

PORT OF TUTICORIN RULES, 1977

PORT OF TUTICORIN RULES – 1977New Delhi, the 25th March, 1977

G.S.R. 499 – Whereas draft of the Major Port of New Tuticorin Rules, 1976, was published as required by sub-section (2) of section 6 of the Indian Port Act, 1908 (15 of 1908) at pages 1416 to 1434 of the Gazette of India, Part II, Section 3, Sub-Section (i) dated the 29th May, 1976, under the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. G.S.R. 728, dated the 7th May, 1976, inviting objections and suggestions from all person likely to be affected thereby till the expiry of a period of sixty days from the date of publication of that notification in the Official Gazette;

And whereas the said Gazette was made available to the public on the 14th June, 1976;

And whereas no objections or suggestions were received from any person with respect to the said draft before the expiry of the said period;

Now, therefore, in exercise of the Powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby makes the following rules, namely :-

PART 1 – PRELIMINARY

1. Short title, commencement and application – (1) These rules may be called the Major Port of New Tuticorin Rules, 1977.

(2) They shall come into force on the date of their publication in the Official Gazette.

(3) They shall, unless otherwise provided in these rules, be applicable only within the local limits of the Major Port of New Tuticorin.

2. Definitions – In these rules, unless the context otherwise requires, -

(a) "Act" means the Indian Ports Act, 1908 (15 of 1908)

(b) "Conservator " means the conservator for the Major Port of New Tuticorin appointed by the Central Government under the Act;

(c) "dangerous goods" means goods as defined in the Indian Merchant Shipping (Carriage of Dangerous Goods) Rules, 1954;

(d) "dangerous petroleum" means petroleum having its flash point below 24.4 degree Centigrade;

(e) "Deputy Conservator" means the head of the Port's Marine Department and includes the harbour master or any pilot duty authorised by the head of the Marine Department in this behalf;

(f) "fuel oil" means petroleum oil having a flash point of not less than 65.6 degrees centigrade and ordinarily used as fuel in engines and furnaces.

(g) "Owner", in relation to goods, includes any consignor, consignee, shipper or agent for sale, custody, loading or unloading of such goods and in relation to any vessel making use of the Port, includes any port- owner, charterer, consignee, or mortgagee in possession thereof;

(h) "Petroleum" means any liquid hydro-carbon or mixture of hydrocarbon and any inflammable mixture (Liquid, viscous or solid) containing any liquid hydrocarbon, but does not include any oil ordinarily used for lubricating purpose and having a flash point at or about 93.3 degrees Centigrade;

(i) "Port" means the Major Port of New Tuticorin;

(j) "Port authorities" means the Conservator, Major Port of New Tuticorin appointed by the Central Government and includes any other officer of the Port acting under authority of the CONSERVATOR, Major Port of New Tuticorin;

(k) "tanker" means a cargo ship constructed or adapted for the carriage in bulk of liquid cargoes of an inflammable nature;

(l) "Traffic Manager" means the officer for the time being incharge of traffic operations in the Port and includes the Deputy Traffic Manager and Assistant Traffic Manager and any other officer acting under the authority of the Traffic Manager.

PART II – ADMISSION OF VESSELS INTO PORT

3. Intimation of a vessel expected arrival – (1) (a) When a vessel is expected to arrive, her agents shall, at least forty eight hours before the expected time of arrival, send a notice to the Traffic Manager with a copy to the Deputy Conservator.

(b) Any special requirements, regarding particular berths, heavy lift cranes and other things shall be indicated in such notice. Detailed particulars of cargo to be landed at the Port, with items of special cargo and heavy lifts shown separately with their stowage and distribution of cargo hatchwise shall either be attached to the vessels arrival notice or be sent at least 24 hours before the arrival of the vessel and this cargo advice shall be in triplicate.

(ii) The agents of expected vessels shall in their own interest contact the Traffic Manager in time and apprise him with all the information regarding nature, quantity, stowage of cargo they intend working and also such information regarding the vessel as will be necessary for berthing her at a suitable berth.

(4) Allotment of Berth – (1) A vessel shall have no claim to a berth in the Port until one has been specially allotted by the Traffic Manager and intimation given of such allotment by the Deputy Conservator.

(2) Allotment of any berth in the port shall only be considered as provisional until a vessel is actually ready to enter the port and her suitability for and the right to such berth is established to the satisfaction of the Traffic Manager.

(5) Priority for certain vessels – The allotment of berths shall be within the discretion of the Traffic Manager and subject to exigencies, the vessel first sighted and identified by the signal station shall be given priority;

Provided that Government vessels embarking or dis embarking troops, passenger vessels and any other class of vessels which the Conservator may from time to time declare in this behalf shall be eligible for a degree of priority in berthing.

(6) Refusal to allot a berth – If the Traffic Manager considers that there is good and sufficient reason for not admitting a vessel into the Port, he may refer the matter to the Deputy Conservator and pending the decision of the Deputy Conservator, he may refuse to allot a berth.

(7) Master to be in command of vessels – A vessel shall not be permitted to enter or leave the port or be moved from one berth to another in the port unless the master is on board; Provided that under exceptional circumstances, such as death or a serious illness of the master, special arrangements may be made in consultation with the Deputy Conservator.

(8) Certain directions given by 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 coming into or going out of port.

(9) Entering or leaving Port – All sea going vessels on entering or leaving the port between sub-rise and sun-set shall fly their national flag, and when entering the port, each vessel shall hoist her signal letters.

(10) Piloting of Vessels – (1) Subject to the provisions of the Act, and the conditions specified in sub-rule (2) pilotage is compulsory for all vessel except for those which are specifically exempted in writing by the Deputy Conservator or some other officer specially empowered by him in this behalf.

(2) The conditions referred to in sub-rule (1) are as follows, namely :-

- (a) The master shall supply the pilot with all the information with regard to quarantine, dangerous goods on board, ship's draft and matters relating to the ship's behaviour and shall on completion of pilotage and berthing or unberthing, complete and sign the certificates on specified forms presented by the pilot.
- (b) In the event of an out-going vessel carrying a pilot outside the limit specified in clause (a) for unavoidable reasons, the master shall be bound to leave the pilot at the next nearest port and shall be liable to pay all expenses incurred on this account.
- (c) The master of a vessel shall in accordance with the provisions of the Act, display such signals as are required by the pilot to be used or as may be directed by the pilot.
- (d) (i) Every vessel entering or leaving the port shall be provided with an efficient pilot ladder in compliance with the Indian Merchant Shipping (Pilot Ladder) Rules, 1953.

(ii) If a pilot considers the rope ladder or manropes provided by the vessel to be unsafe, he may refuse to board or leave her, as the case may be, until a strong and efficient ladder and stout man-ropes are provided as required.
- (e) Vessels shall not anchor within the outer channel fairway across the entrance channel equidistant from the fairway buoy or in any other prohibited anchorage, nor shall a master attempt to enter the channel to pick up a pilot.

- (f) (i) If any accident happens to a vessel while a pilot is on board and if the master of a vessel has any complaint to make regarding the handling of the vessel under the command of the pilot, or the advice given by him by the pilot on duty, he shall report about the accident at once to the Deputy Conservator who shall immediately hold a departmental enquiry.

- (ii) If the accident occur while the vessel is leaving the port the master shall send in full report direct to the Deputy Conservator from his next port of call.

- (iii) This report shall be accompanied by a signed statement of any witness to the incident in question

- (g) A vessel may leave the port without having on board a pilot under stress of weather after obtaining an authority to do so from the Deputy Conservator and after intimating the port Signal Station of her intention to do so.

11. Use of Port Tugs – It shall be incumbent upon the master of a vessel to avail of the services of the port tugs while navigating within the port limits.

12. Taking Photographs etc. - No person shall, except under the authority of a written permit granted by the Traffic Manager,-

- (a) have or carry with him a camera for taking photographs or any material for making a sketch, plan, model or other devices;

- (b) take any photographs or make any sketch, plan or model of any movable or immovable object or building installation within any port limits or any other area declared as such by the Conservator from time to time.

13. Supply of Wires, Hawsers, etc. - Vessels entering the port shall have in readiness for supply such steel wire, ropes and other hawsers as may be required to facilitate berthing alongside.

14 Vessel's Crew and Appliances to be in readiness, - (1) Master or owners of vessels shall employ sufficient number of crew, and keep in readiness such appliances on board as may be necessary for working their vessels in and out of the port approach channel and in the port.

2. In default or whenever necessary, the Deputy Conservator shall employ such number of personnel, and make available such appliances as he may consider necessary at the expenses of the master or the owner.

15. Other precautions – (1) Vessels when entering, leaving or being moved in the port or in the event of parting their moorings when secured to a jetty, quay or buoys shall have both anchors ready for letting off at any time.

2. Vessels when entering, leaving, being moved, or lying in the port alongside quays or jetties shall have their sides free of all projections and their boats, davits and derricks shall be swung on board and gangway ladders shall be stored on board.

3. Masters and owners of vessels shall be responsible for all accidents which may result from failure to adopt any of the precautions specified in sub-rules (1) and (2).

16. Vessels lying outside the port entrance channel to be moved.- (1) A vessel lying in the harbour near the entrance to the port or in the fairway of the channel, or near the entrance channel in the pilotage waters of the harbour shall be removed by the master or owner if and when required by the Deputy Conservator.

(2) If such removal is not effected promptly, 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.

PART III – REGULATIONS FOR VESSELS IN THE PORT

17. Master etc. To place his vessels in her berth – (1) All vessels within the port shall take up such berths as may be assigned to them by the Traffic Manager or the Deputy Conservator and shall change their berths or move when required by either of the said officers.

(2) No vessel shall cast off a warp that has been made fast to her to assist the vessel moving, without being required to do so by the Pilot or the Harbour Master in charge of the vessel moving.

18. Closing of Hatchways when not working:- Vessels when not working cargo shall have all hatchways closed or well protected.

19. Mooring, unmooring and moving vessels in Port under orders of the Deputy Conservator – (1) Masters or owners of vessels shall obey the directions of, and shall offer no obstruction to the Deputy Conservator, in regard to the mooring, unmooring or moving of any vessel in the port.

2. A vessel shall not be required to be moved from her berth without the previous orders in writing of the Deputy Conservator.

3. In case if becomes necessary, the Deputy Conservator shall take such action as may be necessary to enforce his orders and any expenses incurred in taking such action shall, without prejudice to any penalty to which the master or owner in default may be liable, be payable by such master or owner.

4. Masters of vessels shall ascertain from the Deputy Conservator the maximum drafts to which their vessels may load.

20. Mooring improperly – Masters or owners of vessels in the port shall not permit the ropes or hawsers of their vessels to be made fast to any place or places in the port other than the bollards, moorings posts or other appliances specially provided for the purpose.

21. Vessels to be incharge of competent person – When a vessel remains in the port, the master or any other responsible officer and sufficient number of crew shall always be on board.

22. Watchman to be kept on Dock- (1) A vessel in the port shall maintain a Quarter Master or a Watchman always on duty on the deck, who shall be in charge of the vessel's shore gangway and attend to the mooring ropes and lines of the vessel, and he shall also be responsible for their adjustment and in case of default, the master or the owner of the vessel shall be liable for any damage as a result of such default.

23. Vessel's propeller not be worked – (1) While a vessel is berthed or moored in the port, any propeller shall not be moved by power without the previous written permission of the Deputy Conservator and subject to such conditions as he may direct.

2. Notwithstanding such permission, masters and owners shall be responsible for any damage that may result from the moving of any propeller by power or hand.

24. Anchor or other gear dropped in port etc. To be recovered – Master shall be responsible for the immediate buoying of any anchor or other gear that may be dropped overboard from their vessels in the port and shall take all steps necessary for the removal from the water of any such anchor or gear.

25. Vessels to be properly ballasted – Vessels in the port shall be kept so loaded or ballasted that in the event of fire or other emergency, they may be removed from their berths without danger.

26. Repairs to Vessels – Master intending to carry out repairs are required to bear in mind the following conditions, namely-

- i. Vessels shall not be immobilised without first obtaining permission from the Deputy Conservator.
- ii. Vessels are likely to be moved from the berths when the berths are required for working cargo by other vessels.
- iii. The Deputy Conservator may, if considered desirable, prohibit chipping or repairs causing excessive noise between 10.00 and 17.00 hours.
- iv. Repairs involving the use of naked lights, gas cutting and welding apparatus to, or in the vicinity of fuel oil storage tank or the fuel system, or involving

the entry of a person into any fuel storage tank or such vessel wherein petroleum may have been stored, may not be commenced unless a gas free certificate from the appropriate authority has been obtained.

27. Goods etc not to be allowed to fall into port _ No cargo, goods or any other substance shall be allowed to fall from any vessel, quay or pier into the port channel or in the port.

28. Notice to be given of cargo, goods, etc. Falling into water – Any person or the master or owner of any vessel or the stevedore engaged in loading or unloading any vessel who allows any cargo, goods or substance to fall from any vessel pier or quay into the water shall forthwith give notice of the occurrence and furnish all particulars connected therewith to the Traffic Manager and the Deputy Conservator and shall taken immediate steps to remove the said cargo, goods or substance from the water at their cost.

29. Recovery of goods rubbish etc. failing into water – If any person master or owner of a vessel or stevedore required under rule 28 to remove any cargo, goods or other substance from the water, fails to remove within such time as has been specified in a notice from the Deputy Conservator calling upon him to so the Deputy Conservator may remove such cargo, goods or substance, and any expense incurred in such removal shall be recovered from the person, master, owner or stevedore, without prejudice to any other penalty to which the person, owner or stevedore may be liable.

30. Ashes, rubbish, etc. Not to be deposited on Quays etc. Without permission – No person shall without authority from the Traffic Manager, deposit, upon any quay or pier in the shed or any part of the port any ashes, ballast, baskets, bottles, cinders, dirt, dung refuse, rubbish, shavings, stores or other similar loose materials or substances.

31. Prevention of materials falling into Port, disposal of ashes, etc. -- (1) Master or owners of vessel or stevedores loading or unloading, ashes, ballast, bricks, cinders, coal, dustlime, rubbish, shingles, stones, tiles or any other loose materials shall use, for such loading or unloading a canvas cloth or wooden chute, to the satisfaction of the Deputy Conservator.

2. Ashes, clinders, dust and rubbish shall be landed on the quay in such places as may be directed by the Traffic Manager and the Master, owner or the stevedores, as the case may be, may remove them from such place.

32. Oily bilge water etc. Not to be pumped into Port – No ballast water containing oil liable to foul or capable of fouling the water shall be discharged from any vessel into the Port.

2. If any oil is found floating around the ship, it shall be the responsibility of the master to prove that it is not from his ship.

33. Cleaning of vessels – No person shall be employed in cleaning or painting a vessel or in working in the bilges, boilers, or double bottom of a vessel in the port except during such time as may be fixed by the Conservator in this behalf.

34. Projections from Deck of Vessel – Projections from the deck of any vessel which interfere with the loading or unloading of any other vessel in the Port shall forthwith be removed on a requisition by the Traffic Manager.

35. Fenders – Fenders provided by the Port at the quay, jetty berths shall not be lifted or removed by the masters or their stevedores.

36. Sound signals – The use of sound signals for attracting attention is prohibited on board the vessels while within the limits of the Port, except for the purposes specified in regulations 34, 35, 36 and 37 of the International Regulations for Preventing Collisions at Sea, 1972 and the new collisions regulations and in case of emergency when assistance from the shore is urgently required in the interests of the safety of the vessel or when the pilot in charge thinks fit to so.

37. Sinking of Boats, etc. -- The master or owner of any vessel in the harbour, alongside of which any cargo, masula or other boat is sunk whilst taking in cargo or passenger or discharging cargo or passenger, shall forthwith report the fact of such sinking and the place where it occurred to the Deputy Conservator.

38. Dangerous Animals and Fire Arms – Dangerous animals and loaded guns or fire arms shall not be kept or allowed on board any vessel in the Port.

39. Vessels with dangerous cargoes, etc. -- The Deputy Conservator may order immediate removal from the port of all vessels having on board animals manures or

other offensive or dangerous cargoes or persons suffering from infectious diseases.

40. Masters, etc. Of vessels responsible for damages – Masters and owners of vessels shall be responsible for any loss of damage caused to any of the installations or property of the port due to the negligence of their servants and the Deputy Conservator shall have the right to detain their vessels until the value of the loss or damage is paid or security for such payment is given.

41. Vessels etc in Port at the risk of master, etc. -- All vessels in the port lie at the risk of their Master or owners who shall be held responsible for any loss or damage that may arise in consequence of their faulty navigation or by reason of their breaking adrift from their anchors or moorings.

42. Masters 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 any person employed by them either outside or on board, their vessels.

43. Port authorities accept no liability for delay etc. -- The port authorities shall not be liable for any delay in respect of vessel entering, remaining in, or going out of the port or for delay in the loading or unloading of goods owing to circumstances beyond their control.

44. Notice regarding outbreak of fire on vessels to be given by Masters etc. -- (1) Any person noticing a fire in a ship shall immediately :-

(a) inform an officer of the ship who shall be responsible for raising the alarm in accordance with the provisions of sub-rule(2).

(b) if the ship is alongside a quay, treat the fire as on shore and raise the alarm required under sub-rule (2) and also inform an officer of the ship who shall also raise the alarm in accordance with the provisions of sub-rule (2).

2. The following method shall be used for raising an alarm, namely:-

1. Afloat by day-- Hoist International Flag 'DQ' sound continuous blasts on ship's whistle or siren until the arrival of the Fire float.

2. Afloat by night – Sound whistle or siren as above hoist two red lights one above the other 6 (six) feet apart. When ships are alongside the alarm is to be raised by telephone in addition to the above procedure.
3. Ashore by day or night – (1) Run to the nearest telephone and ring up Port Exchange and on being connected, state clearly

FIRE IN SHIP AT

FIRE ASHORE AT

(2) The Port PBX operator shall take care that the connection to Port Fire Service is given without any delay whatsoever.

45. Prohibition of underwater salvaging or repairs – No person shall salvage any anchors, Cables, stores or for cargoes lost or supposed to be lost therein or under taken under water repairs to vessels without the prior permission of the Deputy Conservator or an officer authorised by him.

PART IV – RULES IN RESPECT OF QUAYS AND SHEDS FOR THE
LOADING AND UNLOADING OF VESSELS, AND FOR THE DELIVERY
AND SHIPMENT OF GOODS.

46. Work in Port under the Traffic Manager – (1) The loading and unloading of vessels in the Port shall subject to the control of the Traffic Manager who may at his discretion prohibit the discharge of such goods in the port which in his opinion are likely to obstruct traffic or cause congestion or hinder the convenient use of the port.

2. The Traffic Manager may also, at his discretion remove any other place goods the storage of which on the port premises either upon their landing in the port or thereafter, is likely to obstruct traffic or cause congestion.
3. The apportionment of quay space to be occupied by each vessel shall similarly be determined by the Traffic Manager.

47. Use of cranes – The allotment of quay cranes for discharging import cargo or for loading export cargo shall be at the discretion of the Traffic Manager.

48. Vessels lying idle – The Traffic Manager may, at his discretion move from her berth, or order out of the port, any vessel which in his opinion has remained idle in the Port

49. Vessels working slowly – A vessel discharging import cargo or unloading export cargo in the port may be required to give up her berth if in the opinion of the Traffic Manager the rate of discharge or loading is below the average for similar vessels and for similar cargoes.

50. Vessels to be moored before working cargo – Goods shall not be loaded into or unloaded from a vessel in the port until the vessel has been moored at her allotted berth.

51. Production of manifest before breaking bulk or before commencement of loading – (1) (a) The master, owner or agent of a vessel carrying cargo for discharge at the port shall furnish the Traffic Manager, with a true copy of the complete import General manifest not less than six clear working days before being permitted to break bulk.

(b) The manifest shall contain full details of such consignment manifested including literage in the case of liquids in bulk and gross weight in kilos in other cases.

(c) Non-submission of such manifests within the stipulated time may result in the vessel concerned not being permitted to break bulk.

(d) Where the consignment consists of packages of different weights, the gross weight in the metric system of each package shall be furnished in addition.

(e) in the case of iron and steel consignments hatch lists indicating (a) description (b) quantity and (c) weight in metric system in each hatch, shall also be submitted before permitted to break bulk.

2. If cargo meant for any other port or meant for transshipment is allowed to be discharged, a supplementary manifest giving full details of gross weights, in metric system shall be filed before being permitted to discharge such cargo. If details of such consignments are not already included in the original import General Manifest field for the vessel.
3. (a) Every export application submitted for shipment of goods and every customs export shipping bill presented at the office of the Traffic Manager for assessment of dues, shall show full details of the consignments covered by the documents including the description of the cargo, quantity of cargo and the gross weight, of each consignment in metric system, including literage in the case of liquids in bulk.
 - (b) where the consignment consists of packages of different weights, the gross weight in the metric system of each package shall be furnished in addition.

(4) The agents of a merchant vessel departing from the port, whether loaded or in a ballast shall before three days of her departure, furnish the Traffic Manager, with copy of her Export Manifest.

52. Documents to be produced by shipper and consignees :- (1) All applications for permission to export or to import goods shall be made in such forms approved by the Traffic Manager and such forms shall in all cases be correctly filled in and signed by the shipper or consignee of the goods or by his agent.

2. Except when required by the person authorised by the Traffic Manager to call for an inspect them all necessary documents shall be produced by shippers or consignees or their agents at the time of the shipping or landing of goods.
3. When cargo is shipped by a vessel other than that entered on the application for permission to ship it, a fresh application shall be submitted to the Traffic Manager.

53. Opening of packages – No package shall be opened inside harbour by the importer, exporter or owner, for appraisement, examination or survey, without the permission of the Traffic Manager.

54. Removal of Iron, Steel Machinery packages, long and unwieldy heavy lifts from the port-consignments or iron, steel, machinery packages, long and unwieldy heavy lift landed in the port may be removed by the Traffic Manager at his discretion to any other place at the cost of the consignees owners, or importers and

without any previous notice to them, if he considers it necessary so to do for the safe and convenient working of the port.

55. Timber discharging – Timber shall not be discharged from a vessel overside into the water without the approval of the Traffic Manager, and if so discharged, shall be removed out of the port on the next high tide after such discharge.

56. Discharge and shipment of coal or any other dirty cargo – (1) The discharge and shipment of coal or other dirty cargo in bulk or otherwise from and into ships in the port, may be effected only with the written permissions of the Traffic Manager who may refuse such permission in cases where he considers any loss or damage to property is likely to arise from coal or similar dust, caused by such discharge or shipment.

2. Permission accorded to discharge or to ship coal or other dirty cargo in bulk or otherwise, on and from shore, shall be subject to the importer or shipper or their accredited agents agreeing to reimburse the entire cost of cleaning the wharf of the residue.

57. Works of art, bullion, etc. -- (1) The Port authorities shall not accept any responsibility in respect of any package containing a work of art or an article of virtue of which the value including that of the package exceeds Rs. 50 or containing specie, bullion, gold or silver articles, jewellery precious stones or coral, unless six hours at least before the package is landed or brought into the harbour for shipment, written notice is given to the Traffic Manager by the owner or consignee and the package is specially delivered to the Traffic Manager and receipt thereof obtained.

2. If any package containing any of the articles referred to above is brought to any wharf or pier without any said written notice being given to the Traffic Manager, the package, if for export, shall be shipped, or if imported, shall be removed to the Customs House or to the port sheds at the sole risk of the owner and shall remain at his risk until cleared.

58. Loading and unloading of cargoes likely to foul port wharves :- (1) Molasses and other goods of a nature likely to foul the port wharves or transit sheds or to cause damage to other goods may be discharged from a vessel in the port only with the permission of the Traffic Manager and subject to the owner or consignee of the goods undertaking to pay to the Port authorities the expenses if any, incurred by them for clearing the wharf or transit shed.

2. (a) The decanting on the port wharves from drums or other receptacles, of vegetable, fish or other oils, preparatory to their shipments in bulk shall not be permitted.

(b) Where shipment in bulk of oils, are to be effected the oils shall be transported to the port in tank wagons, or tank lorries and pumped directly there from into the vessel's tanks, or where the oil has been transported in tank barges, directly from barges into the vessel's tanks.

59. Removal of rotten goods from the wharves – If any vessel discharges in the port any goods or substance in such a rotten, putrid, damaged or other condition as to be in the opinion of the Health Officer of the Port, injurious or dangerous to health or if any goods or substances discharged from any vessel and lying in the port decay into such a rotten, putrid or other conditions as to be injurious or dangerous to health in the opinion of the said Health Officer, the Traffic Manager may require the owner thereof, or if the owner disclaims, denies or disputes the consignment or declines all responsibility or if there is no owner, the Master, owner or agent as case may be shall, on being so required, refuse or neglect to remove such goods or substance within eighteen hours of the receipt of notice, removal may be effected in such manner as the Traffic Manager may think fit and he may, if he thinks necessary, cause the said goods or substance to be destroyed.

(2) The owner or the master, or agent as the case may be shall, within forty-eight hours after demand in writing pay to the port authorities all the cost of expenses attending or occasioned by such removal and destruction and of such cleaning purifying or disinfecting the place of discharge or storage.

60. Handling of cargo likely to contaminate food stuffs – (1) Items of cargo, such as chemical manures, insecticides, poisonous substances which are likely to contaminate food – stuffs shall not be discharged at any berth for storage, pending delivery, unless the discharge of such cargo has been specifically permitted in writing by the Traffic Manager.

(2) In all cases, where such permission has not been given, the vessel shall either discharge such cargo direct on to the quay provided adequate arrangement have been made by the Steamer Agents with the consignee to the satisfaction of the Traffic, for the clearance of such cargo direct from the landing point, rail or road transport, or land such cargo everside into barges hired by the Steamer Agents, to be taken up to the points fixed by the Traffic Manager for storage.

61. Transfer of vessels from their berths – (1) The Traffic Manager may either himself, or through the Deputy Conservator, direct any vessel, to move from one berth in the Port to any other berth, provided that such other berth is vacant.

2. A notice of 12 hours shall be given before a vessel is required to be shifted under this rule.
3. The port shall not be responsible for any delay which may be caused to a vessel in effecting a transfer under this rule.

62. Issue of licences to Stevedores – (1) The conservator on the recommendation of the Traffic Manager, shall, from year to year, issue licences to certain approved firms and individuals granting them permission to perform the work of stevedoring vessels in the port and no stevedore shall be allowed to work on board any vessel in the Port unless he is in possession of such licence.

2. The Conservator on the recommendation of the Traffic Manager may at any time cancel any licence issued under this rule or may suspend the same for such period as may be specified for breach of any of the terms of the licence or for breach of any of the provision of rule 63 or 64.
3. The licence may likewise be cancelled or suspended if, after the grant thereof, it is discovered the application for the licence contained any misrepresentations or mis-statements of material facts or if the licence has been adjudged insolvent or has gone into liquidation, as the case may be, or if the licensee or his workmen cause any obstruction to any work in the Port:

Provided that no such licence shall be cancelled or suspended until the holder of the licence has been given a reasonable opportunity for showing cause why his licence should not be cancelled or suspended as the case may be:

Provided further that no such opportunity for showing cause shall be necessary when the licence is suspended pending an enquiry against the holder of the licence for contravention of any of the terms thereof or for contravention of any of these rules or for doing anything for which the licence is liable under this rule to be cancelled or suspended.

63. Conditions for issue of licence to stevedores – (1) Every stevedore shall be responsible for the due observance and performance by all staff and labour employed by him, during the loading or unloading of a vessel or work incidental thereto, of all relevant laws, rules and regulations for the time being in force.

2. Every stevedore shall ensure that all loading and unloading operations shall conform in all respects to the requirements prescribed by or under the Indian Dock Labourers Act, 934 (19 of 1934) are carried out with his own gear and he shall be solely responsible for any accident or damage resulting from the use of any defective gear.
3. (a) Every stevedore shall employ at least one experienced Foreman and a Tindal to Superintend the loading or unloading of cargo or bunkering of coal, or fuel at each hatch – way at which loading, unloading or bunkering is being carried on.
 - (b) The Tindal shall supervise the slinging or unslinging of goods in the hold and wherever a vessel is loading cargo in the between decks along, the shall see that the between deck hatches that or provided with cross beams and fore and aft beams have all such beams fixed in their proper places, and that the hatch covers are properly put on and effectively secured to prevent their displacement before commencing work; the foremen shall remain on deck and see that the crane chain is not taken out of the square of the hatch was and that the hook does not catch coamings or foul any of the ships gear or damaged any structure or erection ashore.
 - (c) The foremen shall give correct signals to the crane driver and shall superintend the taking off and putting on the beams and hatch covers and shall see that persons keep out of danger on deck and do not stand under any hoist.
 - (d) The foremen shall, where work is stopped for the day or night, search and satisfy himself that no one is remaining in the hold.
 - (e) The stevedores shall be solely responsible to the owners of the ship and to the Port authorities in the event of any injury or damage being caused to any person or property in the course of the loading / unloading or bunkering operations.

64. Discharge of a vessel's cargo to be under the superintendence of master, etc. or stevedore and their liability – cargo shall not be discharged from any vessel in the Port except under the directions and superintendence on board such vessel of the master or owner of the vessel or of a stevedore licensed by the Conservator to perform such work in the Port, and such master, owner or stevedore shall be personally liable in respect of any loss and damage arising from the careless of improper slinging of goods on board such vessel and shall in every instance observe the following precautions, namely :-

- i. that the sling is laid out flat without turning or kinks before any goods loaded therein;

- ii. that after each sling has been made up and with the first strain on heaving up, the running loop in well beaten home with a wooden bar in order that the grip may be made secure;

65. Master etc. And stevedores working cargoes to provide proper lights on board – masters and owners of vessels in the Port and the stevedores working the cargoes of such vessel shall be jointly and severally responsible for the proper provision of lights in all these parts of vessels, where work is being carried on either with the use of the Port's cranes, quay piers or other property or otherwise, and in default they shall jointly and severally be liable in respect of any loss or damaged to life, limb or property resulting there from.

66. Making up of slings – cranes not be used under vessels coamings – slings of import goods shall be made up directly under the open hatchway of any vessel unloading in the port and under no circumstances the Port's cranes shall be employed for the purpose of breaking out for removing goods from under the comings.

67. Use of vessel's winches – Masters and owners of vessels employing their own cranes or winches for the loading or unloading of goods shall be responsible for any loss or damage to goods arising from any cause whatsoever.

NOTE: (1) Cranes shall be fixed in positions as directed by the stevedores.

(2) Ship's Officers shall see that the port's cranes work quite clear of ship's gear.

68. Heavy lifts – The Traffic Manager may prohibit the landing from any vessel of any single article or package of over 10 tonnes in weight, except, by the cranes of the ports provided for the purpose, if he is of opinion that is necessary or advisable to do so.

69. Discharge of Heavy Lifts – (1) Single articles and packages of over 10 tonnes in weight shall not be discharged unless so permitted by the Traffic Manager under the terms and conditions laid down by him in this behalf.

(2) The Port authorities shall not be liable or responsible in respect of any loss or damage occurring to such articles or packages.

70. Marking and packing of Heavy packages – Single articles and packages, of one metric ton and over in weight (hereinafter referred to in this rule as heavy package), shall not be loaded on board any vessels in the port or alongside the quay walls unless the gross weight of each such article or package has been plainly and durably marked upon it and packed by the consignors or their agents in the manner set out below:-

1. Manner of marking of Heavy packages – (a) The gross weight on a heavy package shall be marked thereon in English the regional language if possible with a kind of plant which is not easily effaceable.(b) Where a heavy package is of a light colour, black paint and where the package is of dark colour, white or yellow paint shall be used for such markings.
2. Gross weight to be marked in Metric Tons or kilogram. -- Subject to the provisions of clause (6) the gross weight of a heavy package shall be marked thereon in metric tons or kilograms.
3. Place of marking -- The gross weight shall be marked on two sides of the heavy package so that in whatever position the package is placed, 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 Cm. (three inches) in length and half Cm (one quarter of an inch) in breadth.
5. Manner of packing – (a) the goods in heavy package shall be securely packed in a strong covering in such manner that there is no movement of the goods inside the package resulting in any disintegration of the goods or the covering.

(b) The covering shall be of such materials and the 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 handled the package is minimised.

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

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

(b) Consignors and their agents, agents of the vessels and stevedores shall be held responsible for any breach of the provision of this rule.

71. Hazardous substances – Central General Restrictions – The handling, transport and stowage within the port limits of all substances classified as Hazardous (as defined in the recommendations of the United Nation's Committee of experts on transport of dangerous goods, which met at Geneva in August, 1954) or merit classification as such by virtue of their characteristic properties shall be subject to such restrictions and conditions, as the Deputy Port Conservator may, from time to time, impose.

72. Use of the Gear and other Articles provided by the Port – (1) All cargo handling gear and other articles provided by the Port shall, when no longer required, be returned to the stores depot of the port and shall not be left lying in the quays of roads.

2. Masters and owners of vessels and stevedores shall be charged hiring fees on all such articles from the date of requisition till its return to the stores depot.
3. All articles not provided by the port shall be removed from the quays or roads within two hours after the job for which they are brought is finalised, and in default removal job shall be effected by the Traffic Manager and the Master or owner of the vessel or stevedore or any other person to whom such gear belongs shall be liable for all the expenses incurred in such remove.

73. Arms – (1) The Master, owner or agent of every vessel entering the port and having on board as import cargo for discharge, package containing arms and ammunitions shall as soon as possible after arrival in the port furnished to the Traffic Manager a complete list of all such package.

2. After discharge, such packages shall be handed over by the Master into the direct charge of the shed Forman, who shall grant a receipt therefor in the specified form and shall immediately lock up the packages in the Transit shed.
3. The external condition of all packages containing arms and ammunitions shall be carefully examined before a receipt is given therefor and any matter which calls for special mentioned shall be entered in the remarks column.

4. Packages containing arms and ammunitions shall under no circumstances be discharged from a vessel at night.
5. The port authorities shall not in any way be responsible or liable for any packages containing arms and ammunitions discharged from a vessel otherwise than in strict conformity with this rule.
6. The port may except, any vessel or line of vessel or line of vessel from the provision of this rule for such period as the conservator may think fit.

74. Ammunition and Explosives – The mater of any vessel arriving in the port with ammunitions or explosives, other than fire works etc. Forming part of the ships equipment of distress signals, or over 45 Kgs. of (100 lb.) weight of gun powder, on board as cargo, shall be display a red flag B of the International Cord at the fore during day time, and between sunset sun-rise shall exhibit a red light at the fore so long as the ammunitions, explosives or gun powder are on board within the limits of the port.

75. Landing of Explosives or other Dangerous Cargo – (1) No package containing gun powder or other explosives or any dangerous cargo shall be landed within the limits of the port without the prevision permission of the Collector of Customs and the Deputy Conservator and in the landing or shipment thereof all rules made under any enactment in this behalf and also any other directions made or given by Port authorities from time to time for carrying into effect such rules or to ensure safety shall be rigidly adhered to and observed.

(2) (a) Every vessel while loading, discharging or handling explosives or cased dangerous petroleum shall bank all fires and store them up only when explosives or cased dangerous petroleum are not being loaded, discharged or handled and only when hatches containing explosives or cases dangerous petroleum are completely closed.

(b) All ventilators to the stock hold shall be carefully attended and properly dirmed and wind saves shall be rigged to the stock hold to prevent any pocket of gas accumulating in vessels which have any cased dangerous petroleum on board.

PART V – DISCHARGE AND SHIPMENT OF FUEL OIL AND NON-DANGEROUS PETROLEUM:

76. Discharge of Fuel oil in Bulk – Vessels carrying petroleum in bulk shall observe the provision of the Petroleum Rules, 1937, and the rules made under any enactment in this behalf and also any other directions made or given by the Deputy Conservator from time to time for carrying into effect such rule or to ensure safety.

77. Bunkering of petroleum fuel oil – Bunkering of vessels with petroleum fuel oil in the port barges and tank vehicles shall be permitted subject to the following conditions, namely:-

- a. During all such time as any vessel is receiving fuel into her bunkers, the master or first mate of such vessels is present on board and he shall see that the provision of this rules or complied with and that all reasonable precautions for safety are observed.
- b. A ship's officer shall be on watch and an attendant of the oil company supplying the bunkers shall be stationed along-side the flexible connecting pipe while bunkering is in progress.
- c. No smoking, cooking, naked lights or forges shall be allowed on the vessels decks while bunkering is in progress.
- d. A suitable gutter or other contrivance shall be placed under the connecting service to prevent any oil from dripping on the wharf or into the port basin.
- e. Master and owners of vessel receiving fuel oil and suppliers of fuel oil for bunkering shall jointly and severally be held liable for any damage caused to any property belonging to the port of cargo incharge of the Traffic Manager by any defect in or failure of the apparatuses or appliances of the vessels or the suppliers.
- f. No cargo other than steel plate, iron rails, and similar goods unaffected by oil, shall be allowed on the wharf within 50 feet of the oil stand pipes, and shed doors immediately behind them shall be kept closed while bunkering is in progress.
- g. Before bunkering commences, the attendant shall see that the telephone connection to the oil company's dept is in working order.

PART VI – FIRE AND LIGHTS

78. Smoking etc. :- Smoking and the use of any unprotected fire or light in any shed or ware house within the port is strictly prohibited and no person shall smoke or ignite Lucifer matches or other inflammable articles or any pier or quay or on board any vessel within the port, except in such places as may be allotted for the purpose.

79. Fires and Lights :- (1) No vessel shall be fumigated except at a place appointed by the Deputy Conservator for purpose.

2. Pitch or dammer shall not be heated on board of vessels within the port but in boast alongside or astern nor shall spirits shall be drawn off on board such vessels by candle or other unprotected artificial lights.
3. Vessels, while loading cotton, shall not have any unprotected lights in the hold.
4. When gun powder, ammunition or other explosives exceeding 45Kgs (100 lb.) in weight are being shipped on or discharged from any vessel within the limits of the port, no fires, lights or smoking shall be permitted on board except as provided in the Explosive Rules, 1940.

80. Accessibility of vessels to port and police officials :- Vessels in port shall allow free access to the port and police officials for inspection purposes in regard to fires and lights wherever demanded and no person shall disobey the orders of any police officer or watchman or extinguishing any fire or light used in contravention of these rules.

PART VII . MISCELLANEOUS:

81. Quays etc. And port area to be under the authority of the Traffic Manager :-

(1) (a) The quays, sheds, gates and other areas within the limits of the port shall be under the charge of the Traffic Manager, who shall direct and manage all operations connected with the landing and shipping of goods, and their storage either in the sheds or or in the open.

(b) The Traffic Manager shall have proper custody of all goods lying in the port and take such steps as may be necessary for the proper maintenance of order within the port.

2. (a) No person shall enter any port area without a permit or token issue to him by or under the authority of the Traffic Manager, such permit or token shall on demand by a police officer or any port officer, duly empowered in that behalf be produced for inspection.
- (b) No person shall allow any other person to use any permit or token issued to him as aforesaid.
- (c) Any permit or token issued to any person and allowed by him to be used by another shall be liable to be confiscated and cancelled.

82. Regulation of working hours of the various sections of the Port:- The hours during which work may be carried on in each of the several section into which for traffic working purposes, the port premises are divided shall be notified by the Traffic Manager, from time to time, by means of notices posted in the sections concerned, and no work shall be done, within the port premises outside the working hours so notified, except with the

permission in writing of the Traffic Manager.

83. Night and Holiday work :- Applications for work at night or on Sundays or holidays shall be made to the Traffic Manager, who on production of the necessary permission form the customs department shall make necessary arrangement for the proper contact thereof and work on such day and at night shall be subject to the payment of special charges specified for the purpose.

Explanation :- Holidays for the purpose of this rule shall be those notified by the conservator from time to time.

84. Entry into the Port :- The entrance gates and wicket gates of the port shall be kept open during the hours specified therefor by the port authorities and ingress and egress by these gates at any other time shall be only to persons holding special passes issued for this purpose by the Traffic Manager.

85. Sites set apart for dock labourers and boatmen to obtain food:- Certain sites shall, from time to time, be set apart as occasion may require, by order of the Traffic Manager at his discretion to enable boatmen or Dock Labourers to obtain their food and all persons bringing such food shall be restricted to these sites and the bath says leading thereto, therefrom, which shall be indicated by notice boards.

86. Licenced carpenter to be allowed in the sheds for opening and repairing cases:- The Traffic Manager shall grant of licences to persons qualified to work as carpenters in the port for opening and repairing cases at the instance of the owners thereof and no persons other than those licenced as such shall be allowed to carry into the port any tools or other instruments used for such purposes.

87. Issue of licences to hawkers :- No persons shall hawk or sell goods within the ports or on board any vessel within the port without a licence from the Traffic Manager and for this purpose, the Traffic Manager may issue licences to person which shall be renewable yearly; provided that such persons shall obtain the prior approval in writing of the Collector of Customs and that such licence shall not entitle the holder to go on board any vessel in the port without the permission of the master, owner or agent of such vessel.

88. Removal trucks and hand-barrows out of Port:- (1) Trucks and hand-barrows loaded with goods and not taken out of the port immediately shall be liable to removal by the Traffic Manager at the risk and expenses of the owner of the goods.

2. Trucks and hand-barrows belonging to merchants and others and left lying at the port shall be liable to removal and confiscation by the Traffic Manager.

89. Destruction of or damage to any of the port property:- Any person who cuts, defaces, or damages any mooring, rope – chain, life buoy, lifeline or life saving appliance or any buoy, buoy-rope or cable belonging to any anchor within the port channel or entrance or in the port shall without prejudice to any penalty to which he may be liable under any other law, be liable to pay the amount of damage, repair and recovery.

90. Obstruction etc. To officers:- No person shall molest, assault, resist, hinder, obstruct, impede, or interrupt, or offer or attempt to molest, assault, hinder , obstruct, impede, or interrupt may employee of the port in the performance of his function, or disobey his lawful orders, or use abusive or offensive language or aid or incite others to do any of these things.

91. Plying of vehicles:- Motor lorries or other vehicles for the conveyance of goods shall not be driven along or upon any of the road, wharves or quays within the port or be admitted into or allowed in the port without a licence issued in this behalf by the Traffic Manager and except in accordance with the following conditions namely:-

- i. Such vehicles shall conform , in all respects to the provisions of the Motor Vehicle Act, 1939, (4 of 1939), and the rules made there under:
- ii. Such vehicle shall not be left unattended:
- iii. Such vehicle shall ordinarily play on the recognised roads in the port' but may however be permitted on the wharves, in transit sheds and upon open storage spaces for the purposes of loading or unloading subject to control by the port and police officers;
- iv. Such motor, lorries or vehicles, when entering or leaving the port, shall stop at the port gates until permission to pass has been obtained from the port authorities or customs officer, or both on duty at the gates and the driver there of shall on demand produce for inspection the licence permitting the lorry or vehicle to enter the port;
- v. No such vehicle shall be allowed to remain within the port longer than shall, in the opinion of the Traffic Manager, be necessary of the purpose of loading or unloading goods, and also shall not loiter and ply for hire;
- vi. No such vehicle shall fill their tanks with petrol or other fuel within the port without a special permit from the Traffic Manager.
- vii. The licence granted to any vehicle under this rule may, if the circumstances so require, be revoked by the Traffic Manager at any time after holder of the licence has been given a reasonable opportunity for showing cause as to why the licence shall not be revoked and on such revocation the proportionate fee in respect of the unexpired portion of the period of licence, if any, may be refunded on written application being made by the licensee in this behalf.

92. Offer of fees or gratuity :- No fee, gratuity or reward shall be offered to any officer or servant of the port, who is forbidden on pain of disciplinary action to receive any such fee, gratuity or reward.

93. Signals:- (1) All necessary signals may be made by the vessels by using the International Code of signals and they shall be acknowledged by the answering pendant being hoisted at the signal station mast – head.

2. Communications by Mores and seamphore codes may be made to the port signal station, using flat 'Z' during the day and flashing 'Z' at short intervals at night to call up station.

94. Bad weather arrangement :- During the prevalence of adverse or threatening weather, the master of every vessel in the port shall attend to the following directions, namely:

- a. he shall not be absent from his vessel between sun-set and sun-rise
- b. he shall keep his vessel ready in all respects to proceed to sea at short notice , and if this is not possible for him, he shall communicate the fact at once to the Deputy Conservator:
- c. On the hoisting of the danger signal, he shall take all measures for the safety of his vessel, as no further instructions may be furnished by the port authorities.

95. Compliance of certain Rules :- All vessels arriving in the port shall, during their stay and while departing from the port must comply with the provisions of the Indian Port Health Rules, 1955.

(No. F.No.PGL-38/74)

M.R. GATHWAL Under Secretary

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