and sunrise otherwise than in railway wagons, that is such Petroleum should not be handled in any way at night nor lie afloat in harbour craft in the Port, at night.

(vii) The Port's foam generator shall always be in position at the point of landing of any Petroleum Class 'A' before the landing commences and while it is in progress.

(viii) No harbour craft containing Petroleum Class 'A' shall be in transit in deep channels used by seagoing vessels either in Ernakulam Channel or in Mattancherry Channel anywhere near a vessl entering or leaving the Port or shifting from one berth to another inside the Port.

(ix) While handling of Petroleum Class 'A' is in progress, no cooking fires, smoking or lights of any descriptions other than electric lights complying with Rules 105 of the Petroleum Rules 1937 shall be allowed anywhere on board the vessel.

(x) Leaky receptacles containing Petroleum shall not be discharged from a vessel into a harbour craft containing sound receptacles.

(xi) Where harbour crafts are used, not more than ten thousand liters of dangerous Petroleum shall be loaded into any one harbour craft.

(xii) Petroleum Class 'A' imported shall not be put into a harbour craft without the prior consent of the Deputy Conservator. In order therefore, to avoid possible delay to vessel carrying Petroleum Clases 'A', the agents of such vessels shall make early arrangements with the Deputy Conservator for the disposal of their carego of Petroleum Class 'A'

(xiii) Petroleum Class 'A' intended for shipment shall not be put into harbour craft without the permission of the Deputy Conservator of the Port and until the vessel by which such Petroleum is intended to be shipped is ready to receive it.

(12) Prevention of escape of petroleum- All due precautions shall be taken at all times to prevent any escape of Petroleum during transport especially into any drain, sewer, harbour, river or water course.

Master etc, of Petroleum vessel responsible for damage- The master, owner and agent of any vessel shall be liable for any damage whatsoever caused to cargo or property belonging to the

Heavy Petroleum- Notwithstanding anything contained in the preceding regulations, if the master of a ship produces a certificate that any Petroleum on board is heavy Petroleum it may be discharged in the same manner as ordinary cargo.

Provided that the sampling officer may at any time require a sample of any of the Petroleum delivered to him with a view of having it tested.

Bunkering of vessel with liquid fuel- Bunkering of vessel with liquid fuel at the quays by means of service pipe lines or at any of the berths in Port by tank barges, may be permitted, provided that the following conditions are fulfilled:-

During all such times as any vessel is receiving liquid fuel into her bunkers, the master or first officer of the vessel shall be present on board and it shall be incumbent upon him to see that these regulations are complied with and that all responsible precautions for safety are observed.

A ship's officer shall be on watch and an attendant of the oil company supplying the liquid fuel bunkers shall be stationed alongside the flexible connecting pipe while bunkering is in progress.

Suppliers of liquid fuel shall be responsible for seeing that all flexible pipes used for bunkering are tested to a pressure of 7 kgs/Cm² before operations commence and that all joints are oil-tight.

Suppliers of liquid fuel for bunkers shall be liable for any damage whatsoever caused to cargo or property belonging to the Port, by any leakage or fuel oil or other causes.

The masters and owners or the agents of the vessel receiving such fuel shall also be liable for any damage if caused by negligence or defect or failure of apparatus or appliances belonging to the

No cargo other than goods, unaffected by oil, shall be allowed on the wharf within 15 meters of oil stand pipes and shed doors immediately behind them shall be kept closed while bunkering is in progress.

Before bunkering commences through the service pipe lines on the quays the attendant shall see that the telephons connections to the oil company's depot is in working order.

An attendant shall be on duty at the pump throughout the time of bunkering.

At least two hours notice in writing shall be given to the Deputy Conservator before bunkering commences.

(i) No bunkering shall be commenced unless the Port Fire Officer is satisfied that all necessary precautions have been taken.

(j) No smoking, cooking, naked lights or fires shall be allowed on the vessel's decks while bunkering is in progress.

(k) A suitable gutter or other contrivance shall be placed under the connecting service pipe to prevent any oil from dropping on the wharf or into the water.

IV MISCELLANEOUS

109. Quays etc., to be under the authority of the Traffic Manager:- The quays, sheds, gates and the land within the wharf premises shall be in the charge of the Traffic Manager who shall direct and manage all operations connected with the landing and shipping of goods, and with their storage in the sheds and the open. He shall have proper custody of all goods lying in the wharf premises whose custody the Board assumes and take whatever steps he may consider necessary for the proper maintenance of order.

110. Public excluded from the Port premises except on business- Admission to the Board's premises at the Willingdon Island wharves, Fort Cochin wharf and the oil tanker berth jetty and such other areas at the Board may direct from time to time in this behalf shall be regulated by means of permits, passes, badges (hereinafter generally called "permits") which shall on applications, be issued by or on the authority of the Chairman, to such of the public as have business to transact within the premises connected with the purpose, services or work of the Port, provided that Customs Officers on duty will be allowed inside these premises on the strength of photo identity cards issued to them by the Customs Department:

Provide further that, while on duty stevedor labour registered with the Cochin Dock Labour Board may be allowed to pass through the Board's premises at the Willingdon Island wharves for going on board ships working at these wharves on the strength of photo identity cards issued to them by the Cochin Dock Labour Board.

111. Trespass (1) Any person found in the Board's premises referred to in regulation 110 without being in possession of a permit or photo identity cards as stated in the said regulation shall be deemed to be a trespasser and liable for prosecution. The possession of the permit entitles the holder to obtain admission to and remain in the harbour premises for purposes of transacting the particular business; and any person loitering elsewhere than the place where the business is transacted shall be deemed to be a trespasser although he may be in possession of such a permit.

(2) If any person is found trespassing without lawful excuse in the Board's premises referred to above and found to be misusing the permits in any way he shall, without prejudice to any penalty to which he may be liable, also be liable to cancellation of such permits.

(3) But when any definite part of the port premises shall, from time to time, have been thrown open

the Board without restriction, for the public the presence therein of persons not having Portiness to transact shall not be deemed to be trespass.

112. Undersirable- Any person, even if in possession of a permit shall be liable to exclusion and forfeiture of his permit should he hold one, if his conduct within the Board's premises or any part of the Port premises thrown open by the Board, from time to time, with or without restriction to public has been proved to have been disorderly or he to be an undersirable person. Any person who is reported by the Police to be a known depredator, or by the customs authorities as being a smuggler, or who is known to suffer from contagious disease likely to be communicated to others by contact, or who is proved guilty of preying on passengers or of annoying them may be excluded from the above premises without reasons being assigned.

113. Ship's officers and crew and passengers in transit- The passage through the Board's premises on the Willingdon Island wharves and/ or the Oil Tanker Berth Jetty in Ernakulam Channel, of the Officers, crew and passengers of vessel in the Port, shall not be deemed to be trespass.

114. Admission of visitors to meet passengers.- Visitors desiring to see off passengers embarking or to meet passenger disembarking may be permitted to enter the Board's premises on obtaining permit issued by the Board at the entrance to such premises and persons possessing such permit shall not be deemed to be trespassers. The possession of such a permit however only entitles the holder to obtain admission upto the Customs barrier.

115. Onus of proof- The onus of proof that their business on the Board's premises is lawful shall rest on the person concerned.

116. Motor vehicles in Port premises- Motor vehicles in Port premises shall be driven with the utmost caution having regard to the traffic and shall also comply with the following other conditions:

- (i) Such motor vehicles shall conform in all respects to provision of the Motor Vehicles Act, 1939 and the rules made thereunder.
- (ii) Such motor vehicles shall not be left unattended.
- (iii) Such motor vehicles shall ordinarily traverse the recognised roads in the Port, but may be permitted on the quays, in transit sheds and open storage space, for the purpose of being loaded and unloaded subject to control by Port Trust or police officers.
- (iv) (a) Such motor vehicles carrying goods when entering or leaving the Board's premises at the gates shall stop at the gates until permission to pass has been obtained from the Port Trust or Customs officers or Police on duty at the gate and the driver thereof shall on demand produce for inspection such documents as are required for the checking of goods carried therein.
- (b) Motor vehicles for the conveyance of persons and their personal luggage (if any) when entering

leaving the Board's premises at the wharves shall stop at the gates until permission to pass has been obtained from the Port Trust or Customs Officers of Police on duty at the gate.

(v) No such motor vehicle shall be allowed to remain within the Board's premises at the wharves longer than as shall, in the opinion of the Traffic Manager, be necessary for the purpose of loading or unloading goods. Loitering and plying for hire is prohibited.

(vi) No such motor vehicles shall fill their tanks with petrol or other fuel within the Board's premises at the wharves without a special permit from the Traffic Manager.

117. Permission to take photographs in the Port- No person shall take photographs of the Port or any part thereof without the previous written permission of the Chairman or of an officer authorised by him in this behalf; provided that when such permission has been granted the photographs shall be taken according to the directions and subject to the conditions laid down therein.

118. Working hours:- (1) The working hours for the purposes of landing and shipping of cargo and other work like delivery of import and receiving of export cargo shall be as fixed by the Board from time to time.

(2) For the time being, the working hours at the Willingdon Island wharves and the oil tankers berthing in Ernakulam channel will be 8 a.m. to 12 noon and 1 p.m. to 5 p.m. on all days except Sundays and such holidays as may be notified by the Board from time to time.

119. Night and holidays work.- (a) Owners, masters or agents and importers exporters or their representatives who desire to work during nights or on Sundays or Board's holidays shall obtain in advance, a necessary permission of the Collector of Customs for such work.

(b) For working vessels at the alongside berths, application to work during recess hours during day, night, on Sundays or on holidays shall be made to the Traffic Manager, in advance, as per the rules on the subject, so as to enable him to make the necessary arrangements for the proper conduct thereof. For work during recess hours during day, at night or on Sundays and the holidays prescribed by the Board, extra rates fixed by the Board from time to time shall be paid.

Notes: (i) The Traffic Manager may in the exercise of his discretion direct master, owners or agents of vessels to work at night or working days or on Sundays or on holidays, if in his opinion it is necessary to do so in the interest of the turn round of vessels in the Port.

(ii) The hours of work for the above purposes will be as under, for the time being:- Night work on days - 6 p.m. to 5 a.m.

Day work on Sundays and prescribed holidays - 8 a.m. to 12 noon and 1 p.m. to 5 p.m.

(c) No export cargo shall be accepted at, or deliveries of import cargo effected from, the Willingdon

id wharves except during the "Working hours" unless an application is made in advance in the prescribed and overtime fees are paid according to the rules on the subject.

20. Refund of charges- (a) Claim for refund of any toll, duty, rent, rate, or charge levied under the Harbour Port Trust Act, 1963, must be preferred in writing within six months either from the date when such duty, rent, rate or charge shall have been paid, or from the date when credit therefor shall have been made. The claim shall be accompanied by all supporting documents. A claim not accompanied by the supporting documents shall be rejected by the Board, provided further, if the Board is satisfied that a party prevented by sufficient cause from presenting such documents, the Board may, at its discretion, grant such party, further time, as it may consider proper, for the production of such documents.

(b) No claim for refund of sum less than Rs. 100 whether made separately or in conjunction with other claims, shall in any circumstance be entertained unless such claim arises from an error on the part of an employee of the Board.

21. Coopers authorised by the board to be allowed in the Board's premises at the Willingdon Island wharves, etc., for opening (and repairing) packages for purposes of Customs examinations, etc., (i) The Traffic Manager may issue badges to persons authorised to work as coopers or opening (and repairing) packages on the Board's premises at the Willingdon Island wharves, for purposes of Customs Examination or for other use at the instance of the owners thereof, and no other person or persons shall be engaged for such purposes or be allowed to carry any carpenter's tools or other instrument used for such purposes under pretext whatsoever.

(ii) On applications submitted to the Traffic Manager through their respective employers, showing full name, address and age of the persons authorised coopers will be provided with distinguishing badges on payment of cost at Rs. 2 per badge.

(iii) Other persons may be also authorised by the Traffic Manager to work as public coopers (on the recommendation of the Chambers of commerce) whose services will be available for parties who do not have their own coopers. Such person shall submit their applications, as stated above, through the respective Chamber of Commerce, and the badges will be issued to them on payment of cost as stated above.

(iv) The badges shall be tied round the arms of the coopers while engaged on the above side work.

(v) No package shall be opened in the transit sheds or other wharf premises except under the authority of the Shed appraiser or examiner of the Customs Department.

(vi) The badges shall not be transferable.

(vii) The steamer agents, importers, exporters and clearing agents, in the case of coopers employed by them and the Chambers of Commerce in the case of coopers authorised on their recommendations shall be held responsible for the good conduct of the coopers.

(viii) The loss of a badge shall at once be reported in writing to the Traffic Manager through the employer of Chamber of Commerce as the case may be. A duplicate badge will be supplied on payment of Rs.4 each if the loss is satisfactorily explained.

(ix) The entry into the wharf premises, of Coopers shall be regulated in accordance with the rules on the subject and the possession of a cooper's badge only shall not entitle the holder to admission into the wharf premises etc.

(x) The Board reserves the right to accept or reject an application or to withdraw the authorisation given to any person/s to work as coppers, without assigning any reason whatsoever. The decision of the Board in the matter shall be final.

122. Issued of licences to hawkers- No person shall hawk goods within the Board's premises referred to in regulation 110 or any Port premises which shall, from time to time, have been thrown open by the Board with or without restriction on the public or on board any vessel in the Port, without licence from the Chairman or other office authorised by him in this behalf. For this purpose the Chairman or other authorised officer may issue licences (subject to conditions which may be laid down from time to time to approved persons which shall be renewable yearly, provided that for hawking goods within the premises referred to in regulation 110 or on board any vessel such person shall have first obtained the approval in writing of the Collector of Customs, and that such licence shall not entitle the holder to go on board any vessel without the permission of the master, owner or agent of such vessel.

123. Removal of trucks and hand-barrows.- Trucks and hand-barrows loaded with goods and not immediately taken out of the wharf premises shall be liable to removal by the Traffic Manager at the risk and expense of the owners of the goods. Trucks and hand-barrows belonging to merchants and others and left lying about at the wharves, jetties or quays shall be liable to removal and the charges for removal and custody of such trucks and hand-barrows may be recovered by the Traffic Manager from the merchants and others as the case may be.

124. Destruction of or damage to any of the Board's property- Any person who shall cut, deface or injure any mooring, rope, chain, life buoy, life line or life saving appliance or any buoy rope or cable or any of the works or property of the Board shall without pre-judice to any penalty to which he may be liable, be required to pay the amount of damage, repair and recovery.

125. Obstructing officers- No persons shall molest, assault, resist, hinder, obstruct, impede or interrupt or offer or attempt to molest, assault, resist, hinder, obstruct, impede, or interrupt any employee of the Board in the execution of his duty, or disobey his lawful orders, or use abusive or offensive language or aid or abet others to do so.

126. Issue of Port clearance- (a) Application must be made to the Deputy Conservator sufficiently

clearance by the master, owner or agent in respect of every vessel desiring to leave the Port and the Deputy Conservator will thereupon grant Port clearance to such vessel, provided nevertheless, that, should it become necessary to detain a vessel in Port on account of nonpayment of charges due to the Board by the vessel or any other reason, the Deputy Conservator may, for adequate reasons, refuse to issue a clearance certificate or to allow the vessel to leave the Port until the charges due to the Board are paid or secured or other reason for which the vessel is detained have been dealt with to the satisfaction of the Deputy Conservator. And, if clearance shall already have been issued the Deputy Conservator may, for adequate reasons, cancel the same in cases similar to those cited above and inform the applicant accordingly and to allow the vessel to leave the Port until such time as a fresh clearance certificate is issued after charges due to the Board are paid or secured or the other reasons for which the vessel is detained have been dealt with to the satisfaction of the Deputy Conservator.

b) The customs Department will not grant a Port clearance until a clearance certificate duly issued by the Deputy Conservator is produced.

7. Temporary enclosures may be erected on the quays, etc.- (1) An enclosure may be made upon a wharf, pier, quay or landing place within the Port where passengers by sea or troops or horses or other animals embark or land, for the purpose of preventing the public from having access to the space used for the embarkation or landing of the passengers, troops or horses or other animals.

2) The Traffic Manager shall, subject to the directions of the Board, affix to such enclosure a notice which may be either temporary or permanent prohibiting on each occasion or permanently any persons other than passengers or troops or their servants or persons employed in the embarkation or landing of horses or other animals as the case may be or officials or licensed porters or employees of the Board, from entering or remaining within the enclosures when passengers or troops or horses or other animals are embarking or landing.

8. Smoking etc. - Smoking and the use of any unprotected fire or light in any shed, warehouse, or quay within the Port is strictly prohibited and no person shall smoke or ignite matches or other inflammable articles or exhibit naked lights on any pier or quay or on board or in the vicinity of any vessel or in such places as may be allotted for the purpose.

9. Use of fires on board vessels.- Fires of coal, charcoal, or coke may be used on board vessels on key engines, steam winches and vessels boilers for main engines.

Fires for portable forges are permitted during working hours only and shall not be left unattended. Lighting of fires is entirely prohibited on board any boat, barge or country craft carrying inflammable goods or explosives.

10. Use of lights on board vessels.- All lights whether oil lamps or candles, used on board vessels or in the Port with the following exception, shall be in globes or secured lanterns. Naked lights may be used only

in the engines and boilers of vessels whilst under inspection and repair or in duties connection therewith.

131. Charge of fires and light on board vessels.- At least one person on board a vessel shall be specially charged with the care of any fire or light and so such fire or light shall be left or used in so rash, careless or negligent a manner as to risk or endanger the safety of, or to ignite any goods, property or vessels in the Port.

132. Use of fires on board vessels under special circumstances.- All applications for special permission to use fires on board any vessel at wharf shall be made in the writing to the Deputy Conservator before 5.30 p. m. and shall specify the circumstances under which the request is made; if granted the application after having been endorsed by the Deputy Conservator shall be retained on board by the person charged with care of the fire, and shall be exhibited to the wharf and police officials whenever demanded.

133. Accessibility of vessels to Port and police officials.- Vessels in the Port and all parts thereof shall be held and made free and accessible to Port and police officials for inspection purposes in regard to fires and lights whenever demanded and no person shall disobey, any order of any police officer or members of the security department or fire service for extinguishing any fire of light used in contravention of these regulations.

134. "Board not responsible for loss or damage to goods under certain circumstances.- The Board shall not be responsible for loss or damage to goods, caused by fire, water used in extinguishing fire, vermin, other unavoidable causes or circumstances beyond their control.

135. Board not bound to find storage space for goods:- The Board shall have the right not to accept any goods damaged during transit etc. and goods the storage of which shall affect the interest of the Port in any manner for storage either in their godown or in the open. Hazardous/Poisonous/Inflammable cargo shall be permitted to be stored only at places earmarked for such purpose."

136. Penalty - Except where a penalty has been specifically provided for in the major Port Trust Act, 1963, the penalty for breach of any of these regulations shall be rupees one thousand and when the breach is a continuing one, a further fine which may extend to one hundred rupees for every day after the first during which such breach continues.

137. Interpretation.- If any question arises regarding the interpretation of these regulations, the matter shall be referred to the Board who shall decide the same.

(Sd.)

[File No. B/2191/65]

M. K. MENON

Secretary.