

NEW MANGALORE PORT TRUST

Regulations

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New Mangalore Port Rules, 1976

(As on 30.11.2007)

NEW MANGALORE PORT RULES 1976

(Published in the Gazette of India Part II, section 3, sub-section (i) dated 22-1-77)

NOTIFICATION

G. S. R. 122 WHEREAS draft of the Port of New Mangalore Rules, 1976 was published as required by sub-section (2) of Section 5 of the Indian Ports Act, 1908 (15 of 1908) at pages 1645 to 1653 of the Gazette of India Part II, Section 3, Sub-section (i), dated the 19th June, 1976, under the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No- GSR 873 dated the 27th May, 1976 inviting objections and suggestion from all persons 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 27th June, 1976;

AND WHEREAS No objections or suggestions have been received from the public;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (i) of Section 6 of the said Act, the Central Government hereby makes the following rules, namely :-

PRELIMINARY

1. **Short title and commencement and application** –
 - 1) These rules may be called the Port of New Mangalore Rules, 1976.
 - 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 Port of New Mangalore.

2. **Definitions** – In these rules, unless the context otherwise requires –
 - a) “Act” means the Indian Port Act, 1908 (15 of 1908);
 - b) “Conservator” means the Conservator of the Port appointed by the Central Government under the Act;
 - c) “dangerous goods” means good 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 degrees centigrade;
 - e) “Deputy Conservator” means the head of the Port’s Marine Department and includes the harbour master or any pilot duly authorised to assist 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 degree centigrade and ordinarily used as fuel in engines and furnances;
 - g) “Owner”, in relation to goods, includes any consigner, consignee, shipper or agent for the sale, custody loading or unloading of such goods; and in relation to any vessel making use of the port, includes any part-owner, charterer, consignee, or mortgagee in possession thereof;
 - h) “petroleum means any liquid hydro-carbon or mixture of hydro-carbon and any inflammable mixture (liquid, viscous or solid) containing any liquid hydro-carbon, but does not include any oil ordinarily used for lubricating purpose and having a flash point at or above 93.3 degree centigrade;
 - i) “Port” means the Port of New Mangalore;

- j) "Port authorities" means the Chief Engineer & Administrator, of the Port appointed by the Central Government and includes any other officer of the port acting under the authority of the Chief Engineer and Administrator, of the Port ;
- k) "Tanker" is 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 in charge of traffic operations in the Port and includes the Deputy and Assistant Traffic Managers and any other officer acting under the authority of the Traffic Manager.

CHAPTER II

ADMISSION OF VESSELS INTO PORT

3. Intimation of a Vessel's Expected Arrival -

- 1) a) When a vessel is expected to arrive, her agents shall at least fortyeight hours before the expected time of arrival, send a notice to the Traffic Manager with a copy to the Deputy Conservator in the form specified by the Deputy Conservator.
 - b) Any special requirements regarding particular berths, heavy lift cranes and other things shall be indicated in such notice.
 - c) 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 the vessel's arrival notice or be sent at least 24 hours before the arrival of the vessel and this cargo advice shall be in triplicate.
- 2) The agents of expected vessels shall in their own interest contact the Traffic Manager in time and apprise him with all the information regarding the the nature, quantity, and the 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 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 disembarking 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 Conservator and pending the decision of the Conservator, he may refuse to allot a berth.
7. **Master to be in Command of Vessel -** 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 Conservator.

8. **Orders etc. of the Conservator to be carried out -** Master and owner of vessels shall obey all directions of the Conservator in relation to the rotation and manner of approaching the port entrance and of coming into or going out of port.
9. **Entering or Leaving Port -** All sea going vessels on entering or leaving the port between sun-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 -** Subject to the provisions of the Act, and the conditions given below, pilotage is compulsory for all vessels except for those which are specifically exempted in writing by the Conservator or some other officer specially empowered by him in this behalf:-

- a) The Pilot shall board incoming ships and disembark from outgoing ships

within one nautical mile seaward of the fairway buoy located at Latitude $12^{\circ} 55' 06.2''$ N and Longitude $74^{\circ} 46' 17.6''$ E and shall assist in piloting vessels to and from their assigned berths and in berthing or un-berthing such vessels.

- b) 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 and certificates on specified forms presented by the pilot.
- c) In the event of an out-going vessel carrying a pilot outside the limits 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.
- d) 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.
- e)
 - 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 a 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.
- f) Vessels shall not anchor eastward of the outer channel fairway buoy or in any other prohibited anchorage, nor shall a master attempt to enter the channel to pickup a pilot.
- g)
 - i) If any accident occurs 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 to 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 occurs while the vessel is leaving the port the matter shall send in full report direct to the Deputy Conservator from his next port of call.
 - iii) Such report shall be accompanied by a signed statement of any witness to the incident in question.

- h) 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 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 moveable or immovable object or building or installation within any port limits.
 - c) any other area declared as such by the Conservator from time to time.
13. **Supply of Fires, 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. **Vessels Crew and Appliances to be in Readiness** - 1) Masters 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 channel and in the port:
- 2) In default or whenever necessary, the Conservator shall employ such number of personnel, and make available such appliances, as he may consider necessary at the expense of the master or the owner.
15. **Other Precautions** - a) Vessels when entering, leaving or when 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.
- b) 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 in board and gangway ladders shall be stores in board.
- c) Masters and owners of vessels shall be responsible for all accidents which may

result from failure to adopt any of the precautions specified in clauses (a) and (b).

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 Conservator.
- 2) If such removal is not effected promptly, it shall be carried out under the orders and directions of the Conservator at the risk and expense of the master or owner of such vessel.

CHAPTER 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 Conservator and shall change their berths or move when required by either of the said officers-
- 2) No vessels 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 mooring 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 it 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 lead.
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, mooring posts or other appliances specially provided for the purposes.
21. **Vessels to be in charge of Competent Persons** — 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 Deck** — 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 vessels shore gangway and attend to the mooring ropes and line of the vessel, and 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. **Vessels propeller not to 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 only damage that may result from the moving of any propeller by power or hand.
24. **Anchor of other Gear dropped in Port, etc. to be Recovered** — Masters shall be responsible for the immediate buoying of any anchor or other gear they may be dropped over-board from their vessels in the port and shall take all steps necessary for the removal from the watch 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 to vessels may do so

only subject to 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 stevedors engaged in loading or unloading any vessel who allows any cargo, goods or other substance to fall from any vessel, pier, or quay into the water shall forthwith give notice of the concurrence and furnish all particulars connected therewith to the Traffic Manager and the Deputy Conservator and shall take immediate steps to remove the said cargo, goods or substance from the water at their cost.
29. **Recovery of Goods, Rubbish etc. Falling into water** — If any person master or owner of a vessel or stevedors 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 do so, the Deputy Conservator may remove such cargo, goods or substance and any expenses 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) Masters or owners of vessels or stevedores loading or unloading, ashes, ballast, bricks, cinders, coal dust, lime, rubbish, singles, stones, tiles or any other loose matter shall use for such loading or unloading, a canvas cloth or wooden chute, to the satisfaction of the Conservator.
 - 2) Ashes, cinders, 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** — 1) 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 a 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 15, 28 and 31 of the International Regulations for preventing Collisions at Sea, 1960, and in case of emergency when assistance from the shore is urgently required in the interest of the safety of the vessel or when the pilot in charge thinks fit to do so.
37. **Sinking of Boats etc.** — The master or owner of cargo 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 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 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 or damage caused to any of installations or property of the Port due to the negligence of their servants and the 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 Masters 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 on 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, threat the fire as on shore and raise the alarm in accordance with the provisions of 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 methods 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 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 : Run to the nearest Telephone and ring up Port Exchange and to being connected, state clearly :—

Fire in Ship at _____

Fire Ashore at _____

NOTE : The Port PBX Operator should take care that the connection to Port Fire Office is given WITHOUT ANY DELAY WHATSOEVER,

45. **Prohibition of underwater Salvaging of repairs** — No person shall salvage any anchors, cables, stores, or for cargoes lost or supposed to be lost therein or undertaken under water repairs to vessels without the prior permission of the conservator or an officer authorised by him in that behalf.

CHAPTER IV

RULES IN RESPECT OF WHARVES 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 be 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, and at the cost of the owner remove to any other place, goods, the storage of which on the port premises, which on the port premises either upon their landing in the port or thereafter, is likely to obstruct traffic or cause congestion.
 - 3) The appointment 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 loading export cargo in the port may be required to give up her berth if 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 or loading** —
- i)
 - 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 show full details of each 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.
 - ii)
 - a) 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.

- b) if details of such consignments are not already included in the original Import General Manifest filed for the vessel.
- (iii) 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 documents including the description of the cargo, quantity of cargo and the gross weight of each consignments in metric system, including literage in 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.
- iv) The agents of a merchant vessel departing from the port, whether loaded or in ballast shall before three days of her departure, furnish the Traffic Manager with a copy of her Export Manifest.
52. **Opening of Packages** — No package shall be opened inside the Harbour by the importer, exporter or owner, for appraisement, examination or survey, without the permission of the Traffic Manager.
53. **Removal of Iron Steel, Machinery Packages, Long and Unweildy Heavy Lifts From the Port** —
Consignment of iron, steel, machinery packages, long and unwieldy heavy lifts landed in the port may be removed by the Traffic Manager at his discretion to any 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.
54. **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.
55. **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 permission 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 clearing the wharf of the residue.

56. **Works of Art, Bullion etc.** — 1) The port 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 a specie, bullion, gold or silver articles, jewellery, precious stones or coral unless written notice is given to the Traffic Manager by the owner or consignee and the package is specially delivered to the traffic Manager and a receipt thereof obtained atleast six hours before the package is landed or brought into harbour for shipment.

2. If any package containing any of the articles referred to in sub-rule (i) is brought to any wharf or pier without the 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.

57. **Loading and Unloading of Cargoes Likely to Foul Port Wharves** —

1) Mollasses 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 or oils, are to be effected, the oils shall be transported to the port in tank wagons, or tank lorries and pumped directly therefrom into the vessels tanks, or where the oil has been transported in tank barges, directly from barges, into the vessel's tanks.

58. **Handling of Cargoes 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 arrangements have been made by the steamer agents with the consignees to the satisfaction of the Traffic Manager for the clearance of such cargo direct from the landing point, rail or road transport, or land such cargo overside into barges hired by the steamer agents to be taken up to the points fixed by the Traffic Manager for storage.

59. **Transfer of Vessels from their Berths** — 1) The Traffic Manager may either himself, or through the 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 the 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.
60. **Issue of Licences to Stevedores** — 1) The Conservator 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 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 provisions of this rule.
- 3) The licence may likewise be cancelled or suspended if, after the grant thereof, it is discovered that 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 licence of his workman cause any damage to port property or to any vessel or equipment thereof 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 inquiry against the holder of the licence for contravention of any of the terms thereof or for contra-

vention of any of these rules or for doing anything for which the licence is liable under this rule to be cancelled or suspended.

- 4) The Stevedoring Licence issued to a firm or individual is not transferable.
 - 5) The Stevedoring Licence issued to a firm or individual is liable for immediate cancellation, if it is discovered by the Conservator that the said licensee has sublet the Licence to any other firm or person without the written approval of the Conservator who is to issue such licence.
61. Terms 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 the relevant laws, rules and regulations for the time being in force in that behalf.
 - 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 Labour Act, 1934 (19 of 1934) and 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, of fuel at each hatchway 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 vessel is loading cargo in between decks along, he shall see that the between deck hatches that are 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 foreman shall remain on dock and see that the crane chain is not taken out of the square of the hatchway, and that the hook does not catch coamings or foul any of the ships gear or damage any structure or erection ashore.
 - c) The foreman 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 foreman shall, where work is stopped for the day or night, search and satisfy himself that no one is remaining in the hold.
 - e) the stevedore shall be solely responsible to the owner 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,
62. **Registration of Steamer Agents** — 1) No steamer agent shall work in the Port unless he is in possession of a registration certificate issued by the Conservator.
- 2) The registration is subject to renewal every year depending on the performance of the agents.
 - 3) The Conservator, may at any time, cancel any registration certificate issued under this rule or may suspend the same for such period as may be specified for breach of any of the terms or conditions under which such registration is permitted.
 - 4) The registered steamer agents shall be required to open a deposit account or such amount as may be fixed by the Conservator of the Port so as to meet their obligation for prompt payment of Port Charges for the services rendered to them by the Port.
63. **Registration of Clearing and Forwarding Agents** — 1) No Clearing and Forwarding Agent shall be permitted to work in the Port of New Mangalore and transact shipping business unless he is in possession of a registration certificate issued by the Conservator.
- 2) The registration is subject to renewal every year depending on the performance of the Clearing and forwarding Agents.
 - 3) The Conservator, may at any time, cancel any registration certificate issued under this rule or may suspend the same for such period as may be specified for breach of any of the terms or conditions which such registration is permitted.
 - 4) The registered Clearing and Forwarding Agents shall also be required to open a deposit account with the Port for such amount as may be fixed by the Conservator to meet their obligation for the prompt payment of port charges for the services rendered to them by the Port.

64. Cancellation of Suspension of Registration of Steamer Agents or Clearing and Forwarding Agents —

The Registration of a Steamer Agent or Clearing and Forwarding Agent may be cancelled or suspended if, after the grant thereof, it is discovered that the application for the Registration contained any misrepresentations or mis-statements of material facts or if the holder of the Registration has been adjudged insolvent or has gone into liquidation, as the case may be, or if he or his workmen cause any damage to port property or to any vessel or equipment thereof, or cause any obstruction to any work in the port;

Provided that no such registration shall be cancelled or suspended until the holder of such registration has been given a reasonable opportunity for showing cause why his registration 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 registration is suspended pending an inquiry against the holder of the registration for contravention of any of these rules, thereof or for contravention of any of these rules or for doing anything for which the registration is liable under this rule to be cancelled or suspended.

65. Discharge of Vessel's Cargo to be under the Superintendence of Master, Owner or Stevedore —

The liabilities 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 licenced 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 or damage arising from the careless or 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 are loaded therein;
- ii) that after each sling has been made up and with the first strain on heaving up, the running loop is well beaten home with a wooden bar in order that the grid may be made secure.

66. Master, etc. and Stevedores working Cargo's to Provide Proper Lights on Board —

1. Masters and owners of vessels in the port and the stevedores working the cargoes of such vessels shall be jointly and severally responsible for the proper provision of lights in all those parts of vessels, where work in being carried on

either with the use of the port's cranes, quays, piers or other property or otherwise.

- 2) In default, they shall jointly and severally be liable in respect of any loss or damage to life, limb or property resulting therefrom.

67. **Making up of Slings - Cranes not to be used under Vessel's Coamings** —
Slings of import goods shall be made up directly under the open hatchway of any vessel unloading in the port under no circumstances the Port's cranes shall be employed for the purpose of breaking out or removing goods from under the coamings.

68. **Use of Vessel 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 may be fixed in positions as directed by the Stevedores —
2) Ship's Officers shall see that the Port cranes work quite clear of ship's gear —

69. **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 it is necessary or advisable to do so.

70. **Discharges 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.

71. **Marking and Packing of Heavy Packages** — 1) Single articles and packages of one metric ton and over in weight (hereinafter referred to in those rules as heavy package), shall not be loaded on board any vessel in the port or alongside the quay walls unless the gross weight on each such article or package has been plainly and durably marked upon it and packed by the consignors or the agents in the manner set out below or damage occurring to such articles or packages

- a) **Manner of Marking of Heavy Packages** — i) The gross weight on a heavy

package shall be marked thereon in English and the regional language if possible with a kind of paint which is not easily effecable.

- ii) Where a heavy package is of a light colour, black paint, and where the package is of a dark colour, white or yellow paint shall be used for such markings.
- b) Gross weight to be Marked in Metric Tons or Kilograms — Subject to the provisions of clause f) the gross weight of a heavy package shall be marked thereon in metric tons or kilograms.
- c) 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.
- d) Size of Letters or Figures — 1) Every letter or figure, used to mark the gross weight of a heavy package shall be at least seven and half Cms. (three inches) in length and half Cms. (one quarter of an inch) in breadth.
- e) Manner of Packing — i) 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.
ii) The covering shall be of such materials and nature as can stand the strain of the packages being handled during the course of loading or unloading so that the risk of any injury to person who handled the package is minimised.
- f) Marking of Approximate weight in Certain Circumstances — 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 weight shall be so assessed that it does not fall below the actual weight of the package.

- 2) Consignors and their agents, agents of vessels and stevedores shall be held responsible for any breach of the provisions of this rule.

72. Hazardous Substances - 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 Nations' Committee of experts of Transport of Dangerous goods, which met at Geneva in August, 1954) or merit classifications as such by virtue of their characteristic properties shall be subject to such restrictions and conditions, as the Conservator may, from time to time, impose.

73. 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 or 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 finished, in default, removal shall be effected by the Traffic Manager and the master or owner of the vessel or stevedores or any other person to whom such gear belong shall be liable for all the expenses incurred in such removal.
74. 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 amunitions, shall as soon as possible after arrival in the port furnish to the Traffic Manager a complete list of all such packages.
- 2) After discharge, such packages shall be handed over by the master into the direct charge of the shed foreman who shall grant a receipt therefore 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 amunition shall be carefully examined before a receipt is given therefore and any matter which calls for special mention shall be entered in the remarks column thereof.
- 4) Packages containing arms and amunition 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 contained arms and amunitions discharged from a vessel otherwise than in strict conformity with this rule.

6) The port may exempt, any vessel or line of vessel, from the provision of this rule for such period as the conservator may think fit.

75. **Amunition and Explosives** — The Master of any vessel arriving in the port with amunition or explosives, other than fireworks, forming part of the ship's equipments of distress signals, or over 45 Kgs. (100 lb.) in weight of gun powder, on board as cargo, shall display a red flag B of the International Code at the fore during day time, and between sunset and sunrise shall exhibit a red light at the fore for so long as the amunition, explosives or gunpowder are on board within the limit of the port.

76. **Landing of Explosives or other Dangerous Cargo** — i) No package containing gun powder or other explosive or any dangerous cargo shall be landed within the limits of the port without the previous permission of the Collector of Customs and the Conservator, and in the landing or shipment thereof, all orders or directions which may be made or given by the Port authorities from time to time, to ensure safety shall be rigidly adhered to and observed.

ii) 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 cased dangerous petroleum are completely closed.

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

CHAPTER V

DISCHARGE AND SHIPMENT OF FUEL OIL AND NON-DANGEROUS PETROLEUM

77. **Discharge of Fuel Oil in Bulk** — Vessels carrying petroleum in bulk shall observe the provisions of the Petroleum Rules, 1937, and all other orders or directions which the Traffic Manager, may make or give from time to time, to ensure safety.

78. **Bunkering Petroleum Fuel Oil** — Bunkering of vessels with petroleum fuel oil in the port barges and tanks 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 vessel is present on board and he shall see that the provisions of these rules are 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 alongside the flexible connecting pipe while bunkering is in progress;
- c) no smoking, cooking, naked lights or forges shall be allowed on the vessel's decks while bunkering is in progress;
- d) a suitable gutter or other contrivance shall be placed under the connecting service pipe to prevent any oil from dripping on the wharf or into the port basin;
- e) Masters and owners of vessels 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 or cargo in charge of the Traffic Manager by any defect in or failure of the apparatus or appliances of the vessels or the suppliers;
- f) no cargo other than steel plates, iron rails, and similar goods unaffected by oil, shall be allowed on the wharf within fifty 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 depot is in working order.

CHAPTER VI

RULES WITH RESPECT TO FIRE AND LIGHTS

79. *Smoking Etc.* — Smoking and the use of any unprotected fire or light in any shed or warehouse within the port is strictly prohibited and no person shall smoke or light lucifer matches or other inflammable article on any pier or quay or on board any vessel within the port, except in such places as may be allotted for the purpose.
80. *Fires And Lights* — a) No vessel shall be fumigated except at a place appointed

by the Deputy Conservator for the purpose.

- b) Pitch or dammer shall not be heated on board vessels within the port; but in a boat alongside or astern; nor shall spirits be drawn off on board such vessels by candle or other unprotected artificial lights.
- c) Vessels, while loading cotton, shall not have any unprotected lights in the hold.
- d) When gunpowder, ammunition or other explosives exceeding 45 KGs.(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 Explosives Rules, 1940.

81. **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 whenever demanded and no person shall disobey the orders of any police officer or watchman for extinguishing any fire or light used in contravention of these rules.

CHAPTER VII

MISCELLANEOUS

82. **Quays etc. and Port Area to be Under the Authority of The Traffic Manager** —

- 1) 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 in the open; he 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 issued by him or under the authority of the Traffic Manager; such permit or token shall on demand by a police officer, duly empowered in that behalf be produced for inspection. *— or any Port Officer*
- 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.

83. **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 sections 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.

84. **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 from the Customs Department shall make necessary arrangements for the proper conduct thereof and work on such days 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.

85. **Entry into the Port** — The entrance gates and wicket gates of the port shall be kept open during the hours specified there for 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 Officers authorised by the Conservator.

86. **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 pathways leading thereto, and therefrom, which shall be indicated by notice-boards.

87. **Licensed Carpenters to be allowed in the Sheds for opening and repairing Cases** — The Traffic Manager shall grant 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 person other than those licensed as such shall be allowed to carry into the port any tools or other instruments used for such purposes.

88. **Issue of Licences to Hawkers** — No person shall hawk or sell goods within the port 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 persons 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 en-

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like the holders to go on board any vessel in the port without the permission of the master, owner or agent of such vessel.

89. **Removal of Trucks and Hand-Barrows out of Port** — 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 expense of the owner of the goods and trucks and hand-barrows belonging to merchant and others and left lying at the port shall be liable to removal and confiscation by the Traffic Manager.
90. **Destruction of or Damage to any of the Port Property** — Any person who cuts, defaces, or damages any mooring, rope chain, life-buoys, life line or life saving appliance or any bouys, bouy-rope or cable belonging to any anchor within the port channel or entrance or in the port shall, without pre-judice to any penalty to which he may be liable under any other law, be liable to pay the amount of the damage, repair and recovery.
91. **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 any employee of the port in the performance of his functions or disobey his lawful orders, or use abusive or offensive language or aid or incite others to do any of these things.
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** — i) All necessary signals may be made by vessels by using the International Code of signals and they shall be acknowledged by the answering pendant being hoisted at the signal station, masthead.
- 2) Communications by the Morse and Semaphore codes may be made to the Port Signal Station, using flag 'Z' during the day and flashing 'S' at short intervals at night to call up station.
94. **Bad Weather Arrangements** — During the prevalence of adverse or threatening weather the Master of every vessels in the port is required to attend to the following directions, namely :—
- a) he should not be absent from his vessel between sunset and sunrise;

- b) he should keep his vessel ready in all respects to proceed to sea at short notice and if this is not possible for him, he must communicate the fact at once to the Deputy Conservator;
- c) on the hoisting of the danger signal, he should take all measures for the safety of his vessel, as no further instructions will be furnished by the port authorities.

95. Vessels to Comply with Indian Port Health Rules — All vessels arriving in the port shall, during their stay and while departing from the port shall comply with the provisions of the Indian Port Health Rules, 1955.