

DAMAGE
BY
WET

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

NO.94/TC-III/45/3

New Delhi dated 21-7-95.

The General Manager(Commercial),
All India Railways.

Sub: Claims due to damage by wet.

C&AG in Para 2.3 (vi) of his report on Railways for the year ended 31-3-93 has commented adversely on grant of compensation amounting to Rs. 32.74 lakhs on account of damage to cement bags at Alam Nagar, Naini, Faizabad and Sitapur Railway Stations, as these bags were stacked during rainy season without placing them on wooden platforms and covering them by tarpaulins.

In this connection your attention is invited to para 1724 and 1583 of IRCM, Vol.II, relevant extract is reproduced below:

Para-1724: “All damageable goods lying on the platform must be covered by tarpaulins. Similarly, when the weather shows signs of rain, all the goods should be covered by tarpaulins. Further, during the rainy season the packages must be stacked, either on Sleepers or on wooden platforms specially provided for this purpose so that the packages may not be damaged by wet.”

Para 1583: “When additional tarpaulins are required for use at a station or for covering consignments loaded in open or non-water-tight covered wagons, the Station Master should telegraphically indent the requisite number of tarpaulins from the depot incharge.”

It appears that your railway is not observing the instructions contained in above paras rigidly. It is, therefore requested that all concerned in your railway should be advised accordingly to ensure that such incident do not recur in future.

Please acknowledge the receipt of this letter.

Sd/-
(NR SAGAR)
Jt. Director, Traffic Commercial (CL)
Railway Board.

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

NO.94/TC-III/45/4

New Delhi dated 30-6-94.

The General Manager(Commercial),
All India Railways.

Sub: Monsoon precautions

Complaints are being received in this Ministry that railways are not observing monsoon precautions resulting in consignments getting damaged by wet and consequent payment of claims.

In this connection your attention is invited to Board's letter No. TC-III/3112/73 dated 16-6-74 and 84/TC-III/45 dated 6-7-84 in which the railways were requested to follow certain measures in order to bring down the number of claims on account of damage by wet. These measures are again given in the annexure enclosed.

You are requested to ensure that these measures are rigidly followed by your railway.

All the concerned should be advised accordingly and receipt of this letter acknowledged.

DA/a/a

Sd/-
(Kranti Kumar)
for Jt. Director, Traffic Commercial (CL)
Railway Board.

Measures to prevent damage by wet to consignments.

ANNEXURE

1. Goods and parcels offered for booking by rail should be carefully examined and wherever they are already in a wet or damaged condition, suitable remarks about such conditions should be obtained for the Forwarding Note from the sender or his authorised agent and the same should be reproduced on the RR and Invoice.
2. If the packages already bear dry water marks, a remark to this effect should be obtained on the Forwarding Note and repeated on the Railway Receipt and Invoice.
3. For goods having inherent property to absorb moisture a suitable remark should be obtained from the sender or his authorised agent on the Forwarding Note and repeated on the RR & Invoice.
4. Commodities susceptible to damage by wet must always be loaded in water-tight wagons.
5. Where TXR staff are provided, they should examine and check all covered wagons for their water tightness and repair them if necessary, before the wagons are supplied for loading commodities liable for damage by wet.
6. In case where due to shortage of water-tight covered wagons, non-watertight covered wagons are required to be loaded with damageable goods, these must be protected from all sides by tarpaulins.
7. In case where foodgrains are required to be loaded in open wagons, the goods should be loaded in a pyramidal shape and covered with tarpaulins which should be spread-over and secured with ropes so that the rain water drains off the tarpaulins outside the wagon. Further the tarpaulins should be tied so tightly that they do not fly up at the ends of the wagons and uncover the goods.
8. Tarred gunny strips should be used to stop seepage of rain water inside the wagons through door crevices. Dunnage must be provided in terms of compulsory special conditions-----.

9. If any wagon is found defective enroute and the contents are likely to be damage due to rain, then the contents must be immediately transshipped into a watertight wagon.
10. Goods should be protected from damages by wet by stacking them in a well protected covered space at the station. As a further protection such goods should be covered with tarpaulins.
11. Wooden sleepers or cement blocks should be spread under the consignments when stacked on open platform so as to allow free flow of water on the floor. Such stacks should be securely covered with tarpaulins.
12. If on unloading a wagon, it is found to contain packages damaged by wet, the position in which the packages are stacked i.e. whether near the door or in the centre of the wagon or towards the end of the wagon should be mentioned in the DD message. When damages by wet are found in watertight wagons, a certificate should be obtained from the TXR to the effect that the wagon in question was water-tight.
13. Goods Sheds, Parcel Offices, Transhipment Sheds, Repacking sheds etc. where goods and parcels are stored should be inspected by supervisory and inspecting officials frequently and if any leakage is noticed, the Engineering official concerned should be contacted immediately and requested to carry out necessary repairs.
14. The consignments which are received at destinations damaged by wet should be delivered without delay by granting open deliveries/assessments as per extant instructions.

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GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

NO.94/TC-III/45/3

New Delhi dated 21-7-95.

The General Manager (Claims),
Northern Railway,
New Delhi.

Sub:- Claims due to damage by wet.

C&AG in para 2.3 (vi) of his report on Railways for the year ended 31.3.93 has commented adversely on grant of compensation amounting to Rs.32.74 lakhs on account of damage to cement bags at Alam Nagar, Naini, Faizabad and Sitapur Railway Stations, as these bags were stacked during rainy season without placing them on wooden platforms and covering them by tarpaulins.

In this connection your attention is invited to Para 1724 and 1583 of IRCM, Vol.II, relevant extract is reproduced below:

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Para 1583: When additional tarpaulins are required for use at a station or for covering consignments loaded in open or non-water-tight covered wagons, the Station Master should telegraphically indent the requisite number of tarpaulins from the depot incharge.

It appears that your railway is not observing the instructions contained in above paras rigidly. It is, therefore, requested that all concerned in your railway should be advised accordingly to ensure that such incident do not recur in future.

(N.R.Sagar)
Jt. Dir. Traffic Commercial (Cl.)
Railway Board

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

NO.89/TC-III/45/2/Pt.

New Delhi dated 12-2-90.

The General Manager (Claims),
All Indian Railways.

Sub:- Assessment of damage by wet to Cement consignments.

The procedure to be followed in assessing damage by wet to cement consignments was communicated to all the zonal railways under this Ministry's letter No.70/TC/RCC/Imp/167 dt. 14.4.1980 (copy enclosed for ready reference). Zonal Railways should ensure that the procedure followed for granting of such deliveries is in accordance with the instructions contained in this letter.

Please acknowledge receipt.

(Pramod Uniyal)
Director Traffic Commercial (Cl.)
Railway Board

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

NO.70/TC/RCC/Imp/167

New Delhi dated 14-4-80.

The General Manager (Claims),
All Indian Railways.

Sub:- Assessment of damage by wet to Cement consignments.

Please refer to the Ministry's letter of even number dated 30.6.70 on the above subject wherein the Railway Board's acceptance of Recommendation No.167 made by the One-Man Expert Committee on Compensation Claims was conveyed to the Zonal Railways and it was laid down that for commodities like cement etc. which are worthless after becoming wet, the damaged stuff should be segregated and weighed to arrive at the extent of damage, instead of giving ad hoc percentage assessment, and in such cases, the rotten or worthless stuff must be segregated and weighed and the assessment report should indicate the factual position of the weight of rotten or worthless stuff separated and thrown.

It has been represented by some of the Zonal Railways that the procedure for assessment of damages by wet to cement consignments detailed in para 1 above is not found practicable. This Ministry after having examined the various practical constraints being experienced by the Zonal Railways as also having taken into consideration the fact that the cement traffic is now moving mostly in block rakes, have decided to withdraw the instructions contained in this Ministry's letter of even number dated 30.6.70. The Ministry of Railways desire that the assessment of damages by wet to cement consignments should be done in terms of Rule 1845 of the Indian Railway Commercial Manual keeping in view the local conditions as also the best interest of the Railways. While granting assessment the salvage value of the damaged stuff if any may also be taken into account. Suitable instructions may be issued to all concerned and the receipt of this letter acknowledged.

This disposes of Western Railway's letter No.C50/12/2 dated 22.2.78 and Central Railway's letter No.C194/C.IMPL/167 dt. 10.11.78.

(P.Chaudhuri)
Jt. Director Traffic Commercial (Cl.)
Railway Board

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

NO.81/TC-III/55/1

New Delhi dated 27-3-81.

The General Manager (Claims),
All Indian Railways.

Sub:- Claims of Cement arising out of damage by wet – settlement thereof.

Complaints continue to be received from the Cement Industry that Railways are rejecting their claims arising out of damage by wet on the plea of 'said to contain' RRs.

It is to be understood that 'said to contain' RRs are issued when the Railway Staff is unable to supervise loading of consignment into a wagon and are not able to count the number of bags loaded therein. Obviously, such remarks are relevant in respect of shortages from the consignment and not in the case of damage by wet.

Ministry feel that repudiation of claims on account of damage by wet on the plea of "Said to Contain" would not be justified unless there are other relevant extenuating factors which call for repudiation and accordingly desire that suitable instructions may be issued to concerned authorities.

(D.R. Sharma)
Jt. Director Traffic Commercial (Cl.)
Railway Board