

COMPENDIUM

Guidelines regarding
**Demurrage, Stabling, Wharfage,
Stacking, Waiver and Write off**

As prescribed vide

Rates Master Circular/Demurrage-Wharfage-Waiver/2016/0

Dated 19.05.2016

and

subsequent Board's Circulars/letters.

Note: Reference to subsequent Board's Circulars/letters have been indicated.

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CHAPTER-I

Sub: Rules regarding Demurrage and Stabling

1.0 DEMURRAGE CHARGE

Demurrage Charge is levied for the detention of railway's rolling stock after the expiry of free time, if any, allowed for such detention.

2.0 FREE TIME FOR LOADING AND UNLOADING OF WAGONS

2.1 Free time for loading and unloading for different types of wagons (either BG or MG) and allowances (if any) at railway terminals (like goods sheds, railway sidings, public sidings) and private/assisted sidings which do not work on Engine-on-load(EOL) basis; seven old steel plants; other steel plants which do not work on Engine-on-load(EOL) basis and freight terminals/sidings/steel plants/goods sheds which work on EOL basis are given in Paras 2.2, 2.3, 2.4 and 2.5, respectively.

2.1.1 As and when new types of wagons are introduced, free time mentioned herein shall automatically apply to the wagons depending upon the type of wagons.

2.1.2 The entire group of wagons placed for loading/unloading shall be treated as one unit for the purpose of levy of demurrage charges i.e. even if one wagon out of the group is detained for loading/unloading beyond the prescribed free time, demurrage will be leviable on all the wagons in the group.

2.1.3 Zonal Railways should make efforts through constant dialogue with Rail users to develop the infrastructure for efficient handling of wagons to reduce the terminal detention and hence improve wagon availability.

2.2 FREE TIME FOR LOADING/UNLOADING OF WAGONS AT RAILWAY TERMINALS AND PRIVATE/ASSISTED SIDINGS OTHER THAN STEEL PLANTS WHICH DO NOT WORK ON 'ENGINE-ON-LOAD(EOL)' BASIS

2.2(a)	Type of Wagons	Permissible free time (in hours & minutes)			
		MECHANIZED		MANUAL	
		Loading	Unloading	Loading	Unloading
2.2(a)(i)	OPEN wagons like BOXN, BOX, BOY, BOI, BOST, BOXNHA, BOXNHS, NBOY etc.	5:00	7:00	9:00	9:00
2.2(a)(ii)	HOPPER wagons like BOBS, NBOBS, BOBR, NBOBR, BOBY, NBOBY etc.	5:00	2:30	N.A.	N.A.
2.2(a)(iii)	FLAT wagons like BFR, BRH, BRN, BFK, BFKI, BFNS, CONCORD rakes etc.	6:00	N.A.	8:00	8:00
2.2(a)(iv)	BCNHL wagons	N.A.	N.A.	5:00 (1 to 20 wagons)	5:00 (1 to 20 wagons)
				7:00 (21 to 30 wagons)	7:00 (21 to 30 wagons)
				9:00 (31 to 45 wagons)	9:00 (31 to 45 wagons)
				11:00 (46 wagons & above)	11:00 (46 wagons & above)
2.2(a)(v)	Covered wagons other than BCNHL	N.A.	N.A.	5:00 (1 to 20 wagons)	5:00 (1 to 20 wagons)
				7:00 (21 to 30 wagons)	7:00 (21 to 30 wagons)
				9:00 (31 wagons & above)	9:00 (31 wagons & above)
2.2(a)(vi)	BCFC (Corrigendum 2 dated 18.05.2020 to Rates Circular No.21 of 2018)	13:00	16:00	N.A.	N.A.
2.2(a)(vii)	TANK wagons (in all cases other than those specified as black oil)	6:00	6:00 (upto 29 wagons)	N.A.	N.A.
			8:00 (30 wagons &		

	Type of Wagons	above)			
		Permissible free time (in hours : minutes)			
		MECHANIZED		MANUAL	
		Loading	Unloading	Loading	Unloading
2.2(a)(viii)	TANK wagons (black oil viz. light diesel oil, furnace oil, carbon black feed stock, low sulphur heavy stock, heavy petroleum stock, vacuum gas oil etc.)	7:00	7:00 (upto 29 wagons)	N.A.	N.A.
	9:00 (30 wagons & more)				
2.2(a)(ix)	Military wagons-KM	N.A.	N.A.	4:00	4:00
2.2(a)(x)	Military wagons other than KM wagons like DBKM etc.	N.A.	N.A.	5:00 (upto 20 wagons)	5:00 (upto 20 wagons)
				7:00 (21 wagons & more)	7:00 (21 wagons & more)
2.2(b)	Type of commodity				
2.2(b)(i)	Container #	3:00	3:00	N.A.	N.A.
2.2(b)(ii)	Consignments handled by Crane* (<i>Corrigendum No.5 dated 03.12.2018 to RMC/Demurrage-Wharfage-Waiver/2016/0</i>)	5:00 (upto 30 wagons)	6:00 (upto 30 wagons)	N.A.	N.A.
		7:00 (more than 30 wagons)	8:00 (more than 30 wagons)		
2.2(b)(iii)	Livestock	N.A.	N.A.	4:00	4:00

This free time is relevant in the case of Indo-Nepal traffic. Permissible free time in case of double operation of container traffic i.e. unloading followed by loading in the same wagons, shall be 5 hours. However, in the case of container commodity handled by sling cranes, the free time for loading/unloading will be 6 hours for single operation and 8 hours for double operation.

* Free time mentioned here will be applicable when consignment is handled by crane, irrespective of the free time prescribed for different types of wagons.

Note:

1. Loading by pay loader is a type of mechanized loading.
2. In cases where both manual and mechanical type of operations are used of loading/unloading of a rake, the more restrictive free time i.e. free time for mechanized loading/unloading will be permitted.
3. N.A. stands for 'not applicable'.
4. Loading of stationary wagons through mechanized movable weight-o-meter wagon loader is a type of 'mechanized loading'.
5. The above mentioned free time will be equally applicable for BG as well as MG wagons.

Power to enhance free time for Alternate Goods sheds

In order to improve the utilization of alternate goods sheds, Zonal Railways (PCCM in consultation with PCOM) may increase the free time for loading/unloading of wagons and/or free time for removal of consignment, upto 50% of the normal free time. These guidelines are valid upto 10.01.2022.

(Corrigendum No.16 dated 11.01.2021 to RMC/Demurrage-Wharfage-Waiver/2016/0)

2.2(c) Delegation of power to zonal railways to reduce free time for loading of rakes of coal and/or iron ore

(Corrigendum No.2 dated 07.09.2018; Corrigendum No.7 dated 18.03.2019 and Corrigendum No.18 dated 12.03.2021 to RMC/Demurrage-Wharfage-Waiver/2016/0)

Zonal Railways have been empowered to reduce permissible free time for loading of rakes of coal and/or iron-ore to 3(three) hours, as per the provisions given below-

- PCCM, in consultation with PCOM, will notify sidings/goods sheds where two or more rakes of coal and/or iron-ore are being loaded from a single line
- For such terminals, permissible free time for mechanized loading would be 3(three) hours, irrespective of whether the siding is notified for EOL or otherwise. Zonal Railway will also notify the type of stock (BOXN, BOBR etc.), time period and any other condition to which reduced free time will be applicable.
- Two weeks' notice will be given to such terminals before the reduced free time is made applicable. Requisite updation in CRIS/FOIS will also be ensured before its implementation

The afore-said provisions will remain applicable till 31.03.2022.

2.2.1 Additional free time in the case of private/assisted sidings:

- (a) In the case of private/assisted sidings which are not notified for charging freight on through distance basis, additional free time given on account of extra shunting for placement, removal etc. should be 2 hours (two hours). However, in cases where the additional free time had been fixed less than 2 hours as per earlier Time & Motions Studies, the same should continue.
- (b) In the case of private/assisted sidings which are notified for charging freight on through distance basis, no additional free time will be granted. However, wherever provision of additional free time is considered warranted by the Zonal Railway, additional free time upto a maximum of two hours may be granted with the recommendation of CCM and COM, concurrence of FA&CAO and approval of GM on case to case basis.
- (c) However, whenever additional free time is considered warranted and is granted to a private/assisted sidings which has been notified for charging freight on through distance basis, GM should review the desirability of continuing the through distance arrangement in such sidings.

2.2.2 Reckoning of free time in case of railway terminals viz.goods shed/railway siding/public siding and such private/assisted sidings where placement/release of rake is done through railway's locomotive

- (a) If a rake is placed in one spur in one placement:

Free time will be reckoned from the time of placement of the rake. Demurrage will be charged on excess detention which will be calculated as under:

‘Excess detention = (time of release – time of placement) - free time’

(b) If a rake is placed in one spur in multiple placements:

The free time will start with the placement of 1st part of the rake. However, intervening periods between the time of completion of loading/unloading of the 1st part and time of placement of 2nd part of the same rake for loading/unloading, between the time of completion of loading/unloading of the 2nd part and time of placement of 3rd part of the same rake for loading/unloading and so on, should be treated as *dies-non*. Demurrage will be charged on excess detention which will be calculated as under:

$$\text{'Excess detention} = (\text{time of release of the last part} - \text{time of placement of first part}) - \text{free time} - \text{total period of } \textit{dies non}$$

(c) If a rake is placed in more than one spurs:

Free time for the entire rake will commence from the time of placement of first part of the rake. Demurrage charges will be calculated on the basis of deemed released time of the rake (after adjustment of *dies non* period). A rake will be deemed to have been released at the time at which the last wagon is released irrespective of the group/spur in which this wagon was placed. If the time interval between first placement and subsequent placements (i.e. between 1st placement & 2nd placement, between 1st placement & 3rd placement, and so on) is more than two hours, then such excess time interval of over two hours shall be treated as *dies non*. This *dies non* period, wherever applicable, will be deducted from the actual release time of the respective placements to arrive at deemed release time.

Demurrage will be charged on excess detention which will be calculated as under:

$$\text{'Excess detention} = (\text{deemed release time of the rake} - \text{time of 1st placement}) - \text{free time}$$

Deemed release time of a placement will be calculated as under:

$$\text{'Deemed release time of a placement} = \text{actual release time of that placement} - \textit{dies non}, \text{ if applicable}$$

Deemed released time of the rake will be the time at which the last wagon of the rake is deemed to have been released. For example, if the deemed released time of first placement is 1200 Hours, second placement is 1400 Hours and third placement is 1300 Hours, then 1400 Hours will be the deemed release time of that rake.

2.2.3 In case of private/assisted sidings where placement/release of a rake from/to interchange point is done through siding owner's loco

In addition to permissible free time for loading/unloading of wagons, Bunching Allowance of 3(three) hours will be permissible as per following conditions:-

Bunching allowance will be allowed for both loading as well as unloading stream of traffic (commodity wise). It will be granted to such rakes which have arrived in bunched manner in excess of the handling capacity of the siding. It will be permitted for calendar day only and will

not have cumulative effect i.e. not extendable beyond odd hours. The allowance should be calculated on actual arrival basis.

Handling capacity of a siding will be fixed as under:-

- **Existing siding:** Handling capacity of an existing siding will be the actual handling capacity or deemed handling capacity, whichever is higher. Deemed handling capacity will be the average consumption of rakes per day during 1st January to 30th April escalated by 1.5 times & rounded off to the nearest integer. In exceptional cases, GM may approve fixing of the deemed handling capacity of a siding by rounding off the average consumption of rakes per day to the nearest integer (subjected to minimum of one rake). This should be done on case to case basis with the recommendation of CCM and COM.
- **New siding:** Handling capacity will be fixed provisionally keeping in view the handling system, production capacity, linkage, deemed handling capacity of similar type of siding etc.
- Handling capacity of a siding thus fixed should be reviewed every year in the Month of May & will be notified for the next year starting from July to June, or at the time of change in infrastructure including handling system, consumption pattern or linkage of the siding, whichever is earlier.

Demurrage on a rake will be charged after allowing the permissible free time for loading/unloading of wagons and bunching allowance, wherever applicable. Grant of free time and levy of demurrage on a rake will be linked with the handling capacity of the siding.

2.2.4 In private/assisted sidings where placement/release of a rake from/to the interchange point is done through siding owner's loco, the reckoning of excess detention when a loaded rake, after unloading, is allotted for back-loading shall be governed by the following guidelines:

(Corrigendum No.9 dated 16.01.2020 to RMC/Demurrage-Wharfage-Waiver/2016/0)

- The 'excess' detention (for the purpose of levying Demurrage Charge) would be reckoned after the expiry of total of the free time permitted separately for two activities, i.e. first unloading and then loading; total time taken for unloading and loading shall commence from the time of placement of the rake for unloading and conclude at the time the loaded rake is handed back to the railway at the designated point. However, if commodity unloaded from a rake and commodity backloaded in the same rake are having different Demurrage rates, then excess detention for two activities shall be reckoned separately i.e. first for unloading and then for loading.
- Additional free time that may presently be extended in such situation, on account of shunting of the rake from the unloading point to the loading point within the siding would no longer be permissible; the time presently allowed for movement of the rake from the interchange point to the siding and vice versa, if any, would continue to be reckoned for calculation of admissible free time for loading/unloading.

- Extant provisions in respect of Bunching Allowance on subsequent rakes shall continue to apply.

2.3 FREE TIME FOR LOADING/UNLOADING OF WAGONS AND ALLOWANCES APPLICABLE IN THE CASE OF SEVEN OLD STEEL PLANTS

Seven old steel plants namely Bhilai Steel Plant, Bokaro Steel Plant, Durgapur Steel Plant, Indian Iron & Steel Co., Rourkela Steel Plant, Tata Iron & Steel Co. and Visakhapatnam Steel Plant will be permitted free time as prescribed below:

Type of wagon	Name of the Steel Plant	Number of wagons	Permissible free time (in hours : minutes)	
			Loading	Unloading
Open wagons	Visakhapatnam Steel Plant	Upto 35	16:00	08:00
		36 & above	18:00	10:00
	Indian Iron & Steel Co.	Upto 35	24:00	16:00
		36 & above	26:00	18:00
	All others	Upto 35	22:00	12:00
		36 & above	24:00	14:00
Flat wagons	All	Upto 35	24:00	12:00
		36 & above	26:00	14:00
Hopper wagons	All	Upto 45	N.A.	4:30
		46 & above	N.A.	5:30
Covered wagons	All	Irrespective of the number	24:00	24:00
Tank wagons	All	Irrespective of the number	24:00	24:00

ALLOWANCES

(a) Terminal Allowance

Terminal allowance of 45 minutes only for pull through trains will be allowed. In case of other rakes, the free time will commence from the time of intimation of completion of the train examination formalities, which will be reckoned as “madeover” time, irrespective of the actual clearance of the load by the plants.

(b) Unfit/Sick Wagon Allowance

If such wagons are received with loaded/empty rakes, 24 hours beyond the permissible free time for unloading/loading would be allowed. In case of sick wagons, allowance should be 24 hours after the wagons are made fit by TXR. The steel plants should return these wagons in the mixed pilot within 24 hours.

(c) Debit/Credit hours

Whenever a Steel Plant is able to handle the wagons in less than the permissible free time, resulting in earning of credit hours, the credit hours so earned will be adjusted to the extent of 100% against the debit hours. The adjustment will be done in every 10(ten) days period

across different types of wagons. For the purpose of adjustment of credit/debit hours, only the permissible free time will be taken into consideration, and not other allowances. Offsetting of debit hours incurred on any wagon detained inside a Steel Plant beyond 10(ten) days, from the date of its being made over to the Plant, is not permitted.

(d) Block Rake Allowance

Block rake allowance of 10 hours will be permissible for all types of wagons only for the purpose of loading except Visakhapatnam Steel Plant. This allowance is admissible to block rakes only, and not for piecemeal traffic. Visakhapatnam Steel Plant will be permitted block rake allowance of 05 hours only.

(e) Captive Rake Allowance

For the purpose of maintaining the integrity of rakes in interchange transactions with Steel Plants, Captive Rake Allowance of 2 hours will be admissible for only BOXN rakes, which run on crack pattern on Round trip Brake Power Certificate (RBPC). This allowance will not be admissible to Visakhapatnam Steel Plant.

(f) Bunching Allowance

Bunching allowance of 3 hours will be permissible. However, this allowance shall not have cumulative effect.

2.4 FREE TIME FOR LOADING/UNLOADING OF WAGONS AND ALLOWANCES IN CASE OF STEEL PLANTS OTHER THAN SEVEN OLD STEEL PLANTS

Permissible free time for loading/unloading of wagons and allowances in case of steel plants (other than seven old steel plants) which do not work on ‘Engine-on-load(EOL)’ will be as under:

Type of wagon	Number of wagons	Permissible free time (in hours:minutes)	
		Loading	Unloading
Open wagons	Irrespective of number of wagons	12:00	8:00
Flat wagons		12:00	8:00
Hopper wagons		N.A	2:30
BCNHL wagons		11:00	11:00
Covered wagons other than BCNHL		10:00	10:00
Tank wagons		9:00	9:00

The above-mentioned free time will be applicable for all booking points/sidings as long as they are located within the same steel plant.

ALLOWANCES

(a) Block Rake Allowance

Block rake allowance of 05 hours will be permissible for all types of wagons only for the purpose of loading. This allowance is admissible to block rakes only, and not for piecemeal traffic.

(b) Bunching Allowance

Bunching allowance of 2 hours will be permissible. However, this allowance shall not have cumulative effect.

2.5 FREE TIME FOR LOADING/UNLOADING OF VARIOUS TYPES OF BLOCK RAKES IN THE CASE OF FREIGHT TERMINALS/SIDINGS/STEEL PLANTS/GOODS SHEDS WORKED ON 'ENGINE-ON-LOAD(EOL)' BASIS:

Type of rake	EOL free time (in hours:minutes)		
	Loading	Unloading	
Open Rake (BOXN etc.)	Steel <i>(Corrigendum dated 30.06.2016 to RMC/Demurrage-Wharfage-Waiver/2016/0)</i>	6:00	5:00
	Bagged Consignment <i>(Corrigendum No.19 dated 12.03.2021 to RMC/Demurrage-Wharfage-Waiver/2016/0)</i>	6:00 (valid upto 31.03.2022)	
	Other consignment	3:00	
Hopper Rake (BOBR etc.)	3:00	2:00	
Covered Rake (BCN etc.)	6:00	6:00	
Tank Rake (BTPN etc.)	5:00	5:00	
Flat rake (BRN, BFK, BFN, CONCORD etc.).	6:00	6:00	

Free time will be reckoned from the time of placement of rake. If at any terminal, additional shunting time etc. is permissible at present (for example, from exchange yard to siding and back) the same would continue.

2.6 Debit/Credit System in case of private sidings-

Whenever a customer is able to handle wagons in less than the permissible free time, resulting in earning of credit hours, the credit hours so earned will be adjusted to the extent of 100% against the debit hours, as per following terms and conditions-

- a. The adjustment will be done on monthly basis across same type of stock and type of operation; i.e. loading or unloading
- b. Demurrage charge will be levied on the basis of net debit hours
- c. No refund will be admissible for credit hours.
- d. Extant guidelines regarding waiver of demurrage will continue to be applicable as per schedule of power vested with competent authority.

- e. It will be applicable to those customers giving 01MT traffic per annum.
- f. The scheme shall be applicable only for the traffic dealt in private siding(s).
- g. This will be a voluntary scheme. Interested customer may approach PCCM of concerned Zonal Railway to avail the facility of debit/credit system.

FOIS/CRIS will design utility for accountal of debit/credit hours.

In case of EOL sidings, the instant instruction for non levy of Engine Hire Charges within the stipulated free time will apply. This implies that debit and credit hours accountal will not be for the purpose of Engine Hire Charges.

These guidelines will be implemented on pilot basis and will remain vailid for a period of one year from 01.10.2020.

(Corrigendum No.11 dated 14.09.2020 to RMC/Demurrage-Wharfage-Waiver/2016/0)

Clarifications –

Debit/Credit system will be applicable to customers giving 01 MT per annum. The per annum period may be reckoned as "FY2019-20 or preceding 12 months", on either basis, in which 01 MT target is achieved.

(Board's letter No.TC-I/2019/201/6(3298964) dated 22.01.2021)

As per extant guidelines – “the adjustment will be done on monthly basis across same type of stock and type of operation i.e. loading or unloading”. The basic idea is netting on monthly basis.

(Board's letter No.TC-I/2019/201/6-Part(2)(3328629) dated 10.02.2021)

2.7 Additional Free Time for covering Open Wagons with Tarpaulins

Additional free time of one hour per rake may be permitted for covering open wagons with tarpaulins during loading of loose/bulk commodity (*e.g. Coal & Coke etc., for which packing condition P2(a) is prescribed in the Goods Tariff*) at all kinds of freight terminals e.g. goods sheds, sidings (including EOL sidings), PFTs etc.

(Corrigendum No.14 dated 21.10.2020 to RMC/Demurrage-Wharfage-Waiver/2016/0)

3.0 RATES OF DEMURRAGE CHARGE

- 3.1 Demurrage charge shall be levied @Rs.150/- per 8-wheeled wagon per hour, or part of an hour, for detention of wagon in excess of the permissible free time for loading or unloading.
- 3.2 The rates of demurrage charges prescribed above shall be applicable equally to all types of 8-wheeled goods wagons and coaching vehicles (other than passenger vehicles), irrespective of their carrying capacities.

3.3 The rates of demurrage charge in respect of 4-wheeled wagons/vehicles shall be half of the rates prescribed for the 8-wheeled wagons/vehicles.

3.4 PENAL DEMURRAGE CHARGE

3.4.1 In case excessive congestion takes place at any terminal/steel plant, CCM/COM/DRM can increase the demurrage rates, even at progressively increasing rate subject to a maximum of six times of the prevalent rate. This penal demurrage rates should be implemented only after giving wide publicity and due notice of 48 hours and should be applicable for the notified period.

3.4.2 The rates can be increased by say, 2 times or 3 times or so on, and not necessarily six times at one go in all cases. In fact, Railway may decide to levy variable rates like 2 times for first three hours detention, 3 times for next twelve hours detentions and so on and so forth. Railway must judiciously evaluate the situation and the rates should be increased on merit to the extent considered justified. Levy of six times rate should be resorted only when the situation becomes very alarming.

4.0 UNIFORM WORKING HOURS AND BUSINESS HOURS FOR RAILWAY GOODS SHED/SIDING - INCENTIVE FOR EXTENDED WORKING HOURS AND IMMEDIATE REMOVAL OF GOODS

4.1 The working hours and business hours of all railway terminals is 06.00 to 22.00 Hours. DRM may introduce the 'round-the-clock working' on case to case basis after analyzing traffic handled at railway terminal and possible improvement in wagon-turn-round. The business hours in such case should also be extended suitably to cater to 'round-the-clock' working. DRMs may analyze and introduce 'round the clock working' at Goods Sheds (*including those notified as CRTs*) having suitable traffic potential.

[\(Corrigendum No.15 dated 04.01.2021 to RMC/Demurrage-Wharfage-Waiver/2016/0\)](#)

4.2 Railway should make all out efforts to get the rakes released expeditiously. For this purpose, the working hours of the railway terminals may be extended beyond 22.00 hours even by a few hours on a regular basis or even on day to day basis.

4.3 As an introductory incentive for the consigners/consignees to release the rakes during the extended night hours beyond 22.00 hours, only 50% of the time taken between 2200 hours to 06.00 hours or the time upto which the working hours have been extended should be reckoned for calculation of free time for loading, unloading or removal of consignments from the Railway premises. This incentive is admissible for calculation of both Demurrage and Wharfage on the same rake concurrently.

4.4 The incentive is also be applicable in the case when a rake is placed during 22.00 -06.00hours. However, in case when rake is placed during 06.00 to 22.00 of a day, the incentive is permissible only when normal free time prescribed for loading/unloading or removal of consignment from Railway premises expires after 22.00 hours and if normal free time expires at or before 22.00 hours, the incentive shall not be permissible. The incentive shall be permitted only for the first night of loading/unloading or removal of consignment from Railway premises, and not for the detention of wagons during subsequent nights.

- 4.5 The incentive will not be permitted to private/assisted sidings and to the customers who opt TIELS at goods sheds.
- 4.6 Inordinate detention to wagons placed for unloading is sometimes caused in the goods sheds due to goods unloaded from an earlier rake lying on the ground, blocking the space for further unloading. In order to expedite removal of the goods unloaded from a rake, it has also been decided that a grace period of two hours beyond the prescribed permissible free time for unloading for different types of rakes would be permitted in the goods sheds for immediate removal of the entire goods unloaded from the rake within the extended grace period of two hours. However, if a consignee does not clear the entire goods unloaded from the rake within the extended grace period of two hours Demurrage will be leviable as per the prescribed permissible free time and no grace period in free time will be granted.
- 4.7 Suitable infrastructure should be created by railway administration. Proper arrangement should be made for security of goods and railways cash etc. Special emphasis should be laid on arranging sufficient lighting at railway terminals for ensuring safe and quick loading/unloading of wagons. Attention to approach road and other required facilities should also be put in place. DRMs may ensure basic facilities like drinking water, toilet, resting, wharf, sufficient lighting, approach road and other required facilities in Goods Sheds while introducing round the clock working. Goods sheds giving higher volume of traffic and revenue may be taken up on priority basis so as to optimize expenditure.

(Corrigendum No.15 dated 04.01.2021 to RMC/Demurrage-Wharfage-Waiver/2016/0)

- 5.0 LEVY OF DEMURRAGE CHARGE IN CASE OF MULTIPARTY/MULTI-CONSIGNOR OR MULTI-CONSIGNEE RAKES**
- 5.1 Multiparty/multi-consignor/multi-consignee rake(s) shall be treated as a unit for the purpose of free time for loading/unloading and levy of demurrage.
- 5.2 Free time for loading/unloading as permissible to the entire rake should be allowed.
- 5.3 If detention of the rake is caused beyond the permissible free time, then, demurrage charges should be leviable on the entire rake, even if some of the wagons are released within the free time, actually drawn out & dispatched or used for back-loading or which could be removed in one shunt without disturbing the wagons which were under operation of loading/unloading.
- 5.4 The consignor(s)/consignee(s) who have detained their respective groups of wagons beyond the permissible free time should be made accountable for the detention and demurrage charges should be collected from him/them for the detention of the groups of wagons allowed to him/them.
- 5.5 Demurrage on the entire rake should be collected from the last party (who is responsible for the detention of the rake) after deducting Demurrage, if any, collected from other consignor(s)/consignee(s)/endorsee(s).

6.0 GUIDELINES FOR LEVY OF STABLING CHARGE AND DEMURRAGE CHARGE ON PRIVATELY OWNED WAGONS

6.1 Stabling charge is levied for detention of privately owned stock at a railway premise in any of the following circumstance:

- when party is unable to receive such stock in their siding
- when party declines to accept such stock in their siding

6.2 Privately owned wagons includes wagons procured under “Own Your Wagon scheme(Category-C)”, Defense owned stock, wagons owned by container operators*,etc.

6.3 The rate of Stabling Charge in case of all privately owned wagons including wagons owned by container operators will be Rs.525/- per wagon per day or part of a day, w.e.f.01.04.2021 to 31.03.2022.

(Corrigendum No.17 dated 01.03.2021 to RMC/Demurrage-Wharfage-Waiver/2016/0)

6.4 The rate of Stabling Charge will be uniform for all types of wagons (either BG/MG or 4-wheeler/6 wheeler/8 wheeled/12 wheeler etc.).

6.5 When privately owned stock is detained in the private siding or in a railway siding meant for handling such stock, no Stabling/Demurrage charge will be levied.

*[*In case of Concessionaire’s train, the procedure for calculating Stabling Charge will continue to be governed by T.T. Dte.’s letter No.2008/TT-III/73/20 dt.29.09.2008(and as amended from time to time)].*

7.0 GUIDELINES FOR LEVY OF DEMURRAGE CHARGE ON WAGONS PROCURED UNDER “OWN YOUR WAGON SCHEME (CATEGORY-A & B)” OR JOINTLY OWNED WAGONS

7.1 **Wagons procured under “Own Your Wagon scheme (Category- A & B)” or under “Wagon Investment Scheme(WIS)”:**

In the case of wagons procured under “Own Your Wagon Scheme (Category-A & B)” or under “Wagon Investment Scheme(WIS)”, extant free time &Demurrage Rule as applicable for detention of railway owned stock by normal rail users (i.e. other than steel plants) will be applicable.

7.2 **Jointly owned wagons:**

In the case of jointly owned wagons, extant free time and Demurrage rules as applicable for detention of railway owned stock by normal rail users (i.e. other than steel plants) will be applicable. However, Demurrage Charge will be levied @50% of the rate of Demurrage Charge.

8.0 MISCELLANEOUS

8.1 Demurrage rule is applicable in case of dummy wagons attached to ODC rakes.

8.2 Demurrage rule is also applicable in the case of General Service Wagon leased out to various Departments for their use. However, it is not applicable in case of General Service Wagons which are declared condemned and subsequently excluded from general pool and are sometime

handed over to Engineering Department, who after making some addition/alteration and minor repair, use them for transporting sleeper etc.

- 8.3 Demurrage rule is not applicable in the case of BOB wagons which have been introduced mainly for transporting ballast for Engineering Department and are not public wagons.
 - 8.4 Sundays are reckoned (i.e. Sundays are not treated as dies non) for the purpose of levy of Demurrage at all freight terminals including stations/goods sheds which are notified as 'Notified Stations' in terms of Section 89 of the Railways Act, 1989.
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CHAPTER-II

Sub: Rules regarding Wharfage and Stacking**1.0 WHARFAGE CHARGE**

- 1.1 Wharfage Charge is leviable on goods/consignment not removed from railway premises after the expiry of free time. It is leviable for detention of goods at railway's premise like railway station, platform, goods shed, godown, railway siding or any other type of railway's wharf. However, it is not leviable for detention of goods in railway's wagon or at private siding.
- 1.2 Wharfage is not leviable on the consignment held by Railway administration on lien in terms of Section 83 of Railways Act 1989.

2.0 CLASSIFICATION OF RAILWAY PREMISES

- 2.1 Railway Premises (Goods Sheds, Stations etc.) will be classified into three groups as prescribed below on the basis of average number of rakes dealt with during the period from 1st January to 30th April.

Group I	More than 12 rakes per month
Group II	7 rakes to 12 rakes per month
Group III	less than 7 rakes per month

- 2.2 Classification should be reviewed every year in the month of May on the basis of 'average number of rakes dealt with per month during 1st January to 30th April' or 'the average number of rakes dealt with per month during 1st May(of previous year) to 30th April' whichever is higher. The same should be notified for the period July to June.
- 2.3 There may be cases where traffic pattern changes and railway administration feels that there is need for midterm revision in the classification of a goods shed/station. For upgrading the category of a Railway premise (i.e. from Group-II to Group-I or from Group-III to Group-II), CCM/COM may take a decision based on the recommendation of Sr.DCM/Sr.DOM of the concerned Division. However, for downgrading the category of a Railway premise (i.e. from Group I to Group II or from Group II to Group III), Zonal Railway will send such proposals to Board.

3.0 PERMISSIBLE FREE TIME FOR REMOVAL OF GOODS FROM RAILWAY PREMISES

- 3.1 Free time for removal of goods from railway premises will be as under:

- (a) Goods stacked in goods sheds etc. waiting to be loaded in wagons/rake

Group I	12 working hours from the expiry of free time for loading of wagons/rake
Group II	15 working hours from the expiry of free time for loading of wagons/rake
Group III	30 working hours from the expiry of free time for loading of wagons/rake

- (b) Goods unloaded from wagons/rake waiting to be removed from goods shed etc.

Group I	12 working hours from the expiry of free time for unloading of wagons/rake
Group II	15 working hours from the expiry of free time for unloading of wagons/rake
Group III	30 working hours from the expiry of free time for unloading of wagons/rake

- 3.2 Free time for removal of consignment from railway's premise will be reckoned after the expiry of the permitted free time for unloading of the rake, irrespective of the fact whether the unloading of rake is done in single placement or multiple placements.
- 3.3 In case free time for removal expires even before the beginning of unloading of the consignment from a rake, Wharfage will be levied for the period from the commencement unloading of consignment on Railway premises till its removal.
- 3.4 In case free time for loading/unloading of a rake and free time for removal of consignment had expired, loading/unloading of wagons is going on and the consignment has not been removed within the free time for removal, both Demurrage (for detention of rake beyond free time for loading/unloading) and Wharfage (for detention of consignment on railway premise beyond free time for removal) will be levied.
- 3.5 National Holidays, namely 26th January, 15th August and 2nd October will not be reckoned while calculating free time for removal of goods from railway premises and for charging Wharfage except in the case of live stock, perishable goods and goods loaded/unloaded at such stations/goods sheds which are notified as 'Notified Station' for removal of goods without delay.
- 3.6 Sundays are reckoned (i.e. Sundays are not treated as dies non) for the purpose of levy of Wharfage at all railway premises including goods sheds/stations which are notified as 'Notified Stations' in terms of Section 89 of the Railways Act, 1989.

4.0 RATES OF WHARFAGE CHARGE

Wharfage Charge will be levied on per wagon per hour basis uniformly for all types of wagons, whether 4 wheeler or 8 wheeler or any other type.

Group I	Rs.150/- per wagon per hour or part thereof
Group II	Rs.120/- per wagon per hour or part thereof
Group III	Rs.75/- per wagon per hour or part thereof

5.0 WHARFAGE RULES IN CASE OF LIVESTOCK BOOKED UNDER GOODS TARIFF

- 5.1 Free time for removal of livestock (booked under Goods Tariff) from Railway premises will be as under:
- (a) **Livestock waiting to be loaded in wagons/rake**
3 hours from the expiry of free time for loading of wagons/rake
 - (b) **Livestock unloaded from wagons/rake waiting to be removed from goods shed etc.**
3 hours from the expiry of free time for unloading of wagons/rake
- 5.2 Rate of Wharfage Charge in the case of livestock (booked under goods tariff) will be Re.5/- per head per hour or part thereof. However, rail customers should remove their livestock from railway premises within 12 hours of their unloading at destination station. In case rail customer fails to do so Railway administration may dispose them off in the manner provided in Clause(a) of Sub-section (2) of Section 83 of Railways Act 1989.

6.0 Levy of Higher Wharfage Charges

- 6.1 In cases of excessive congestion or regularity of excessive congestion at any terminal, CCM/DRM can notify Higher Wharfage Charges up to six times the prevailing rates applicable for first 24 hours. Higher Wharfage Charge should be implemented only after giving a due notice of 48 hours and wide publicity and should be applicable only for the notified period.
- 6.2 The rates can be increased by say, 2 times or 3 times or so on, and not necessarily six times at one go in all cases. In fact, Railway may decide to levy variable rates like 2 times for first three hours detention, 3 times for next twelve hours detentions and so on and so forth. Railway must judiciously evaluate the situation and the rates should be increased on merit to the extent considered justified. Levy of six times rate should be resorted only when the situation becomes very alarming.

7.0 Guidelines for advance stacking at Railway premises

- 7.1 Advance stacking of goods at railway premises may be permitted by Zonal Railways without levy of any charge for this purpose.
- 7.2 DRMs will notify detailed instructions for advance stacking of goods at stations on their divisions in accordance with the guidelines prescribed herein. Such instructions should *inter alia* include names of stations/goods sheds where advance stacking will be permitted, number of days for which stacking can be permitted, type of commodities which can be stacked/restricted etc.
- 7.3 Permission for advance stacking will be granted to such rail users only, who have indented for the wagons.
- 7.4 Rail users desirous of availing the facility of advance stacking, will apply for advance stacking duly furnishing the details of indent and an undertaking that the stacking will be done at their own risk and responsibility. No claims for loss, damage, pilferage etc. arising out of stacking will be admissible.
- 7.5 Advance stacking will be permitted up to such maximum period as specified in the detailed instructions issued by the Division in terms of Para 7.2 above. Divisions may specify different stacking periods for different stations depending upon the number of rakes handled, but in no case the stacking period will exceed five days.
- 7.6 Sr. DCMs, in consultation with Sr. DOMs, will be authorized to grant permission for advance stacking up to a maximum period of five days. Permission for advance stacking may be granted keeping in view the traffic pattern, number of rakes handled, availability of space etc. at the station/goods shed concerned. Advance stacking should not lead to hold up of other inward and outward traffic.

However, in exceptional cases where additional traffic and additional earning will accrue, permission may be granted for advance stacking for more than 5 days on case to case basis. Permission for advance stacking for period upto 10 days must be granted with the approval of DRM on recommendation of Sr.DCM & Sr.DOM, and for the period beyond 10 days with the approval of GM on recommendation of CCM & COM.

- 7.7 Wagons will be supplied against the registered indent only after expiry of the permitted time for advance stacking or completion of stacking, whichever is earlier. After supply of wagons and expiry of free time for loading, Wharfage charge will be levied on goods/consignment which has not been removed from railway premises after the expiry of permitted free time.
- 7.8 Once advance stacking permission has been granted, cancellation of indents will not be permissible upto fifteen days from the 1st day of advance stacking. In case Rail User cancels the indent within the aforesaid period, Stacking Charge will be levied for the whole period of stacking.
- 7.9 However, if a Rail User cancels his indent after fifteen days from the 1st day of advance stacking and the wagons have not been supplied till such time, no stacking charge will be levied. In such a case, consignment should be removed within 24 hours of the cancellation of indent, else it will attract levy of Wharfage charge for period beyond 24 hours of the cancellation of indent.
- 7.10 Records of particulars (e.g. date, time etc.) should be maintained in all cases where advance stacking has been permitted.
- 7.11 No Stacking Charge will be levied till the supply of wagons, even if supply of wagons is not done immediately after completion of stacking or lapse of advance stacking period.
- 7.12 Stacking Charge will be levied at the prevailing rates of Wharfage Charge.
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CHAPTER-III

Sub: Rules regarding Waiver and Write off**1.0 Power of officers to waive Demurrage or Wharfage charge**

	Designation of officer	Maximum amount of Demurrage per wagons which can be considered by an officer	Maximum amount of Wharfage per consignment which can be considered by an officer
1	AGM	Full powers	Full powers
2	CCM (Co-ordinating HOD in Commercial Department)	Rs.1,00,000/-	Rs.1,00,000/-
3	DRM	Rs.25,000/-	Rs.25,000/-
4	CTM/Sr. DCM/ DCM working as Branch Officer	Rs.10,000/-	Rs.10,000/-
5	DCM/DTM/Area Officer in senior scale	Rs.600/-	Rs.1,200/-
6	ACM/ATM/Area Officer in junior scale	Rs.300/-	Rs.300/-

(Board's letter No.2017/Trans/01/Policy dated 18.10.2017 and No.2018/Trans/01/Policy dated 24.07.2018)

- 1.1 The powers of waiver of Wharfage indicated in the table above will be on consignment basis except in the case of trainload consignment where it will be applicable on per wagon basis. In the case of trainload consignment, the application for waiver of Wharfage for a particular rake will be considered by the authority who is competent to deal with the highest amount of Wharfage accrued per wagon of that rake.
- 1.2 Where Demurrage cases are being handled by Officers of Operating Department, CCM/Sr.DCM etc. will mean COM/Sr.DOM etc.
- 1.3 The cases for waiver should not be dealt by an officer below the level of an officer competent to deal with the case as per the schedule of powers given in the above table. Say, CCM will not deal with such case where GM is the competent authority. Since waiver of Demurrage/Wharfage is discretionary power, CCM cannot recommend percentage of waiver, instead, he will only put up facts of the case and give his remarks on the customer's application/appeal.
- 1.4 Prior Finance concurrence will be required for waiver of Demurrage/Wharfage charges above Rs.25,000/- per wagon/per consignment respectively. Cases submitted to General Manager should be routed through the Coordinating HOD of the Commercial Department and FA&CAO of the Zonal Railways, irrespective of the amount involved.

2.0 Waiver

- 2.1 Due care should be taken in preparation of the Demurrage/Wharfage bills at the first instance to

obviate recasting of bills subsequently on representation by the customer or otherwise.

- 2.2 In case the consignor/consignee feels that Demurrage/Wharfage was due to reasons beyond his control he could apply for waiver giving all relevant details with documentary evidence wherever necessary.
- 2.3 First application for waiver of Demurrage or Wharfage should be submitted to the Station Manager/Goods Supervisor within 10(ten) days from the date upto which these charges had accrued.
- 2.4 In case of Wharfage, the consignor/consignee should first remove the consignment from the railway premises, deposit the amount of Wharfage charges and submit the original proof of such payment along with his application while preferring for waiver at the first instance itself. However, in case of regular rail users, instead of prepayment of Wharfage, FDR of appropriate value may be collected either on a case to case basis or in lumpsum (to be decided by DRMs in consultation with Sr.DFMs) depending on the value of Wharfage that accrues on the consignment of such users. In exceptional circumstances involving *force majeure* conditions, GMs may condone the provision for prepayment/collection of FDR. This power of GM will not be further delegated.
- 2.5 The concerned Station Manager/Chief Goods Supervisor will forward the application of waiver of Demurrage or Wharfage to the Divisional Officer together with the factual position and remarks within 3(three) days of the receipt of the application.
- 2.6 In case of large sidings, like those of power houses, steel plants etc., the time limit for preferring the first application for waiver of Demurrage Charge will be the next month implying that application for waiver of Demurrage Charges accrued in one month should be submitted latest within the next month.
- 2.7 The delay beyond 10 days/next month period as mentioned above can be condoned only with the personal approval of the Divisional Railway Manager/Chief Commercial Manager (coordinating HOD) depending upon whether the powers to deal with the case lies at Divisional or Zonal level and after having ascertained that the reasons for the delay given in the application are satisfactory. Application for condonation of delay in preferring an application for waiver of Demurrage, however, shall be entertained only after the Demurrage Charges have been paid in full and the application is supported with proof of such payment. An application for condonation of delay once regretted either by DRM or by CCM(coordinating HOD) will not be reconsidered at any level.
- 2.8 The circumstances, which lead to accrual of Demurrage/Wharfage charges, can be broadly grouped in three categories as under:
 - (i) Reasons within the control of the consignor/consignee.
 - (ii) Reasons beyond the control of consignor/consignee like labour strike, transportation strike, general bandhs, agitations, riots, curfew, fire, explosion, heavy rains or other abnormal/unforeseen circumstances.
 - (iii) Act of God, act of War and act of public enemies.

- 2.9 In case of Category (i), waiver should normally be not done. However, if at all waiver is to be granted on justified and meritorious facts, speaking orders should be recorded in all such cases. As regards case pertaining to Category (ii) or Category (iii), waiver can be considered on merits of individual case.
- 2.10 The powers for waiver as mentioned above should be exercised judiciously keeping in view the merits of each case as per instructions contained in this letter. The waiver should not be granted in a routine manner.
- 2.11 Whenever the waiver exceeds 50% of the powers conferred on an officer, reasons for such waiver should be recorded in writing.
- 2.12 In the case of large sidings, like those of power-houses, where demurrage is not waived on wagon to wagon or daily basis, speaking orders need not be recorded for each consignment/wagon. It would be sufficient if broad reasons are given in support of such periodical waiver after analyzing the broad causes of such detentions.
- 2.13 The causes for accrual of frequent demurrage/wharfage charges from a particular Goods Shed or a siding or a consignor/consignee should be analyzed periodically. Remedial steps including provision of infrastructural facilities should be taken to reduce the detention to rolling stock and prompt removal of goods from the Railway premises.

3.0 Appeal against orders of waiver

- 3.1 A consignor/consignee can prefer an appeal to a higher authority in case he is not satisfied with the decision of the lower authority. The Station Manager/Chief Goods Superintendent should forward the appeal to the Divisional authorities within 3 (three) days of the receipt of the appeal.
- 3.2 However, before preferring an appeal for waiver of demurrage charges, he is required to deposit the amount of demurrage charges not waived. The original proof of such should be submitted alongwith the appeal.
- 3.3 An appeal against the order of lower authority should be preferred within 30(thirty) days of the date when the decision of the lower authority is communicated.
- 3.4 A maximum of only two appeals can be made against the decision of the lower authorities.
- 3.5 In all cases where a change is made by the appellate authority against the decision taken earlier, speaking orders should be recorded by the appellate authority.
- 4.0 The waiver of demurrage/wharfage charge should be dealt as per the instructions contained in this letter.

5.0 Refund

- 5.1 No direct refund of Demurrage/Wharfage charge should be made unless proper procedure for waiver as laid in this letter has been followed. While granting refund of Wharfage or Demurrage Charges due cognizance should be taken of the quantum of waiver already allowed in each case.

- 5.2 For any refund of Wharfage or Demurrage prior account verification as distinct from Finance concurrence is required to be done to establish that the amount to be refunded has actually been received by the Railway. Such refunds would be subject to post check by the Finance. No prior Finance concurrence would be required in these cases.
- 5.3 Refund of waived amount of Demurrage/Wharfage Charge should be made expeditiously through Pay Order/Cheque by Commercial Department of the Division.
- 6.0 If it is felt that the rules for accrual/waiver of Demurrage/Wharfage Charge need review, the same should be recommended by the GM to this office with the observations of the Associate Finance.
- 7.0 Waiver of Stacking Charge**
Extant rules for waiver of Wharfage charge will continue to apply in the case of waiver of stacking charge also.
- 8.0 Waiver of Stabling Charge**
Stabling Charge leviable on privately owned wagons or wagons procured under Own Your Wagon Scheme (Category 'C') should not be waived except to the extent of Force Majeure Conditions - viz. Act of God, Act of war or Act of public enemies.
- 9.0 Write off of Demurrage/Wharfage**
The extant power of waiver of Demurrage/Wharfage charge is also applicable in case of write off of Demurrage/Wharfage charges. However, the write off should be done in exceptional cases and in extremely extenuating circumstances where chances of recovery are remote due to the fact that the defaulting party is not traceable, or has wound up his business, or has become insolvent, etc.
- 10.0 Write off of Stacking Charge**
The guidelines regarding write off of Wharfage Charge is also applicable for write off of Stacking Charge also.
- 11.0 Recovery of Railway dues**

Division Officers should be asked to enforce the extant rules regarding collection of Railway dues from freight customers. All dues must be raised to customers at the earliest as per schedule and all efforts must be made to prevent outstanding.

“Para 1820: Recovery of railway dues before delivery of goods- Before delivery of goods, it should be seen that all railway dues and other charges have been paid. Wharfage and demurrage charges should be levied under tariff rules and recovered, from the consignee/endorsee before the removal of goods from railway premises.”

It is to state that these guidelines do not restrict pre-payment of Demurrage Charge.

(Board's letter No.TC-I/2017/201/1 dated 03.04.2018 and dated 11.07.2019)