

THE KERALA PORT MANUAL

THE KERALA PORT DEPARTMENT AND ITS FUNCTIONS

Port which are declared by or under law made by Parliament or existing law to be 'Major Ports' are a Central subject as they fall under item 21 in List I - the Union List in the Seventh Schedule to the Constitution of India, whilst ports other than those declared by or under law made by Parliament or existing law to be 'Major Ports' are a concurrent subject falling under item 31 in List 3 - the Concurrent List in the same schedule.

All Major Ports are therefore under the control of the Government of India, while the remaining ports are under the control of the State Governments concerned.

Major Port has been defined in section 3(8) of the Indian Ports Act, 1908 (XV of 1908), as follows:

“Major Port's means any port which the Central Government may by notification in the Official Gazette declare, or may under any law for the time being in force have declared, to be a Major Port”.

All other ports are by implication minor ports.

The powers of the State Government in respect of all Minor Ports are indicated in section 3 (9) of the Indian Ports Act which reads as follows:

“Government', as respects major ports, for all purposes, as respects other ports, for the purposes of making rules under clause (p) of section 6 (1) and of the appointment and control of Port Health Officers under section 17, means the Central Government and save as aforesaid, means the State Government”.

The Kerala Port Department is responsible for the conservancy of all Minor Ports in the State. It is responsible for the administration of the following Acts:

The Indian Ports Act (Act XV of 1908), The Madras Out Ports Landing and Shipping Fees Act (Act III of 1885) applicable to the Ports in the former Malabar and Kasargod area only.

It provides facilities for safe entry and berthing of vessels in the loading and discharging of cargo and livestock, and for the embarkation and disembarkation of passengers by maintenance and construction

of harbors and accessories including maintenance of local lights and light houses. It also warns shipping of all imminent dangers and issues such instructions as may be necessary for guidance of mariners.

The expenses of the Department are met by the levy of dues sanctioned from time to time by the Government which are credited to the consolidated Fund of the State. The audit of the transactions of the Ports are undertaken by the Accountant - General, Kerala. The transactions of the Department, are classified under the Major Heads “XXXIX Ports and Pilotage” for receipts and ‘53 - Ports and Pilotage or expenditure.

The important duties performed by Port Department are as below:

(1) Granting Certificates of Entry and Clearance to vessels and levy of port and other dues and affording assistance for signalling between shore and ship.

(2) Surveying and licensing of vessels and issuing certificates of competency as Syrang/Driver under the Harbor Craft Rules and Regulations of traffic.

(3) Noting and extending Marine Protests at the Ports where there are no Notary Public.

(4) Assessing goods and levying export and import dues at ports where the Kerala Ports Exports and Imports Dues Act is in force.

(5) Arranging for pilotage and levying of fees at certain ports.

(6) Assessing Port Lands rented for marine purposes.

(7) Importing, Exporting and Transporting of Government consignments.

(8) Maintenance of lights, buoys and beacons as guidance to shipping.

The Kerala Port Department performs the following functions on behalf of the Central Government:

(1) Registration of sailing vessels under the Merchant Shipping (Registration of Sailing Vessels) Rules, 1960 issued under the Merchant Shipping Act, 1958.

(2) Conducting tonnage measurement of sailing vessels under the Merchant Shipping (Tonnage Measurement of Sailing Vessels) Rules, 1960.

(3) Issuing Free Board Certificates under Sailing Vessels (Assignment of Free Board) Rules, 1960 to sailing vessels.

(4) Issuing Certificates of Inspection under Sailing Vessels (Inspection) Rules, 1962 to sailing vessels.

(5) Rendering assistance to vessels in distress and to distressed seamen, detaining unseaworthy ships, enquiring into wrecks casualties and salvage.

(6) Duties of Shipping Master, endorsing changes of Masters on vessels registers.

(7) Arranging for sea transport work when specially ordered.

In respect of the above matters the officers of this Department correspond direct with the Principal Officer, Mercantile Marine Department, Madras.

The various other functions and working of the Department are detailed in the chapters following and Appendices.

CHAPTER I

OFFICERS - THEIR APPOINTMENTS, POWERS AND DUTIES

1. The principal Port Officer of the State is designated 'State Port Officer'. (G.O. (MS) 266/61/PW., dated 20th June 1961).

This Officer is the Marine Adviser to the Government of Kerala and will also perform the duties of the Agent for the State Government consignments wherever necessary. He exercise overall administrative and technical control over the Intermediate Ports of Calicut and Alleppey and other Minor Ports in the Kerala State.

NOTE:- The Registered abbreviated telegraphic address of the above Officer is "KEPORTS". (G.O.Rt.No. 1753/62/PW., dated 17th August 1962).

2. (i) (a) For Port and other duties, nine Gazetted Officers are employed in this Department, viz., The State Officer, Trivandrum, Port Officer, Calicut, Mechanical - cum - Electrical Engineer, Trivandrum, Dredging Superintendent, Marine Surveyor, Assistant Marine Surveyor, Trivandrum, Senior Port Conservator, Alleppey, Superintendent, State Port Office, Trivandrum and Personal Assistant to the Port Officer, Calicut.

(b) The State Port Officer and the Officers except the Dredging Superintendent, Marine Surveyor, Assistant Marine Surveyor are members of the Kerala Port Service which is one of the State Services under the control of the State Government. Service Rules for the posts of Dredging Superintendent, Marine Surveyor and Assistant Marine Surveyor will be issued shortly.

(c) The State Port Officer is also a Government Surveyor.

(ii) The Port Officer, Calicut will be in direct charge of the Port of Calicut with his headquarters at Calicut. He exercises control over other Minor Ports in the Maritime Districts of Kozhikode, Palaghat and Cannanore, viz. Ponnani, Beypore, Badagara, Tellicherry, Cannanore, Azhikkal and Kasargod. The Port Officer will be subject to the overall administrative and technical control of the State Port Officer. (G.O. MS. No. 266/61/PW., dated 20th June 1961).

(iii) The Senior Port Conservator holds the executive control of the Intermediate Port at Alleppey. (G.O. (MS) 333/62/PW., dated 21st July 1962).

(iv) The Mechanical - cum - Electrical Engineer is appointed by direct recruitment.

(v) All the mechanical electrical and maintenance works of the Port Department are executed through the Mechanical - cum - Electrical Engineer of the Department. He is delegated with the powers of an Executive Engineer of the Public Works Department. (G.O. Rt. 871/64/PW., dated 13th April 1964. G.O. MS. 14/64/PW., dated 9th January 1964. G.O. Rt. No. 59/66/PW., dated 17th January 1966).

(vi) All other development works in the ports are allotted to the Public Works Department.

(vii) The State Port Officer is the Naval Reporting Officer in respect of the Ports of Alleppey, Koilthottam, Quilon, Trivandrum and the Port Officer, Calicut in respect of Calicut and Sub Ports. They are assisted in their duties while absent on tour, or on leave by the Superintendent, State Port Office and the Personal Assistant to the Port Officer respectively. The Port Officer, Calicut will also function as the Detaining Officer for all the Ports under him and the Senior Port Conservator, Alleppey in respect of Alleppey and the Sub Ports at Koilthottam, Quilon and Trivandrum.

3. The Important duties and functions of the State Port Officer, Port Officer, Mechanical - cum - Electrical Engineer and Dredging Superintendent are furnished below:

I. State Port Officer

(1) He exercises administrative and technical control over all Intermediate and Minor Ports in the State under the charge of Port Officers and Port Conservators.

(2) He is the Marine Adviser to the State Government.

(3) He is responsible for:-

(a) Enforcement of the provisions of Indian Ports Act 1908 (XV of 1908) and the Rules framed there under. Also conducts examinations for candidates for Certificates of Competency as Serang under the Kerala Harbour Craft Rules.

(b) Enforcement of the Provisions of the Madras Out Ports Landing and Shipping Fees Act, (Act III of 1885) applicable to the Ports in the former Malabar and Kasargod area only.

(c) Enforcement of the provisions of the Merchant Shipping Act, 1958.

(4) He is generally responsible for the conservancy of the Ports which includes -

(a) Dredging

(b) Hydrographic survey

(c) Maintenance of navigational aids

(d) Traffic facilities which include -

(i) Berthing facilities for ships.

(ii) Facilities for embarkation and disembarkation of passengers.

(iii) Facilities for landing and shipping of cargo.

(iv) Allied facilities to (i) to (iii) like crafts, road, telephone, etc.

(5) He formulates plans, for general development of ports.

(6) He attends the meetings of the National Harbour Board and the Hydrographic Survey Committee as per directions of the State Government.

(7) The State Port Officer is a member of -

(a) The Customs and Central Excise Regional Advisory Committee for Cochin Collectorate. (G.O.Rt. No. 1852/611/PW., dated 26th July 1961 and G.O. Rt. No. 2286/63/PW., dated 6th November 1963).

(b) The Board of Communications in the State. (G.O. Rt. No. 924/62/PW., dated 7th April 1962).

(c) The Departmental Purchase Committee for the Port Department. (G.O. MS. No. 98/64/PW., dated 18th March 1964).

II. Port Officer

(1) He is the Conservator of the Port and as such he performs the duties and exercise the powers vested in him under the Indian Ports Act, 1908 specially with reference to the conservancy of the ports as provided in the said Act, which includes:-

(i) Inspection and Licensing of Harbour Crafts plying within the port limits and conducting the examinations for candidates for Certificate of Competency as Serang under the Harbour Craft Rules.

(ii) Affording assistance for signalling between shore and ship, as per Indian Ports Act, 1908.

(iii) Regulating the berths, station and anchorages to be occupied by vessels.

(iv) Removal of obstructions to navigation.

(2) He enforces the provisions of the Madras Out Ports Landing and Shipping Fees Act (Act III of 11885) applicable to the Ports in the former Malabar and Kasargod area only in the ports under his jurisdiction.

(3) Functions as Inspector under section 6 of the Employment of Children Act, 1938.

(4) (i) Issues weather certificates and capsized boat certificates.

(ii) Ensures that the light, Port Flagstaff, Boundary Pillars, Buoys etc. are efficiently maintained in the Ports under his jurisdiction.

(iii) Undertakes survey of private cargo and examination of sailing vessels for insurance purposes on receipt of written applications.

(iv) Issues notices to Mariners and navigational warnings.

(v) Conducts quarterly inspection of Port Offices under his jurisdiction and inspecting of Lighthouse at his headquarters at least once in a month.

(vi) He is in charge of all departmental quarters under his jurisdiction and allots them to departmental staff.

(5) The Port Officer also performs then under mentioned duties having been appointed by special notifications.

(a) Functions as Registrar of Sailing Vessels under the Merchant Shipping (Registration of Sailing Vessels) Rule, 1960.

(b) Engagement and discharge of crew and maintenances of statement of crew in respect of sailing vessels, as per Sailing Vessels (Statement of Crew) Rules, 1960.

(c) Functions as Surveyor in respect of sailing vessels for granting Free Board Certificates as per the Sailing Vessels (Assignment of Free Board) Rules, 1960.

(d) Measures sailing vessels as per Merchant Shipping (Tonnage Measurement of Sailing Vessels) Rules, 1960.

(e) Inspects sailing vessels annually as per Sailing Vessels (Inspection) Rules, 1962.

(f) Functions as Seamen's Welfare Officer.

(g) He is the Officer appointed under section 359 of the Merchant Shipping Act, 1958 as Reporting Officer for shipping casualties occurring in his port and also responsible to forward the reports sent by the Subordinate Officials from Out Ports.

(h) As head of the office he is responsible for the proper and efficient working of the office with the financial responsibilities connected there with.

(i) Agent to the Receiver of Wrecks within the limits of his jurisdiction wherever appointed.

(j) To give assistance in case of Wrecks occurring in the port.

(k) Attends the District Development Council Meetings wherever required.

III. Mechanical - cum - Electrical Engineer

He will be directly responsible to the State Port Officer in all matters connected with the execution and supervision of all maintenance works relating to trucks, truck lines, steam cranes, buoys, handcranes, electric cranes, electric fittings, etc., belonging to the Department and to all port buildings and structures, and shall maintain a register of all port appliances. He will also be responsible for the execution and supervision of all development works relating to mechanical and electrical works of the Department.

He will inspect the port appliances, buildings, structures, etc., periodically, submit his inspection reports to the State Port Officer and forward copies to the concerned officers in charge of the ports with his suggestions and assessment of the repairs, if any, that are necessary to be done, spare parts or articles of stores to be purchased, etc.

He will attend to correspondence relating to development and maintenance of Port Engineering works and all correspondence on technical matters relating thereto will be routed through him.

He will be responsible for the maintenance of two permanent registers, one for buildings and lands and the other for roads, bridges, and culverts in K.F.C. Form 23 (I and II) to show the assets of Government in the form of immovable properties under the charge of the Port Department.

He will forward to State Port Officer, for sanction estimates duly scrutinised for the repairs or the annual maintenance works for these appliances, building and structures with detailed reports and arrange execution of works. All such works measured and recorded in the measurement books, shall be check measured by him wherever necessary. For these purposes he will exercise the powers of an Executive Engineer of the Public Works Department.

He will take steps for the procurement of spare parts, etc., required for these appliances. The stock of such articles at the different ports shall be inspected by him periodically and suitable instructions issued to the staff responsible for the custody, issue and use of the articles of stores and spares for their proper use. He shall also check then stores stock of spare parts, etc. and put up proposals for survey, reporting old parts for auction.

He will also carry out any other duties as may be assigned by the State Port Officer from time to time.

IV. Dredging Superintendent

1. He will be directly responsible to the State Port Officer in all matters connected with dredging and the dredger unit.

2. He will arrange all dredging programme in accordance with plans approved by the State Port Officer and carry out and supervise all operations ensuring maximum output economically. He will consult and co-operate with the Port Officer in carrying out dredging operations to ensure efficient navigation in the area.

3. He will arrange and supervise all repairs and maintenance to the Various crafts of the dredger unit and maintain them in good condition. He will put up and estimates for the same, check all stores and spare parts and indents of stores for the crafts concerned. He will be responsible for the

maintenance of the accounts in connection with the receipt and issue of spare parts and stores obtained for the dredger unit and their proper utilisation.

4. With regard to the maintenance of and repairs to floating crafts, in the Department he will attend to the work in consultation with the concerned officers regarding any specific requirements. The indents for stores and spare parts in respect of crafts will be countersigned by the Head of Office in charge.

5. He will train all the Engine Room and Dredging Crew in their duties so that a high order of efficiency is attained.

6. The various categories of staff working in the dredging unit will be under the immediate control of the Dredging Superintendent who will be responsible for the efficient working of the unit and maintenance of discipline in the staff working under him.

7. He will maintain close liaison with the local Port Conservator/Port Officer so that all functions of the Department, shipping operations and dredging are carried out efficiently and smoothly without interference with each other.

8. He will also carry out any other duties as may be assigned by the State Port Office from time to time.

9. (i) Ports which are not the headquarters of the Port Officer and Senior Port Conservator are in charge of Departmental Port Conservators and Assistant Port Conservators.

There are 12 Port Conservators (including one Leave Reserve Port Conservator and one Pier Master) and 13 Assistant Port Conservators-cum-Wharf Supervisors (including one Leave Reserve Assistant Port Conservator).

(ii) All the Departmental Port Conservators are members of the Kerala Port Subordinate Service.

10. (i) The Port Conservators and Assistant Port Conservators of Calicut and Sub-Ports will take orders from the Port Officer, Calicut and the Port Conservators of Koilthottam, Quilon and Trivandrum and the Senior Port Conservator, Alleppey will take orders from the State Port Officer, Trivandrum on all matters relating to their Ports.

(ii) The Port Conservators shall also exercise jurisdiction over the smaller ports if any bracketed with their ports when so ordered by the State Port Officer. An organisation chart for the Department is given in Appendix I.

11. The limits of the several Ports have been defined under section 4 (2) of the Indian Ports Act, 1908 (Act XV of 1908) and are indicated in Appendix II.

12. The Port Officials will be guided, as to their powers and duties in connection with the Port Conservancy by the instructions contained in Chapter III of the Indian Ports Act, 1908 (Act XV of 1908) and in respect of their duties generally by the instructions contained in this Manual. When appointed by special notification to do so, they shall perform also the duties of any of the undermentioned Offices and at any other Offices to which they may hereafter be appointed, viz.

(1) Registering Officer under the Harbour Craft Rules framed under section 6 sub-section (1) clause (k) of the Indian Ports Act, 1908 (XV of 1908).

(2) Registrar of Sailing Vessels under the Merchant Shipping (Registration of Sailing Vessels) Rules, 1906.

(3) Inspecting Officer under sections 287, 290, 315, 323 and 327 of the Merchant Shipping Act, 1958 (Act 44 of 1958).

(4) Detaining Officer under the Merchant Shipping Act, 1958, Vide section 444.

(5) Shipping Master under the Merchant Shipping Act, 1958 (Act 44 of 1958).

(6) Inspectors under section 6 of the Employment of Children Act, 1938.

13. (a) Port Officials should make themselves thoroughly acquainted with the contents of the different Marine Acts, especially the following:-

- (1) The Indian Ports Act, 1908 (Act XV of 1908)
- (2) The Merchant Shipping Act, 1958 (Act 44 of 1958)
- (3) The Madras Out Ports Landing and Shipping Fees Act, (Act III of 1885) applicable to the Ports in the former Malabar and Kasargod area only.
- (4) The Port Health Rules, 1955.
- (5) The Workman's Compensation Act, 1923.
- (6) The Indian Lighthouse Act, 1927.
- (7) The Sea Customs Act, 1878 (VIII of 1878)
- (8) The employment of Children Act, 1938 (XXVI of 1938)

(b) They should also be acquainted with the notifications of Government published in the 'Kerala Gazette' from time to time, relating to marine matters, as their doing so will obviate a good deal of correspondence between them and the Head Office.

14. (a) Private Surveys of vessels may be undertaken by Port Officers on receipt of a written application from the parties specifying the purpose for which it is done, provided that there is no private ship surveyor at the Port, but such survey must be performed out of office hours and no certificate of seaworthiness should be granted to sailing vessels.

NOTE:- The fee for each survey is Rs. 48 and may be retained by the Port Officer concerned.

(b) Port Officers are permitted to examine sailing vessels for insurance purpose only. A fee of Rs.16 may be charged for each examination and may be retained by the Port Officer concerned. The examination should be undertaken only on receipt of written application from the parties concerned specifying the purpose for which it is required.

15. The Dredging Superintendent of the Port Department is permitted to undertake survey of private vessels when his services can be spread by the State Port Officer. A fee of Rs.48 may be charged for each survey and retained by the Dredging Superintendent. Written application should be obtained as specified in para 14 (a) above before undertaking the private survey.

16. Port Officers may also undertake survey of private cargo, at ports where there are no competent surveyors available on receipt of a written application from the parties concerned specifying the purpose for which it is required. They are permitted to act as independent surveyors in cases of disputed surveys provided that in each case the previous sanction of Government is obtained and the work is undertaken out of office hours. A fee of Rs. 48 may be charged for either of the surveys and retained by the Port Officers concerned.

17. 'Weather' certificates and 'Capsized Boat' certificates may be granted by the Port Officers and Port Conservators, but no fee will be charged if the certificate required is granted during office hours. There is, however, no objection to such fee being charged when the document in question is furnished out of office hours but this fee viz., Rs. 5 for each certificate should then be credited to the receipt head of the Department.

18. The Port Officers and Port Conservators are authorised to 'note' and 'extend' Marine Protests. This authority may be exercised only when there is no notary public at the Port appointed under the provisions of the Notaries Act, 1952 (Central Act 53 of 1952) and the rules made there under and this fact shall invariably be stated by the Officers in the document. (See Chapter VII).

19. At the Ports where navigational lights are exhibited, the Port Officers concerned shall frequently examine the character and other technical aspects of the lights and ascertain by personal inspection that they are kept in an efficient state.

20. The inspection of the intermediate and minor ports in the State shall be made once in three months. The intermediate Ports of Calicut and Alleppey and the Minor Ports of Trivandrum, Quilon and Koilthottam will be inspected by the State Port Officer and the Minor Ports of Ponnani, Badagara, Tellicherry, Cannanore, Azhikkal and Kasargod by the Port Officer, Calicut. All the Officers concerned shall be informed of the date of inspection sufficiently early before he proceeds on such

inspection. The inspection of the offices shall be conducted on the basis of the Government Memorandum No. 44500/O&M-2/62, dated 8th May 1963 which is given in Appendix III. An O & M Division has been constituted in the State Port Office, with a Junior Superintendent and an L.D. Clerk. Apart from the instructions contained in the above Government Memorandum the following points also should receive particular attention during the quarterly inspection of the minor ports and intermediate ports:

(1) The state of the office books and accounts, whether they are kept in accordance with the instructions on the subject.

(2) Whether the amounts collected under the different Acts have been properly credited under their respective heads in the office accounts and correctly remitted into the treasuries in time.

(3) Whether the different periodical returns required by the Head office, Regional Offices and other offices have been sent on the due dates.

(4) Whether the stamps account book is properly maintained and whether the balance of stamps is correct.

(5) Whether the balance of contingent money is correct after the contingent account has been scrutinised and the cash balance being counted in the presence of the Inspecting Officer.

(6) Whether the light, port flag staff, boundary pillars, buoys and beacons, etc. are efficiently maintained.

(7) Whether the storm warning shapes maintained at the port conform to the standard shapes and sizes and are in good condition, and

(8) Whether the Port Conservators or the office Head Clerk possesses a working knowledge of several Marine Acts and Codes and is well acquainted on all matters connected with the working of the port.

Port officer shall submit the inspection reports to the State Port Officer.

21. The marine store rooms at each port shall be inspected weekly by the Port Officer or other Officer-in-charge and the result noted in the registers maintained for the purpose. Every care should be taken against any kind of damage of the article stored in the store rooms.

22. All Government tugs and dredgers should be inspected by the Port Officers/Conservators jointly with the Dredging Superintendent once in every six months and a report on the conditions of hull and engines submitted to the State Port Officer in the first week of January and July. Daily log in respect of the work done by the tugs should be submitted to State Port Officer by the first week of the succeeding month by the officers-in-charge of the port where the vessels are stationed. In respect of the dredging unit daily log of the work done by the unit should be submitted to the State Port Officer by the first week of the succeeding month, by the Dredging Superintendent-in-charge of the unit. A copy of the same report should be sent to the Officer-in-charge of the Port where the unite is working. The Port Officer/Conservator-in-charge will send his remarks if any on the report of the Dredging Superintendent by the second week of the succeeding month through the proper channel to the State Port Officer.

23. The State Port Officer and Port officers are permitted to wear uniform as detailed in Appendix IV. The wearing of uniform is lower, permissive and not compulsory and the provision of the same will be at the officer's own expense. Any officer desiring to provide himself with uniform shall adhere strictly to this description.

24. (i) Departmental Port Conservators including the Senior Port Conservator and Wharf Supervisors are required to wear the uniform prescribed in Appendix IV. It is compulsory to wear the uniform when they are on duty.

(ii) A uniform allowance of Rs.2.50 p.m. to each Port Conservator and Rs.1.75 p.m. to each Wharf Supervisor is granted subject to the condition that the cost does not in any year exceed Rs.30 and Rs. 211 for each sanctioned post of Port Conservator and Wharf Supervisor.

(iii) These amounts will be disbursed monthly at a flat rate of 11/12th of the amount fixed for the year.

(iv) The allowance is payable as long as a Port Subordinate officiates as or carries out the duties of Port Conservator or Wharf Supervisor. It will not be paid during periods of leave other than casual leave.

(v) Bills for the uniform allowance shall be claimed along with compensatory and other allowances in the establishment pay bill or salary bill as the case may be.

25. (i) The employees of the Port Department specified in Appendix V are supplied with uniform free of cost. (G.O.Rt.1951/64/PW., dated 6th October 1964 and G.O.Rt.No.315/65/PW., dated 5th March 1965).

(ii) Washing allowance at the rate of Rs.1.50 p.m. with effect from 1st April 1966 has been sanctioned to all subordinate staff of the Port Department to whom free supply of uniform is made. This allowance has since been raised to Rs.2 p.m. with effect from 25th August 1967. (G.O.Rt.No. 857/66/PW., dated 16th July 1966 and G.O.Rt.No. 2701/67/PD., dated 20th September 1967).

CHAPTER II

OFFICE ARRANGEMENT - OFFICE SYSTEM

26. The arrangements in regard to office routine that should be followed in the offices of this Department are contained in the Manual of Office Procedure for use in offices other than Secretariat.

27. The working hours of the port establishment shall be the same as that of other Government establishments in the State and is subject to change on the strength of Government Orders issued from time to time on the subject. The duty hours of the Officers of the Department who are eligible for overtime fees will be as shown in the schedule of rates of overtime fees in Appendix VI.

28. A distribution list showing the duties attached to each member of the office and outdoor staff shall be maintained at each office under the signature of the head of the office concerned.

29. All holidays notified from time to time in the 'Kerala Gazette' are applicable to the Port Department. Proper arrangements should be made for disposal of urgent work on holidays.

30. (i) The State Port Office will be divided into convenient sections to adapt suitably to the Office Manual, but in offices of the Port Officers and Port Conservators the rules in the Manual of office Procedure will be generally followed except otherwise specified in this Manual.

(ii) The Senior Superintendent in the office of the State Port Officer is permitted to sign letters intended for Government and other higher authorities, on urgent routine matters, and on other matters in which the office copies of the letters have been previously approved by the State Port Officer, when the State Port Officer is away from headquarters on tour or leave. Such letters will be signed by the Senior Superintendent over the designation "For State Port Officer". (Government Memorandum No. 33757/P3/65-2/PW., dated 17th September 1965).

(iii) Instructions regarding the submission and receipt of petitions and other papers of the same class addressed to the Government of Kerala are given in Appendix VII.

Destruction of Record

31. Records shall be destroyed punctually after the periods prescribed for such destruction. The following list prescribes the periods for which certain records should be maintained. As regards accounts, records, special attention should be paid to the rules embodied in Article 358 of the Kerala Financial Code, Volume I.

To be retained

Office copies of Registers, Certificates of survey and Registry, etc., under the Merchant Shipping Act, 11958 (Act 44 of 1958)

To be destroyed

Books and periodicals superseded by later issues - After 10 years.
Charts and plans superseded by later issues - At once.
Stationery expenditure books - After 3 years.

Stores expenditure book - After five years.
Office copies of periodical returns to the State Port Officer - After 10 years.
Register of vessels arrived and left - After 10 years.
Import register - After 10 years.
Export register - After 10 years.
Import Manifests - After 5 years.
Export Manifests - After 5 years.
Chitta (Register of Receipts) - After 10 years.
Import applications - After 3 years.
Export applications - After 3 years.
Port Long Book - After 10 years.
Lighthouse Long Book - After 5 years.
Miscellaneous, Port Dues and Pilotage Receipt Books - After 3 years after the audit.
Copies of annual notices to mariners should remain in stock until the next issues are received.
Other notices to mariners should be destroyed after the expiry of six months from the date on which they are received.

Periodical Reports and Returns

32. (a) To watch the punctual receipt or despatch of periodical reports and returns, each clerk will maintain a Register of Periodicals as prescribed in the Manual of Office Procedure for use in offices other than the Secretariat and the instructions contained therein shall be strictly followed.

(b) A list of reports and returns due to and from the State Port Office, will be found in Appendix VIII. It is most important these should be submitted punctually. Heads of sections shall bring to the notice of officers any delay in the receipt or due submission of the returns. No covering letters need accompany the returns.

The Kerala Gazette

33. The Kerala Gazette should be circulated as soon as received to the officers and to all heads of sections. Heads of sections shall bring to the notice of officers anything of importance in it. Orders, notifications or other communications therein of standing importance shall be noted and receipt of the printed copies of such orders from Government Press watched. If not received, copies shall be typed and maintained chronologically in a file for ready reference.

Correction slips

34. An alphabetical list of correction slips received should be maintained in every office. Correction slips shall be pasted into the book to which they belong within three days of their receipt. This duty must be specially assigned to one or more clerks in each office under the State Port Officer, Port Officers and Senior Port Conservator and in Minor Ports the Port Conservators themselves should attend to this work.

Economy in the use of Stationery

35. The utmost economy shall always be exercised in the use of stationery and it is the duty of all officers to enforce it.

Economy in the issue of Telegrams

36. The telegraphic system shall be used reasonably and most economically. The irregularities to be specially guarded against are;

(1) Sending telegrams when not absolutely necessary or when an express letter would serve the same purpose;

(2) Sending of express telegrams when ordinary telegrams will suffice;

(3) Undue prolixity in messages;

(4) Sending of telegrams in plain language where where code words may be used.

NOTE: Post copy of all telegrams should immediately be sent in confirmation.

Inspection of office books

37. All office books should be carefully inspected by the Officers once in a week and initialled by them in token of their having done so.

Maintanance and Inspection of Cash Books

38. Cash books in the prescribed form (Form T.R.7-A) shall be maintained in every office of the Department where cash transactions are carried out, to show completely the cash transactions of each office. Each entry in every office cash book shall be verified and attested by the Head of Office concerned as and when each transaction takes place. See also article 92 (a) of the Kerala Treasury Code, Volume I.

Administration Report

39. In the preparation of administration reports Port Officers and Port Conservators shall confine their remarks to the actual operations at their respective ports, during the year under review with special reference to the progress made under Five-Year Plan Schemes in the port and such other matters as are of administrative importance. Allusion to the necessity of repairs to the Port Department buildings or to the want of boats, etc., and other appliances, connected with the working of the port arrangements shall not be included in such reports, but special mention shall be made on the condition of the lightening conductor at each lighthouse and the character of each light established at ports and the same shall be tested and a certificate to the effect mentioned.

Correspondence with Heads of Departments of Ports in other States

40. The State Port Officer is permitted to correspond direct with the Heads of Department of ports in other States in India on the subjects of supply of information if asked for regarding weather disturbances and of return of licences of boats, registered at Indian Ports for cancellation, etc.

Supply of Statistical Information

41. Whenever only a statistical information is required and no question of opinion is involved, the person in possession of that information should furnish the information direct to the Government or to the officer requiring it, with a copy of it to his immediate superior officer.

CHAPTER III

ENTERING AND CLEARING OF VESSELS - SIGNALLING AND OTHER PORT ARRANGEMENTS

42. Particular attention shall be paid to the rules for the safety of shipping and the conservation of ports laid down in Chapter IV of the Indian Ports Act, 1908 (XV of 1908).

NOTE: A list of ports in Kerala State declared as such under the Indian Ports Act is furnished in Appendix II.

43. Section 39 (1) of the Indian Ports Act, 1908 (XV of 1908) requires that within twenty-four hours after the arrival within the limits of any port of any vessel liable to the payment of port dues as per the rate in existence, the Master of the vessel shall report her arrival to the Port Officer/Conservator and Section 57 of the Sea Customs Act, requires that every vessel arriving at a port shall be entered at the Customs House. To facilitate the entry at the Customs House, it is

necessary that the Master of the vessel or his authorised agent obtains from the Port Office a certificate of entry in K.P.M. Form No. 2 and to enable this being done he should produce the following papers, viz.,

(a) The vessel's Register.

(b) Articles of Agreement in respect of the vessel.

(c) A list of the crew and passengers and the A & B certificates under Part VIII of the Merchant Shipping Act - Sections 241 and 242 (Wherever necessary).

(d) A bill of health in the case of a vessel arriving from an infected port.

(e) Clearance from last port.

(f) Port and light dues receipt.

(g) Vessels Manifest and any other document which may be necessary.

NOTE: (1) The report of arrival may be made by the Master either in person or through his agents.

(2) Where a Master fails to perform this duty, the matter should be reported forth with to the State Port Officer.

(3) A towing vessel arriving at a port should enter and clear and be assessed for port dues, the craft towed being treated as cargo.

44. (i) On the arrival of any vessel, if the passenger list is not produced, the Port Officer (Conservator) shall make enquiries of the Master of the vessel as to whether any passenger have been carried on the voyage and if so, what number. In case of a Steam/Motor Vessel carrying more than 12 passengers, the Port Officer/Conservator shall further ascertain that such vessel holds the survey certificate required by section 220 of The Merchant Shipping Act, 1958 (Act 44 of 1958).

(2) The production of passengers list may not be pressed in the case of Oil Tankers and Mechanical Fishing Vessels, but the fact that the vessel did not carry any passenger should, in such cases, be noted on the arrival report.

45. (a) On a vessel arriving at the Port, the Port Officer/Conservator shall ordinarily cause the Master to be furnished, as soon as practicable, if so required, with a copy of 'Instructions to Commanders of Vessels' in which, are embodied the rules for coast Ports.

(b) The Port Officer/Conservator shall maintain a book in which shall be taken the signature of each Commander in acknowledgment of the receipt of a copy of the instructions, the date of delivery and signature of the Port Officer/Conservator or other person deputed by him, who delivered the 4 copy to the Commander. Corrections in or additions to, the instructions should be similarly delivered and acknowledged.

(c) A printed copy of the 'Instructions to Commander's shall be kept in the Office of the Port Officer/Conservator and shall be open to the inspection of any person without payment of fee.

46. (a) The responsibility for the proper, levy collection and accounting of port dues rests with the Port Officer or Port Conservator and it is his duty to see, that they have been so paid, after he has satisfied himself that the proper tonnage of the vessel has been correctly specified in her Register - Vide Appendix IX.

(b) A register of vessels entered and cleared (K.P.M. Form No.I) shall be maintained in which particulars of all such entries shall be noted and the register kept posted up to date.

47. In ascertaining the tonnage of vessels, Port Officers and Port Conservators will be guided by the rules prescribed in section 41 of the Indian Port Act, 1908 (XV of 1908).

48. In regard to the tonnage of vessels the following directions are to be observed:

(a) All Conservators of Ports, so far as they are concerned, may accept the tonnage as indicated in their Certificate of Registry or other National Papers.

(b) If any Conservator has reason to doubt the tonnage of any vessel; and has reasonable cause to suspect that any such vessel has been altered to an extent interfering with her original capacity as denoted in her register or other national papers, he may measure the vessel on his own responsibility and for his own satisfaction in accordance with the powers vested in him by section 411 sub-section (2), of the Indian Ports Act, 1908, which section has reference and is applicable to all foreign vessels.

(c) In the event of the Master of the vessel being unable to produce the evidence, required to satisfy any Conservator of her true tonnage, the Conservator may take action as indicated in sub-paragraph (b).

(d) As under section 15 of the Indian Ports Act, 1908, Conservators of Ports have power to board any vessel in the discharge of their duties, it is desirable that all foreign vessels, of whatever nationality, should be so boarded on arrival, in order that the Conservator may satisfy himself by a careful inspection of the vessel, that no reasonable cause exists for doubting the tonnage of the vessel as denoted in her register or other national papers.

49. The Master of a vessel about to clear from the port shall furnish the Port Officer or other Officer-in-charge, the under mentioned documents, viz:-

(a) A list of crew and passengers.

(b) A declaration as to any casualty which may have occurred on board the vessel during her stay in port, and containing information as to persons belonging to the vessels who may have to be left behind in hospital or jail, or who have deserted from the vessel while in port, as also a certificate to the effect that the wages and effects of all such men have been deposited at the office of the Shipping Master.

50. If the Port Officer/Conservator or the Officer for the time being in charge is satisfied that the Master of a vessel about to clear, has complied with all the requirements of the port and with the provisions of section 76 of the Merchant Shipping Act, 1958, he shall grant him a certificate to that effect in the K.P.M. Form No. 2 mentioned in Appendix X.

51. Before granting a certificate of clearance to vessels leaving their ports, Port Officers and Port Conservators should see that requirements of sections 220, 240 and 287 of the Merchant Shipping Act, 1958 are complied with.

52. A vessel is subject to the regulations of a port so long as she remains within its limits, not with standing that port clearance may have been granted.

NOTE: A vessel that has taken Port clearance but is prevented from leaving the port owing to the illness of the Master, etc., need not re-enter, but it is the duty of the port authorities to see that the vessel does not lie for an inordinate period without satisfactory reasons. Such a vessel before leaving the port should resubmit her papers and get her date of departure altered.

53. The regulations for prevention of collision at sea require all vessels upon the high seas and in all waters connected there with, navigable by seagoing vessels, to carry the 'Regulation Lights' or side lights as they are generally called. It is the duty of the Port Officers under section 287 of the Merchant Shipping Act, 1958 (Act 44 of 1958) to inspect these lights and fog signals. These inspections shall, in the case of sailing vessels be carried out by the Port Officers once a year under the Sailing vessels (Inspection) Rules, 1962 and a certificate of inspection granted.

54. On arrival of a vessel in a port with any of then crew or passengers suffering from cholera, smallpox, sleeping sickness or other epidemic diseases, the Port Officer or Port Conservator on receiving information shall at once communicate with the Health Officer of the Port on the subject. Should there be no Health Officer at the port, the Port Officer or Port Conservator will be guided by the Port Rules in respect to permitting passengers to land.

55. (a) When a vessel is placed in quarantine by order of the Health Officer, it will be the duty of the Port Officer or Conservator to facilitate the conveyance to such vessels of all provisions and

other article required by the persons on board. These supplies should be placed when practicable, in the boats of the vessel, to be subsequently removed by members of her crew.

The master of every vessel on arrival at any port shall take such precautions as the Health Officer may specify in order to prevent rats gaining access to his vessel.

(b) When a suspected case of any infectious disease is removed from a vessel at an Indian Port, telegraphic information of the confirmation or otherwise of the diagnosis shall be sent to the next port of call if the port is in India. In other cases a note on the bill of health stating the nature of the infectious disease and the precautions taken will be sufficient.

(c) Intimation shall be given of all cases of sleeping sickness to the Public Health Commissioner with the Central Government.

(d) Information shall be given to the Port Health Officer in case the Master of the vessel on arrival gives the maritime declaration of health to the Port Officer or Conservator.

56. A careful watch shall be kept at all times on the shipping at ports where signallers form part of the establishment.

(a) A signal log book prescribed in Kerala Port Manual Form No.22 mentioned in Appendix X shall be maintained in each signal station and the responsibility of maintaining the book rests with the chief signaller or the senior most signaller of the station.

(b) Signals made by shipping shall be noted in the log book and when required, answered at the flagstaff or through the use of mores code where mores signalling is introduced. Messages communicated by signal shall be forwarded, if so required to the persons concerned, free of charge through the phone where telephonic facilities are available or shall be sent bearing by post.

(c) Communications to shipping approaching the port or anchored at the port by morse or flags will be carried out by the signalling staff.

(d) The log book of the station shall be submitted to Port Officer/Conservator on the next day.

(e) Strict privacy shall be maintained by the signalling staff when messages are transmitted from one point to another.

(f) No outsider other than the Steamer Agents concerned shall be permitted on any account at the signal station at the time of transmission of messages.

57. The National Flag shall be displayed on the following occasions:

1. Republic Day (26th January)
2. National Week (6th April to 13th April)
3. Independence Day (15th August)
4. Mahatma Gandhi's Birth Day (October 2)
5. On any other day of National Rejoicing

The flagstaff shall also be dressed with flags on the occasions referred to above, weather permitting, provided this does not interfere with signalling arrangements.

The instructions embodied in the "Flag Code-India" shall be strictly followed regarding the display of the National Flag.

58. (a) The flags and storm warning signals shall be frequently examined and measures taken to keep these articles in good repair and ready for immediate use. The flags and ensigns to ensure their lasting a long time, should, if necessary, be taped on the edges.

(b) During the rainy season the flags should be aired as often as possible and all halyards not required for daily use unrobe and kept in dry place.

59. (a) All persons proposing to embark upon a ship leaving any Indian port for any port outside India shall be medically examined by the Port Health Officer. (Rule 50(11) of the Port Health Rules, 1955).

(b) Government have appointed the following officers as Port Health Officers in the respective ports noted against each. (G.O.(Rt.) 2417/67/HLD, dated 8th June 1967 and G.O. Rt. 4386/67/HLD, dated 18th November 1967).

<i>Designation of the Officer</i>	<i>Name of the Port</i>
The Corporation Health Officer, Calicut	Calicut
The Medical Officer-in-charge, Government Dispensary, Chaliyam	Beypore
Assistant District Medical Officer of Health Alleppey	Alleppey
The Corporation Health Officer, Trivandrum	Trivandrum
Assistant District Medical Office of Health, Quilon	Quilon
The Medical Officer, Primary Health Centre, Chavara	Koiltthottam
The Civil Surgeon, Government Hospital, Ponnani	Ponnani
The Medical Officer-in-charge, Government Hospital, Badagara	Badagara
The Civil Surgeon, Government Hospital, Tellicherry	Tellicherry
The Municipal Health Officer, Cannanore	Cannanore
The Municipal Health Officer, Cannanore	Azhikkal
The Medical Officer, Government Hospital, Kasargod	Kasargod

(c) During an epidemic, the Health Officer should make it a rule to inspect all vessels before departure. But when a port is healthy, it is left to the Master of a vessel to apply for a bill of health and when such application is made the Health Officer is bound to inspect the ship and give a bill of health.

(d) Telegrams regarding outbreaks of epidemics shall be sent by the Port Officer when required by the Port Health Officer and the cost debited to Government accounts.

60. (a) On receiving an application from the Military or Civil authorities for boats for the conveyance of troops or stores to or from vessels, the Port Officers or Conservators will arrange with the boat owners for the supply of the number of boats required so far as it practicable.

(b) At ports where steam launches are also employed for the conveyance of passengers to and from ship, in addition to passenger or accommodation boats, the Port Officer or Conservator shall, on application being received for the conveyance of military personnel between shore and ship, arrange for their embarkation or disembarkation by whichever method happens to be more economical.

(c) The Port Officer/Port Conservator shall obtain orders from the State Port Officer in respect of payment of boat hire of the boats so engaged for the above mentioned purpose.

(d) On the occasion of the embarkation or disembarkation of troops, Port Officers and Port Conservators will render all practicable assistance to the Military Officer superintending the service at the port.

61. The rules relating to the uniform system of maritime buoyage and of buoying and marking of wrecks framed in 1963 and agreed by Government for adoption in all Indian Ports and rivers are given in Appendix XI.

62. (i) The following charts and plans shall be kept at each port as may be ordered by the State Port Officer.

(a) One general chart of the whole coast on which the port is situated.

(b) An Admiralty Coast sheet of the immediate coast which includes the port. If the port lies very near the coast, the next coast sheet will also be supplied.

(ii) (a) A Plan of the port on the largest scale published either by the Admiralty or by the Geodetic Survey of India or prepared departmentally shall be maintained at each port.

(b) All changes on the Coast-line, bar and channels of the port, shall be marked on this plan, besides being noted in the port log book.

(iii) Port Officers and Port Conservators are held responsible for the correction of charts in their possession.

63. (a) When submarine dangers are reported by mariners or when some new prominent structure visible from seaward is erected or when new buoys or leading mark beacons are instituted, the Port Officer or Conservator shall submit a report to Principal Officer, Mercantile Marine Department, Madras District, with a copy to the State Port Officer enclosing a tracing of that portion of the chart which includes the danger buoy or beacon marking on it the position as correctly as can be ascertained, and writing on the tracing the means by which the position was fixed.

(b) The above is required for transmission to the Chief Hydrographer to the Government of India, Survey of India Department and for issue, when necessary, of notices to mariners.

(c) The Chief Hydrographer to the Government of India, Dehra Dun is the Central Authority in India in respect of all Indian notices to Mariners.

64. When stormy weather is *Imminent* the Port Officer (Conservator) shall acquaint the State Port Officer by wire or through phone and take Early *measures* to warn to shipping in the port to be prepared for it.

(a) In telegraphic information to the State Port Officer regarding the weather, Port Officers will be guided in respect to the force of the wind by the 'Beaufort Notation'. As regards the weather the words "settled", "unsettled", "suspicious", "rainy", "squally", "boisterous", "stormy", "cyclonic" should be used, as the case might be and the state of the sea should be described as 'smooth', 'rough' or 'heavy' according to its state at the time. The readings of the barometer and thermometer should be given without using the words "barometer or thermometer". The amount of rainfall also should be stated in the telegram.

(b) When a storm has actually occurred at the port, a full report by letter as to its effects should be submitted to the State Port Office as soon as it has passed away in addition to any telegrams that might have been sent.

(c) When the state of the weather is suspicious, but not of a nature to render the hoisting of the warning signal necessary, the signal F.N. is to be hoisted during day - light while vessels are in port and kept hoisted until it has been answered by each vessel.

(d) Weather warning telegrams will be issued by the Meteorological Department with regard to all disturbances and the Port Officers and Port Conservators will hoist or lower storm signals as required in the Telegrams. In addition, the weather bulletins broadcast from All India Radio Station, Trivandrum, Calicut and Trichur shall be taken by the signaller at the station where radio sets are provided departmentally for the purposes. Such weather warning messages shall be communicated to shipping interests concerned at their ports.

CHAPTER IV.
ITEMS OF DEPARTMENTAL REVENUE - PROCEDURE
GOVERNING THEIR LEVY AND COLLECTION

65. The receipts of the Kerala Port Department comprise of:-

- (i) Port dues
- (ii) Import and export dues
- (iii) Tug charges
- (iv) Pilotage fees
- (v) Contribution from the Government of India for Mercantile marine Works.
- (vi) Residual balances under port funds.
- (vii) Miscellaneous, comprising of:-
 - (a) Fees for survey, registration, licensing, inspection and endorsing change of Tindals (Harbour craft fees).
 - (b) Cranage fees
 - (c) Rent on lands within port limits.
 - (d) Shed and godown rents
 - (e) Overtime fees
 - (f) Fees for noting marine protests.

66. The responsibility for the proper levy of all dues devolves on the Port Department Officers.

67. (a) The rules which Port Officials are enjoined to observe in the matter of collection of port dues are given in Appendix XII.

(b) Port Officers, Senior Port Conservators, Alleppey, Port Conservators and Assistant Port Conservator, Kasargod who remit their collections into the local Treasury are permitted to make their remittances after they have accumulated up to Rs.100. The entire collections whatever the amount, should however be remitted on the last working day of the month.

(c) The collection of pilotage and all other dues shall be made by the Port Officer or Conservator and accounted for by him in the manner laid down in Chapter IX of this Manual.

The rates of pilotage fees leviable at Azhikkal and Calicut (Beyepore) ports are as follows:- (G.O.MS. 277/60/PW., dated 19th July 1960).

For vessels	Rate
	Rs.
1. Under 100 tons -	
(a) Laden ..	4 Inward or outward, day or night
(b) In ballast ..	2
2. 100 tons and over -	
(a) Laden ..	5 do
(b) In ballast ..	3

For consolidated rules governing pilots and pilotage, See Appendix XIII.

(d) Port dues and pilotage fees where they are levied on tonnage basis should be levied not only on the registered tonnage of a vessel but also on the tonnage of the space occupied by deck cargo.

NOTE: - The space occupied by deck cargo carried on a coasting vessel as defined in the explanation at the foot of the port dues schedule given in Appendix IX is exempted from payment of port dues and also of pilotage fees, where they are calculated on tonnage basis.

68. (1) Lands within port limits shall be leased out or licensed for marine purposes by the Port Department in consultation with the Revenue Department.

(2) Lease or licence of lands within port limits for non-marine purposes shall be made by the concerned officers of the Revenue Department in consultation with the Port Department.

(3) The revenue realised from lease or licence for marine and non-marine purposes shall be to the credit of the receipt heads of the concerned departments viz., the Port Department or the Revenue Department as the case may be.

Note:- marine purposes for which the use of Government lands in port Limits shall be considered are the following:- (G.O.(P) No. 88/67/Rev., dated 27th February 1967).

- (a) No. 88/67/Rev., dated 27th February 1967)
- (b) For building a sea going vessel
- (c) For storing timber, firewood, clay and tiles before shipment and after landing.
- (d) For storing cargo other than the item specified in clause (c) before shipment and after landing.
- (e) For hauling up a cargo or other boat.
- (f) For building a cargo or other boat.
- (g) For a crane site.
- (h) For saw pits or sheds
- (i) For scraping sailing vessel at a boat bund for repairs.
- (j) For hauling up a vessel on a boat bund for repairs, etc.
- (k) For laying up logs of timber or boats plying for hire at a boat bund.
- (l) For oil installation.

69. The revenue authorities should not permit the occupation of Government land within port limits for non-marine purposes, without first consulting the local Port Officer and such occupation should be allowed only on certain conditions and not on ordinary patta; for example the occupation should be terminable periodically on certain notice, such as the end of the fasli, or at any time after a specified period of notice. No compensation will be allowed for buildings or materials still on the site when the land is resumed after due notice. Sanction of Government to the occupation by a Government department of lands within port limits, rent free, is not necessary. Any department of Government desiring to occupy land within the limits of a port should apply to the revenue authorities who will deal with the application in consultation with the Port Officer as laid down above. If there is any objection from the point of view of the Port Department to the occupation of such land, or if the State Port Officer has any doubt whether the Government would approve of such occupation, it is open to the State Officer to require that the orders of Government should be obtained before action is taken.

(b) A land which is required or likely to be required for purposes connected with the existence of the port should not be leased for agricultural purposes or for purposes unconnected with the existence of the port. Where a lease has already been granted it should not be renewed. The scales of rent to be charged for land required or likely to be required for Marine Purposes are prescribed in Appendix XIV.

70. The following points should be borne in mind by port authorities in dealing with applications for occupation of port lands by private persons.

(i) A lease is a transfer of property, whereas a licence is not. The former transfers exclusive possession of land with no restriction on the mode of enjoyment, for a determinate period and, in short, all the lesser's property rights except ownership. Under a licence the right given is only the temporary use of the property without exclusive possession, for a stated purpose, and no other property rights are transferred. The period of licence should be limited to a year or two or at the most to three years, the period having no special reference to and not being determined by the specific

purpose to which the land or other premises may be put. The object of limiting the duration of the licence to a comparatively short period is two-fold viz., to prevent equities being raised by the transfers for compensation or for rights in the property not intended to be conveyed and to enable the Government to raise the rentals side by side with a raise in the rental values of the property and of similar property in the locality. Other essential conditions of such transfers should include the explicit denial of the right of the licensee to any compensation whatsoever, and the reservation of the right of the Government to re-enter on the property. There should of course be a condition in the licence for renewal. Normally a licensee will not be disturbed from his temporary occupation, unless he infringes all or any of the conditions of the licence or unless the lands are actually required by the Government for a public purpose. In the former case, the port authorities can re-enter and take over the land even without notice while in the latter case notice to vacate at the end of three or six months from the date of the notice (the exact period being fixed according to the circumstances of each case) may be provided.

(ii) It is undesirable to dispense with a formal licence in writing, whatever be its duration, as disputes may arise in actual practice, in the event of breach of the conditions of the licence. The licence fee prescribed should in all cases be realised in advance and such payment should be one of the conditions of the licence.

(iii) The K.P.M. Form No.55 given the Appendix X, should be adopted for grant of licences, the Government pleader being consulted in case of doubt.

71. Formal deeds shall be executed in the case of all transactions relating to lease and sale of lands and buildings between the State Government and the Central Government.

72. The procedure prescribed in sub rule 96) of rule 14 of the Kerala Land Assignment Rules, 1964 will be followed by the revenue authorities, in the matter of issue of lease or licence of lands within port limits for non-marine purposes.

73. Licences are granted for a period not exceeding three years.

74. A plan of the shore line within the port limits shall be kept in each Port Office exhibiting the spaces occupied, and affording information, as far as practicable, as to the date when such occupations first took place and whether with or without sanction and the rent charged.

75. The port marks and the whole of the land between them should be regularly visited by the Port Officer/Conservator at periodical intervals during the year and any occupation of land by unauthorised persons brought to notice.

Rent on port lands

76. (a) Applications for the occupation of port land should be in K.P.M. Form No.46 and where necessary a detailed report and sketch should accompany such applications.

(b) All applications should be serially numbered and the number entered in the remarks column of the rent register K.P.M. Form No.4. Those relating to items assessable monthly or weekly should be entered in the daily rent register (K.P.M. Form No. 39).

(c) Assessment should be in accordance with sanctioned rates. In case where special sanction exists, the sanction number and date should be noted in the application.

(d) For schedule of rates applicable to case where land is occupied for Marine Purpose - See Appendix XIV.

(e) Rent is recoverable in advance unless otherwise stated in the sanction orders.

(f) Recoveries should be noted in the concerned applications to facilitate check in audit.

(g) If cargo is removed within the free period an entry to this effect should be made in red ink either in the daily rent register or in the checking officer's diary which should be seen and initialled by the Port Officer or Port Conservator.

(h) Materials stored on port land for the use of the port are exempt from rent.

(i) Rents due should not be allowed to accumulate. They are recoverable as arrears of revenue under the Revenue recovery Act.

77. (a) Licences for the erection of jetties on the foreshore of ports in the Kerala State will be granted by the State Port Officer with the previous approval of Government in the form in Appendix XV. Applications for such licences should be submitted by the Port Officer or Port Conservator to the State Port Officer, Kerala. A separate application must be submitted for each jetty. Each such application should set forth clearly the dimensions of the proposed jetty, the materials proposed to be used and its exact location and should be accompanied by a plan. Three copies of the licence will be issued, one of which will be retained by the licensee, the other copies being countersigned by him in acceptance of the conditions and return for record in the local Port Office and the State Port Office, Trivandrum.

(b) The approval of the Collector of Customs, Cochin shall be obtained by the Officers of the Port Department before submitting proposals for the construction or extension of jetties or wharves for shipment or landing of goods.

(c) In the case of jetties which are already covered by licences the conditions of the original lease operate even when there is a change in ownership. In such cases it is not necessary to report the changes for the approval of Government or to insist on fresh licences.

78. For the use of boat, hawser or other thing belonging to Port Department, given to vessels in distress or any other emergency a charge of 20 percent of value for the first month and 5 percent for every succeeding month shall be made and the amount so recovered shall be credited to the general revenues.

Port dues Schedule

79. The schedule of port dues to be levied on vessels entering the ports in the State is given in Appendix IX. (Government Notification No. 16719/60/PW, CC3, dated 8th August 1962 and Government Notification No. 10811/P3/66-1/PW., dated 3rd October 1967).

80. The Government have notified -

(i) that the rates of port dues to be levied on vessels specified in column (2) of the schedule given in Appendix IX entering the ports specified in the first column thereof shall be those laid down in the third column of the said schedule;

(ii) that such dues shall be levied subject to the conditions mentioned in the fourth column and the explanation given at the foot of the said schedule:

Provided that

(1) A vessel entering a port in ballast and not carrying passengers shall be charged with the port dues at three-fourth (3/4) of the rate mentioned in the third column of the schedule;

(2) When a vessel enters a port, but does not discharge or take in any cargo or passengers therein (with the exception of such unshipment and reshipment as may be necessary for purposes of repair) she shall be charged with a port dues at half the rate mentioned in the third column of the schedule; and

(3) No port dues shall be levied on -

(a) any pleasure yacht, or

(b) any vessel which having left any port, is compelled to re-enter it by stress of weather or in consequence of having sustained any damage, or

(c) any vessel which, having entered any port, leaves it within forty-eight (48) hours without discharging or taking in any passengers or cargo.

(iii) that in arriving at the rate of port dues chargeable as per provision (1) and (2) of clause (ii) above, any fraction shall be rounded to the nearest paise; and

(iv) ports, enclosed in double brackets in the first column of the schedule shall be treated as if they were only one port; every vessel in respect of which such dues have been charged and taken at

one of the bracketed ports being exempted from the payment of port dues on entering another port bracketed with it within the period specified in the fourth column of the schedule.

81. All ships participating in the International Indian Ocean Expedition organised by the special committee for Oceanic Research set up by the International Council of Scientific Unions entering the ports under the jurisdiction of the Government of Kerala are exempt from payment of port dues. (Government Notification No. 20452/62/PW/CC3, dated 14th November 1962).

82. The following points should be noted:-

(1) In calculating the expiry of the period of exemption, provided for in the port dues schedule, the day of payment should be reckoned as one of 30 or 60 days as the case may be and the day of entry should be reckoned as the day of payment, whether the dues are actually paid on the day of entry or subsequently; and the date in which the liability to dues arises is that on which a vessel passes the geographical limits of a port and not the day on which she enters at the port or customs office.

(2) The 'due' referred to in column 4 of the schedule is that full rate prescribed under section 33 (1) of the Act and not the "three - fourth" rate specially provided for in section 46.

(3) The rate prescribed for foreign vessels calling at more than one port in the districts of Palghat, Kozhikode and Cannanore in the port dues schedule is inclusive of the rate, if any, paid at the first port of call as a vessel calling at a single port and accordingly only the difference between the two payments is payable at the second port.

(4) A vessel landing a passenger at a port without anchoring and proceeding on her voyage is liable to port dues.

(5) A vessel which only discharges or ships crew and leaves a port within 48 hours, is not liable to the payment of port dues.

(6) A towing vessel should be assessed for port dues.

(7) Port dues are leviable only on a vessel entering a port and according as she is laden, or in ballast, or otherwise as the case may be at the time of entering. There is no provision in the Act for full rate being imposed on a vessel arriving at a port in ballast because she afterwards leaves that port laden.

(8) In the case of a coasting vessel which calls at any port in the Districts of Palghat, Kozhikode and Cannanore in ballast paying port dues there at three-fourths rate under section 46 of the Indian Ports Act, 1908 and after touching some other port re-enters the port at which she paid the port dues at three-fourths rate within the 30 or 60 days as the case may be, for a second time laden with cargo or passengers, the difference between the full rate prescribed in the schedule and the ballast rate should be recovered at the time of her second call.

(9) The question whether a particular vessel is a coasting ship or not should be determined with reference to the work she is engaged in. If a vessel is engaged in coastal trade only, i.e., trade along the coasts of India, Burma and Ceylon, she is a 'Coasting vessel'. If on vessel is engaged in foreign trade also, she must be deemed to be a 'foreign vessel'. A vessel engaged in trade involving a long voyage other than along the coasts of the three countries mentioned above, does not lose her character as a 'foreign vessel' by the mere fact of her touching *en route* at a few ports in India's, Burma and Ceylon for landing or shipping cargo.

(10) If a vessel arriving at a port dismantled or otherwise damaged in a cyclone, is condemned as irreparable and abandoned after survey, the underwriters may, on these grounds, claim a refund of port dues which, however, can only be admitted with the previous sanction of Government.

(11) Refund of port dues is sanctioned by the State Port Officer without limit and by the Port Officers up to a limit of Rs. 100 in each case.

83. Indian light dues will be levied, collected and accounted for by officers of the Customs Department - See the Indian Light House Act and the Accounting Rules issued there under.

84. Overtime fees payable to the employees of the Port Department are governed by the rules in Appendix VI. (G.O.MS.No. 165/66/PW., dated 21st July 1966).

85. A register of overtime fees K.P.M. Form No.34 shall be maintained in the various offices under the Port Department. The register prescribed as per G.O.(P) 404/66/Fin., dated 20th September 1966 is also to be maintained in the Port Department for the overtime allowances paid in accordance with the rules in Appendix IV-A, K.S.R., to the employees by the Government. (G.O.(Rt.) No. 1873/67/PW., dated 27th December 11967).

**Procedure governing the Madras Out-Ports Landing and Shipping Fees Act
(Act III of 1885)**

86. At ports where the above Act is in force, such dues are levied as per rates sanctioned by Government and are accounted for by officers of the Port Department as per rules in Appendix XVI.

87. The Port Officer, Calicut is empowered to sanction refunds of excess collections of import and export dues in respect of the Port of Calicut on the recommendation of the local Port Advisory Committee. (G.O.MS. 339/63/PW., dated 17th August 1963).

88. In respect of other ports where Port Advisory Committees are constituted, the Senior Port Conservator, Alleppey and Port Conservators of other ports, i.e., Trivandrum, Ponnani, Badagara, Tellicherry, Cannanore and Azhikkal are declared as the competent authority to sanction refunds of import and export dues on the recommendation of the respective committees at the ports. In respect of the Ports of Quilon and Koilthottam where there are no Port Advisory Committees, then State Port Officer will sanction refunds after the claims have been duly verified by the local Port Conservators.

CHAPTER V

REGISTRATION AND MEASUREMENT OF VESSELS

89. The enactments governing the registration of vessels in India by the Port Department and applicable to this State are:

- (1) The rules issued under the Indian Merchant Shipping Act, 1958 (Act 44 of 1958).
- (2) The rules issued under section 6 (1) (k) of Indian Ports Act, 1908 (XV of 1908)

90. (a) Cochin is the port of registry for ships under the Merchant Shipping Act, 1958.

(b) The Central Government have decided that at the following ports which are not ports of registry for ships under the Merchant Shipping Act, 1958, the Officer noted against each should endorse and sign on the Certificate of Registry and Memorandum of the Change of Master, if any, occurring at the port. (Notification of the Government of India in the Ministry of Transport and Communication No. S.O.3137, dated 17th December 1960).

Kozhikode	..	Port Officer, Calicut
Ponnani	..	Port Conservator, Ponnani
Cannanore	..	Port Conservator, Cannanore
Tellicherry	..	Port Conservator, Tellicherry
Badagara	..	Port Conservator, Badagara

(c) The Central Government have decided that at each of the ports specified in the first column of the schedule given below, the whole of the business of the shipping office under the Merchant Shipping Act, 11958, shall be conducted at the offices specified in the corresponding entry in the second column. (Notification of the Government of India in the Ministry of Transport and Communications, No. S.O. 3132, dated 17th December 1960).

SCHEDULE

Kozhikode	..	Office of the Port Officer, Kozhikode.
Tellicherry	..	Office of the Port Conservator, Tellicherry
Badagara	..	Office of the Port Conservator, Badagara
Ponnani	..	Office of the Port Conservator, Ponnani
Cannanore	..	Office of the Port Conservator, Cannanore

(d) The Central Government have appointed each of the port, specified in the first column of the schedule given below to be the port of registry of sailing vessels under the Merchant Shipping Act, 1958 and the officers specified in the second column of the said schedule to be the Registrar of Sailing Vessels at the ports specified in the corresponding entry in the first column. (Notification of the Government of India in the Ministry of Transport and Communications, No. S.O. 3132, dated 17th December 1960).

SCHEDULE

<i>Port</i>		<i>Officer</i>
Kozhikode	..	The Port Officer, Kozhikode

(e) Mechanised fishing vessels of below 15 tons may be registered under the Harbour Craft Rules. Principal Officer's letter No. S.V.Y./541/9381., dated 21st November 1963.

(f) Inspection of the mechanised fishing boats should be carried out by Port Officers. Letter No. S.V.Y/541/16093., dated 11th April 1963 of the Principal Officer, Mercantile Marine Department.

I

Rules for the measurement of harbour craft other than open boats

Measure the length along the deck from the after part of the stem to the fore part of the stern port.

Secondly - The breadth from the broadest part from skin to skin.

Thirdly - The depth from under the tonnage deck down the pump-well to skin.

Multiply these three dimensions together and divide the product by 100 and multiply the quotient by 0.7 (point seven) and the result will be tonnage of the hull of such vessel.

NOTE:- In measuring breadth, the skin is the inner side of the inner planking, and if a boat or vessel has no inner planking, a thin batten laid on or against the inner side of the timbers would represent the inner skin, and in measuring depth the floor timber or in its absence, then upper part of the keelson shall represent the skin.

II

Rules for the measurement of harbour craft being open boats

Length - Measure the length of the keel of the vessel inside from the exact point in the scarp where the stem and stern post are joined to it. Mark on the middle of the upper edge of the keel inside the vessel a point equidistant from the stem and stern scarps to be called the 'centre'.

Breadth - At the 'centre' measure across close up underneath the gunwale the distance from the side to side of the inner faces of the outer planking of the vessel.

Depth - From amidships of the upper edge or top of the floor timber at or nearest the 'centre' measure the height to the level of the upper side of the main fixed beam of the vessel.

Again from amidships of the upper edge or top of the floor timber at or nearest to the 'centre' measure the height to the underside of a straight edged batten placed across and resting on the upper gunwales or on the top of the highest strake of the vessel.

Add both these depth measurements together and divide by two which is the mean depth to be used for calculating the tonnage.

Length - Shown by dotted lines from A to B say 47 feet, 'C' the 'centre' between perpendiculars say 23'5'' from the point in the scraps where the stern post join the keel.

Breadth - Dotted lines from 'E' to 'F' inner faces of the outer planking, say 116 feet.

Depth - (1) Line from 'C' upper edge of floor timber at the Centre, C to D upper edge of main fixed beam say 6 feet.

(2) Dotted line from C to G from upper edge of floor timber to underside of batten 'G' laid across gunwales or upper strakes say

11 feet, *i.e.*, $CG + CD \div 2 = \text{Mean depth for tonnage or say } 6 \text{ ft.} +$

11 ft. = 17 ft. $\div 2 = 8.5 \text{ feet} = \text{Mean depth for tonnage.}$

Rule - Multiply the length by breadth and then the product by the depth. Divide the product by 100 and multiply the quotient by 0.7. The result so obtained will be the tonnage of the vessel.

Example: $47 \times 16 \times 8.5 \times 0.7$
100

NOTE:- 1) Port Officers and Port Conservators should note down the measurements of vessels themselves in a note book or initial the entries at once if made by a clerk in their presence.

2) 1 Ton = 2.83 Metres.

III

In measuring or remeasuring a harbour craft, whether decked or open, for the purpose of ascertaining her registered tonnage, the following deductions shall be made from the space included in the measurement of the tonnage, namely:

(a) Any space used exclusively for the accommodation of the Master; and any space occupied by seamen or apprentices and appropriated to their use which is so certified.

(b) Any space used exclusively for the working of the helm, the capstan, and the anchor gear or for keeping the charts, signals and other instruments of navigation and boatswains stores.

(c) Any space set apart and used exclusively for the storage of sails.

NOTE:- The deductions above allowed, other than a deduction for a space occupied by seamen or apprentices, and certified as aforesaid, shall be subject to the following provisions, namely:-

(i) The space deducted must be certified by the Registering Officer as reasonable in extent and properly and efficiently constructed for the purpose for which it is intended.

(ii) There must be permanently marked in or over every such space a notice stating the purpose to which it is to be applied and that whilst so applied it is to be deducted from the tonnage of the ship.

(iii) The deduction on account of space for storage of sails must not exceed 2 1/2 percent of the tonnage of the ship.

Harbour Craft Rules

91. The rules governing the licensing of harbour craft and the regulation of harbour crafts traffic at ports in this State issued under section 6 (i) (k) of the Indian Ports Act, 1908 are printed and kept separately.

In carrying out the above rules into effect, the following points shall be kept in view:

(11) That all harbour crafts plying at a port are duly registered and that their licences clearly express the number of men by which they are to be manned as well as the quantity of cargo or number of persons or both or the number and description of animals they are licensed to carry.

(2) That such craft which are not in a thoroughly seaworthy condition are not allowed to ply.

(3) That no person acts as tindal or as lascar except those that have been found competent.

(4) That no craft plies without their full complement and equipment in terms of the licence granted.

(5) That the plying of crafts in an open roadstead after dark, especially with passengers, should not be permitted, on occasions when the state of the barometer, whether, sea and surf is abnormal and also when the direction and force of either wind or current and the state of the night is likely to render it difficult for a craft either to fetch a vessel in the roadstead or the landing place on returning from such vessel; and

(6) That when a craft is permitted to carry cattle special care is taken that the animals are loaded into the craft over a gangway at ports where this method is practicable and that no inhuman treatment is accorded to them.

92. Crafts registered under the Harbour Crafts Rules are not generally permitted to leave the port of licence to trade with other ports. Qualified registrars of sailing vessels have however been authorised to permit sailing vessels registered under the Harbour Craft Rules to proceed to sea subject to the condition that they comply with sections 420 and 421 of the Merchant Shipping Act, 1958, Indian Merchant Shipping Life Saving Appliances and Fire Appliance Rules as far as they are applicable and substantially comply with the Collision Regulations, 1965.

93. No additional licence is required for a craft registered and licenced at one port for plying at another port or ports as a temporary measure. When application in this behalf is made by owners of boats, the registering officer at the new station has simply to endorse in red ink on the licence of the craft that she is permitted to ply also at his port and make a note of such permission under a separate heading in his register of licensed craft and no fee is to be charged on this account. The annual inspection should be made at the port to which the craft belongs and the registering officer of the port at which a craft temporarily plies may inspect it, only if he has reason to believe that it is not in a seaworthy condition or that its term of licence has expired.

94. (a) The Registering Officer has nothing to do with the sufficiency or otherwise of the boat supply at a port and the owners who obtain a licence to ply in a particular port are not thereby bound to it as far as plying is concerned.

(b) In the minor ports all Labour disputes between harbour crafts owners and boatmen may be settled by the Port Officer concerned with the assistance of the concerned Labour Officer or with the Port Industrial Relations Committee.

95. On the back of the counterfoil of the licence granted to each craft the following particulars shall be noted, viz. (i) date of last inspection, (ii) amount of fee collected on such inspection and date of payment into the treasury and (iii) date of issue of copy of the Harbour Craft Rules to the owner or tindal.

The following rules shall be observed in inspecting licensed craft under rule 11 of the Harbour Craft Rule:

(a) All crafts shall be inspected during the month of September in each year.

(b) In addition to the above, the Registering Officer may, at any time at his discretion examine all or any of the craft as to their fitness for service, but as a rule, a monthly inspection of Masula Boats and quarterly inspection of all other description of craft should suffice.

NOTE:- When harbour craft are found unseaworthy during the monthly or quarterly inspection or when a harbour craft which sustained damage is brought for inspection after necessary repairs, is again found unseaworthy, necessary fee as prescribed under the Kerala Minor Ports Harbour Craft Rules shall be leviable. No fee shall be leviable when the vessel is seaworthy.

(c) The muster flag should be hoisted on the day that the inspection is to be made and a day should be selected for the inspection when the harbour craft traffic is not likely to suffer there by.

(d) No fee is chargeable for any items except annual inspection.

(e) The Registering Officer shall see that the number and name of the port on each craft are kept clearly discernible. No explosives can be conveyed in any carriage or vessel plying for or carrying public passengers.

96. Certificates of competency as Syrangs and Engine Drivers granted under the Harbour Craft Rules are not valid for seagoing vessel.

CHAPTER VI

WRECK AND SALVAGE

97. The services of Port Officials at the out-ports would under the existing arrangements continue to be utilised for mercantile marine works and all correspondence relating to it should be conducted between the local Port Officials at the minor and intermediate ports and the Principal Officer, Mercantile Marine Department, Madras District.

98. In dealing with matters administered by the Central Government, Port Official should be guided by the circular instructions and notifications issued from time to time by the (Ministry of Transport) Mercantile Marine Department. (Mercantile Marine Circular No. 16 of 11933, dated 14th July 1933).

99. All casualties to shipping within port limits shall be reported to the State Port Officer. The travelling allowance of Port Officials, when proceeding to and from a place where salvaged property is to be disposed of shall be debited to "53 Ports and Pilotage" but a similar amount shall be recovered from the owner or from the sale proceeds of the property as the case may be and credited to the concerned head of account.

100. Port Officers and Port Conservators shall render assistance to all vessels in distress in the vicinity of a port to such extent as the resources of the port will permit.

NOTE:- (i) Like to all other persons out-port officers are entitled to either salvage or remuneration according to circumstances when they assist a vessel in distress or rescue property imperilled.

(ii) The State Port Officer is authorised to recommended to the District Collector the grant of rewards to persons rendering service of special merit in connection with accidents or casualties.

(iii) The sale proceeds, etc. of wrecks falling under section 3 (58) of the Merchant Shipping Act, 1958 should be credited to Central Revenue while those falling under section 14 (1) and (2) of the Indian Port Act, 1908 should be credited to State Revenues.

(iv) Port Officers and Port Conservators in the ports in the erstwhile Malabar-Kasargod area may act as agents to receive wrecks within the limits of their jurisdiction. Outside these limits the receivers of wreck are free to make such arrangements as they consider necessary in respect of wrecks. (Letter No. 85 - M.1 (3)/31, dated 13th October 1931 from the Government of India, Commerce Department).

(v) The State Port Officer and Port Officer, Calicut are authorised to recommend payment of discretionary grants to the appropriate revenue authorities in the following cases:

(a) To the bereaved family of a seaman who resides permanently within this State and who loses his life due shipping casualty.

(b) To a seaman who resides permanently within this State and who is totally disabled or incapacitated due to shipping casualty. (Government Memorandum No. 61229/P3/64/PW, dated 8th April 1965).

CHAPTER VII

MARINE PROTESTS

101. The object of a protest is to satisfy owners of cargo, the owners of the vessel and the underwriters as to the cause of the damage to ship or cargo or both and it is used in matters connected with marine insurance and the calculation of averages. The narrative of facts set forth in the protest is in general and principally derived from the ship's log book and the appearers consist of the Master and others of the crew, generally a mate and the carpenter or in case of steam vessels the Chief Engineer according to what may have happened.

NOTE:- (1) It is neither advisable nor in order for Port Officials to add in the marine protests a statement that the version of the tindal or other person in charge of the boat regarding the weather contained in such protest differs from the actual state of the weather at the time.

(2) The Port Officer or Port Conservator cannot be expected to hold court of enquiry when a protest is noted and to act as arbitrator of the bonafides of any statement put up for the commercial claims by a Shipping Master. This is not a Government servant's duty and may lead to unending criticism.

102. The Master of a ship is not barred by limitation from noting his protest, but it should usually be done on the day of the ship's arrival or as soon after as possible any how within a reasonable time.

103. The fee for noting and extending a marine protest is rupees 5. Stamp duty for note of protest - rupee one. Stamp duty for protest or extending protest - rupees two.

104. In noting and extending marine protests, Port Officers and Port Conservators shall use the prescribed forms, viz., K.P.M. Forms Nos. 48, 49 or 50 as applicable with the requisite modifications to suit particular cases.

105. The stamped originals of protest attested by Port Officers and Port Conservators should be filed in the Port Office. Certified copies of such protests may be furnished on plain paper to all interested parties applying therefor unless stamped papers are supplied for the purpose, in which case the copies should be made on such. No fee should, on any account be charged for the copying work.

106. Where the interests of Government are concerned, the officer receiving or noting the protest shall proceed on board the vessel and satisfy himself as to the correctness of the Master's declaration.

107. The Port Officer, Calicut is authorised to make enquiries with regard to jettisoning of cargo from sailing. Vessels *vide* section 430 of the Merchant Shipping Act, 1958.

CHAPTER VIII

ESTABLISHMENTS

1. Appointment

108. (a) An establishment list printed periodically furnishes full details of the sanctioned strength of the Ministerial, Executive and Subordinate Staff of the Department.

(b) Appointment to the gazetted and non gazetted posts in the Kerala Port Department are governed by the service rules made by the Government in exercise of the powers conferred by the proviso to Article 309 of the Constitution of India.

(c) The Kerala State and Subordinate Service Rules, 1958 issued by the Government of Kerala are the rules laying down the fundamental principles of service matters in respect of the members of the Kerala State and Subordinate Services. The rules contain general principles regarding methods of recruitment and qualifications, rights of probationers and approved probationers for reappointment to service, extension and termination of probations, promotions and transfers, seniority, resignation, etc.

109. The State Port Officer is nominated as the Convener of the Departmental Promotion Committee constituted for the Port Department for the selection of candidates for appointment to the selection posts in the Port Department. (G.O.Rt. No. 2196/63/PW., dated 30th October 1963).

2. Discipline

110. While in office all members of the establishment shall behave in a quite and dignified manner addressing each other courteously and maintaining perfect silence.

111. They should note that it is serious offence to divulge to outsiders or to other members of the establishment any information (whether expressly marked confidential or not) that may have come to their knowledge in their official capacity or to lay themselves under obligations to any party resorting to the office on business. The attention of all officials is drawn to the Government Servants Conduct Rule, 1960 issued by Government.

112. Members of the establishment may represent their grievances to officers in person except in regard to their claims for promotion. Representation regarding claims for promotion should be made in writing.

113. (a) The Confidential Reports in respect of Gazetted Officers should be in Form 'A' and for non-gazetted Officers in Form 'B' and for Last Grade Servants in Form 'C' in each case covering the period from 1st January to 31st December every year. The first page of the Confidential Report of every Government Servant should be in Form 'D' and the particulars mentioned therein should be filled at the time the first report is prepared. (G.O.(P) No. 344/Public (Rules) Dept., dated 22nd August 1966).

(b) Adverse remarks made against subordinates in these confidential records should be communicated to the subordinates concerned.

(c) The fact of communication of remarks and the manner of communication should be recorded in the confidential file.

(d) Special reports may be called for at any time, on the work of an officer. Such reports should be submitted through the prescribed channels but need not be recorded in the form for Annual Confidential Reports and should be confined to the question or questions raised.

(e) A superior officer may at any time of his own accord, forward a report on an officer working under him, should be considered that the conduct of an officer makes such action necessary. Such reports should also be submitted through the prescribed channels.

(f) Particulars of rewards or punishment if any, awarded to a Government Servant during the period of report should be appended to the confidential report. (Government Memorandum No. 17756/62-1, dated 28th March 1962).

(g) The confidential report on a Government Servant for the previous three years at least should be placed before the Departmental Promotion Committee concerned while considering his case for inclusion in the 'Select List'. The entries should also be up to date.

(h) Instructions for the preparation and maintenance of confidential reports on Government Servants are given in the appendices to G.O.(P) No. 344 Public (Rules), dated 22nd August 1966.

The details of the authorities who are to initiate, review and keep the confidential reports on the various categories of officials are given in Appendix XVII.

114. The penalties that may be imposed on the members of the department, the authorities who may impose them, and who may deal with appeals arising there from as also the procedure to be followed in imposing such penalties or dealing with such appeal are specified in Kerala Civil Services (Classification, Control and Appeal) Rules, 1960 contained in Volume I of Kerala Services Manual.

115. The pay and allowances of an officer suspended from duty shall be governed by Rules 55 to 59 of Part I of the Kerala Service Rules.

116. An officer under suspension is free to go where he likes but he must leave his address with the head of his office or if he is himself the head of an office with his immediate superior and also with the officer that may be deputed to hold an enquiry. He must obey all orders to attend any such enquiry and if he fails to do so, the enquiry may be held in his absence.

117. The peons attending on the State Port Officer and Port Officer shall wear when on duty white sherwani and swarwab and lace bordered cross belt and the peons attending to routine duties in the State Port Office and other offices shall wear khaki shorts and shirts while on duty. (G.O.Rt. No. 1951/64/PW., dated 6th October 1964).

118. The members of the subordinate staff shown in Appendix V are entitled to get free supply of uniforms. The details of uniforms and the period of wear and tear are also mentioned in Appendix V. Indents, in duplicate for the uniform should be sent to the State Port Officer before 31st of December each year, for approval. (G.O.Rt. 1951/64/PW., dated 6th October 1964 and G.O.Rt. No. 315/65/PW., dated 5th March 1965).

119. When any facts indicating that defalcating or loss of public moneys, stamps, opium, stores or other property has occurred or that a serious account irregularity has been committed come to the notice of any Government servant, he should inform the head of the office immediately. If it appears to the head of the office prima facie that there has been any such occurrence which concerns his office or in which a Government servant subordinate to him is involved, he should send a preliminary report immediately to the Accountant-General and through the proper channel to the Head of Department should report the matter to the Government without delay. These reports should be sent even when the person responsible for a loss has made it good. Reports regarding a loss by way of damage to immovable property belonging to the Government should be sent in accordance with the special provisions of Article 320 of K.F.C., Volume I.

120. The preliminary report to the Accountant-General may be either a copy of report to the head of the Department or relevant extracts from it showing, so far as information is available at the time, the exact nature of the defalcation or loss and the circumstances which made it possible.

121. After sending the preliminary reports, the Head of the Office should investigate the matter fully without delay and take all necessary further action - See Articles 3211 to 323 of K.F.C., Volume I. As soon as the investigation is complete, he should send a complete and detailed final report to the Accountant-General and through the proper channel, to the Head of the Department, describing the nature and extent of the loss or account irregularity and the circumstances (including any branch or neglect of an existing rule) which made it possible and stating whether any amount lost has been recovered and, if not whether it is possible to recover it in any way. The report should also state what

disciplinary action has been taken, or is recommended, against the Government servants responsible and what steps have been taken, or are recommended with a view to prevent the recurrence of any such loss or account irregularity. The Head of the Department should submit a final report to the Government giving full information on all these points and when necessary, making his recommendations.

122. Any officer clerk or other person belonging to a port establishment, who through sickness may be unable, after 48 hours' absence, to attend to his duties, shall submit to the head of his office a report regarding his condition signed by a Registered Medical Practitioner.

(a) Any member of the port establishment at a minor port who absents himself from his post without leave for a period of more than 48 hours and does not produce the certificate required, shall on his return to duty furnish, in writing an explanation of the cause of such absence which shall be submitted for orders of the authority competent to impose any of the penalties specified in Rule II of the Kerala Civil Services (Classification, Control and Appeal) Rules, or suspension pending enquiry into grave charges under rule 10 of those rules on the member concerned. Any arrangement which may be made for the conduct of work during such absence must be temporary, and subject to the decision of the State Port Officer in the absentee's case.

123. Leave cannot be claimed by a Government servant as a matter of right. When the exigencies of the Public Service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it. (Rule 65 of K.S.R., Part I).

124. The leave rules contained in Chapter IX in Part I of the Kerala Service Rules are applicable to employees of the Port Department who entered the service of the Kerala State on or after 1st November 1956 and to those who came into service from the former States of Travencore, Cochin and Madras and who adopted to be governed by these rules. Those who were in service on 1st November 1956 and who had not opted for K.S.R. will be governed by the rules applicable to them on 1st November 1956, *i.e.*, T.S.R., etc.

125. The Port Officer is empowered to grant leave other than study leave and special disability leave to such of those subordinates for whom they are not the appointing authorities serving in ports under their jurisdiction provided that no substitutes are appointed and no additional expenditure is incurred thereby.

NOTE:- Whenever any member of the staff is granted leave by them insursuance of the above paragraph, they should inform the State Port Officer at the same time of the amount of leave so granted.

126. Rules regarding ordinary casual leave are contained in section I to Appendix VII of the Kerala Service Rules.

127. Special casual leave not counting against the ordinary casual leave may be granted to a Government servant subject to rules contained in section II to Appendix VII of the Kerala Service Rules.

3. Leave to Contingent Employees

128. The full-time contingent employees are eligible for casual leave and other kind of leave admissible to regular permanent or temporary employees under T.S.R. as the case may be. From 1st November 1960 the full-time contingent employees are eligible for casual leave, earned leave and half pay leave as admissible to the regular employees under K.S.R. (G.P. No. 299/58/Fin., dated 30th September 1958 and G.O.(P) 528/60/Fin., dated 7th November 1960).

129. The full-time contingent employees will be granted leave without allowance as admissible to regular employees under K.S.R. from 1st November 1960. Part-time contingent employees will be given the concession of casual leave and public holidays. (G.O.(P) 147/63/Fin., dated 22nd March 1963).

4. Maintenance of Service Registers

130. Records of service of Gazetted Officers will be kept by the Audit Officer in such form as he may prescribe - Vide Rule 1711 of K.S.R., Part III.

131. Service books in the prescribed form must be maintained for all non-gazetted officers except for those whose appointments are in purely temporary or officiating vacancies not likely to last for more than a year and who are not eligible for permanent appointments. The instructions issued in rules 11172 to 182 under Part III of the K.S. Rs. shall be strictly followed in the maintenance of service registers.

132. The defects usually noticed during the verification of service books are the discrepancies in noting the period of leave sanctioned and consequent over payments, want of annual verification certificate, irregular sanction of leave, want of quinquennial attestations, want of full details of leave availed of by the incumbents, non-maintenance of leave accounts as prescribed, want of certificate of verification of the date of birth with the prescribed records, non-attestation of the entries, particularly in respect of the leave, non-attestation of the entries in the prescribed column of the service book by the non-gazetted officer, non-recording of the date of birth in Christian, Era, Omission to note substantive pay in relevant column, non-attestation of date of commencement of leave and return from leave and non-attestation of corrections. These and similar discrepancies shall be avoided. (Government Circular R.C. 3-39060/59/Fin., dated 1st August 1959).

5. Pension

133. The pension of all officers to whom the Kerala Service Rules apply are regulated by the rules in Chapter I to IX in Part III of K.S.R., provided that it is open to Government to rule that the service of any class of officers serving under them does not qualify for pension.

134. Permanent non-pensionable employees of the Port Department in the Malabar area will be given pensionary benefits under K.S.R. with effect from 25th November 1959. In regard to the reckoning of the non-pensionable service prior to 25th November 1959, they will be allowed to count 50 percent of the non-pensionable service for the purpose of pension. This concession will apply only to those employees who retired from service on or after 25th November 1959. As the port funds were merged with the consolidate fund of the State with effect from 1st April 1960 only, the services in the non-pensionable costs for the period from 25th November 1959 to 31st March 1960 will count for pension in relaxation of the provision in rule 211, Part III K.S.R. (G.O.(MS) No. 571/63/PW., dated 27th December 1963 and G.O. (MS) No. 16/65/PW., dated 20th January 1965).

135. In each office an officer of appropriate rank should be specifically charged with the responsibility for initiating action, in due time, regarding the completion of pension records and documents. As a step in the direction he should have a list prepared every six months, i.e. 1st January and 1st July of all Officers, Gazetted and non-gazetted, who will reach the age of superannuation 12 to 18 months hence. The attention of every such Government servant should be drawn to the relevant provisions in the service regulations regarding the submission of formal application for pension at least one year in advance of the date of anticipated retirement in order to avoid the possibility of any delay in the commencement of his pension. A copy of the list should also be forwarded to the Accountant-General. (G.O.(P)/4859/Fin., dated 27th January 1959 and G.O.(P) 472, Fin., dated 5th October 1960).

136. The State Port Officer is authorised to grant pension to all non-gazetted subordinates appointed by him in cases in which such claims are certified by the Accountant-General to be admissible under the rules.

6. Last Pay Certificate

137. The date of retirement as entered in the last pay certificate, service book and the application shall correspond.

7. Overpayments

138. All overpayments are recoverable in the first instance from the Government servants who have received the same but in cases in which the recovery cannot be made from the payees, the disbursing officers will be required to make good the loss unless they can satisfactorily explain the overpayments.

CHAPTER IX

(i) ACCOUNTS (ii) CONTINGENT REGISTER AND BILLS

139. The Port Fund would be constructed to be part of the consolidated fund of the State and that the audit of transaction of minor ports would be undertaken by the Accountant-General. (G.O.MS. 533/59/PW., dated 1st August 1959).

140. The balances in the port fund representing excess of income over expenditure accumulated over a period of years will be resumed into the consolidated fund and the liabilities of the minor ports for the loans pending on date, discharged by paying them off from the consolidated fund. (G.O.MS.No. 320/64/Pw., dated 13th October 1964).

141. The transaction of the Department will be accounted for under XXXIX and 53 Ports and Pilotage, in respect of revenue accounts and under '110-Capital Outlay on Ports' in respect of capital accounts. The State Port Officer will be the Controlling Officer in respect of the major head '53 Ports and Pilotage' and Sub-Controlling Officer in respect of '110 Capital Outlay on Ports' as far as it relates to the mechanical and electrical works of the Department. The Port Officer, Calicut will function as the Sub-Controlling Officer, in respect of '53 Ports and Pilotage' under '53 Ports and Pilotage' and will be responsible for the maintenance of the consolidated accounts of the minor head '(a) (ii) Port Officer and Establishment' under '53 Ports and Pilotage'. The Senior Port Conservator, Port Conservators and Assistant Port Conservator, Kasargod will have powers of drawing money from Government accounts towards pay and allowances of the staff working under them.

142. The accounts in respect of the transactions relating to the mercantile marine work shall be maintained separately at each of the Ports.

143. An account of all departmental receipts and expenditure shall be maintained at each of the offices in K.P.M. Form No. 62 and Form 'C' of the Kerala Budget Manual respectively.

144. At the close of each month an abstract of the monthly receipts and expenditure shall be forwarded to the State Port Officer, after reconciliation of the departmental figures with those of the concerned Treasury accounts. For this purpose the Port Conservators in Cannanore, Kozhikode and Palghat Districts and Assistant Port Conservator, Kasargod will forward their monthly accounts in the first instance to the Port Officer, Calicut and the Port Officer will consolidate it and forward to the State Port Officer. The Port Conservators and the Senior Port Conservator in the Trivandrum, Quilon and Alleppey Districts shall submit their accounts direct to the State Port Officer.

145. The dates on which the return relating to accounts are due in the State Port Officer are given in Appendix VIII.

146. General instructions relating to the keeping of cash accounts and the rules prescribed for the maintenance of export and import dues accounts are given in Appendix XVI.

(iii) PREPARATION AND SUBMISSION OF CONTINGENT BILL

147. A permanent advance disbursement register in Form No. T.R.96 shall be maintained in each Office.

148. The bills for contingent expenditure that require the countersignature of the Controlling Authority before payment shall be drawn in Form No. T.R.59 and the bills that do not require countersignature shall be drawn in Form No. T.R.61.

149. Bills for charges on account of petty works and repairs shall be drawn in Form No. T.R.62.

150. Every item of contingent expenditure, whether the charge is to be countersigned or not, should be recorded in a register to be maintained in each office. The unit for the register should be the major head of account and the form to be used is K.F.C.No.10.

151. In the preparation and submission of contingent bills, the instructions contained in Chapter VI of the K.F.C., Vol. I. and rules 187 and 189 of the Kerala Treasury Code Vol. I shall be followed.

152. All paid vouchers should be stamped 'paid and cancelled' and the number assigned to each voucher shall be written on the upper right-hand corner. The vouchers so 'paid and cancelled' shall be attached to the contingent bills before it is sent for countersignature. After the countersignature is obtained all the sub vouchers of value below Rs.100 shall be retained in the office for future verification and audit. Vouchers of value of Rs.100 and above shall be attached to the bill itself for audit by the Accountant-General.

153. When a contingent charge of not less than Rs.50 is payable to a single private party and the amount cannot conveniently be provided from the permanent advance, a separate contingent bill should ordinarily be prepared for the Treasury. This procedure is not applicable when a payment has to be made outside the State. In cases where the payment has to be made at a place outside the jurisdiction of the drawing officer payment should be arranged by means of bank drafts.

154. When a contingent bill is endorsed to a private party, the instructions given in Article 128 (b) to (g) of the Kerala Financial Code, Volume I shall be followed.

(a) Should the permanent advance run out before the close of the month a contingent bill shall be made out for the amount spent and present it at the Treasury after obtaining counter-signature as may be required and the advance replenished.

NOTE:- For the amount of permanent advance allowed to Port Officer, Senior Port Conservator and Port Conservator and the "cannons of financial propriety" they should observe, - *See Appendix XVIII.*

(b) Every Officer who incurs contingent expenditure should take special care to see that he gets the best possible value for the money spent, that no unnecessary expenditure is incurred and that he does not spend more than the amount placed at his disposal for the financial year.

CHAPTER X

RULES FOR REGULATING THE CONSTITUTION OF PORT ADVISORY COMMITTEES AT THE MINOR PORTS IN KERALA STATE

155. Consequent on the reorganisation of the Port Department ordered in G.O.MS. 266/61/PW., dated 20th June 1961 Government have constituted Port Advisory Committees in all the important minor ports.

NOTE:- It is considered that there is no need for such committees at Koilthottam and Quilon Ports at present.

156. Details regarding the constitution of these committees will be found in Appendix XIX.

157. The following rules govern the constitution of the committee.

(i) The Port Advisory Committee shall be purely Advisory Bodies and will have no jurisdiction in such matters as personnel, discipline, appointments, management and administration of the ports in general.

(2) Any member, absent from the port more than six months shall vacate his seat but may be reinstated by the Chairman if he is a Gazetted Officer and by Government when the Chairman is not a Gazetted Officer.

(3) A non-official member of the Committee who absents himself from three consecutive meetings will cease to be a member and shall be reinstated by the Chairman if he is a Gazetted Officer

and if the Chairman is not a Gazetted Officer by Government if reasonable excuse for absence is shown to his or their satisfaction. [G.O. (MS) No. 452/62/PW., dated 24th October 1962.]

(4) One-third of the total number of the members for the time being subject to a minimum of three shall form a quorum.

(5) Each Port Advisory Committee shall by a resolution fix the day and hour when it shall hold its next meeting.

(6) All meeting of the Port Advisory Committee shall ordinarily be held in the respective Port Offices.

(7) All orders of Government affecting the interest of the port shall be communicated to be Committee.

(a) They may recommend the rates at which export and import dues may be levied.

(b) They may offer advice regarding improvements to the port consistent with traffic. When proposing any such improvement it will be the duty of the committee to suggest ways and means to meet the expenditure for such improvements from the resources of the port.

(c) The monthly tables of Revenue and expenditure of the port (other than the expenditure incurred by the P.W.D.) returns of export and import tonnage, and ships calling at the port shall be placed before the committee for information and the committee may raise any questions thereon.

(d) They will be consulted regarding works to be carried out at the port before inclusion in the draft budget.

(e) The committee may recommend sanction of refunds of export and import dues after the refund claimed has been verified and found correct according to rules.

(9) The Port Advisory Committees will be classified as II Class Committees under the Rule III, K.S.R., Part II for purpose of T.A. of the non-official members. The expenditure on account of these committees will be debited to "53 Ports and Pilotage".

158. The term of the non-official members of the Port Advisory Committee will be two years. [G.O. (MS.) No. 266/63/PW., dated 29th June 1963.]

159. Willingness of the proposed nominees shall be ascertained only after the approval of the Government is obtained. [Government Memorandum No. 63161/CC3/62/PW., dated 30th May 1963.]

160. The proceedings of the Port Advisory Committees will be published in the District Gazettes concerned.

CHAPTER XI

1. BUDGET ESTIMATES AND II. WORKS

1. Budget Estimates, Allotment and Reappropriation

161. The detailed instruction issued in the Kerala Budget Manual should be followed in the preparation and submission of budget estimates, reappropriation and surrender of funds, etc.

162. The Port Conservators and Assistant Port Conservator in the Maritime Districts of Palaghat, Kozhikode, Cannanore will forward their budget estimates to the Port Officer, Calicut who will consolidate it including that of the Port of Calicut and forward it to the State Port Officer. The Senior Port Conservator, Alleppey and Port Conservators, in the Maritime Districts of Alleppey, Quilon and Trivandrum will forward the budget estimates in respect of their ports direct to the State Port Officer.

163. At the end of each financial year, a detailed Estimate of allotments required under contingencies, Travelling Allowance, Overtime Allowance, etc., during the next financial year should be forwarded to State Port Officer, in the same manner as in the case of submission of budget estimates prescribed in para 162.

164. In preparing these estimates careful attention should be paid to the following instructions and for any error or omission, the respective officers submitting them will be held responsible.

(i) The estimates should be for charges which are actually expected to be paid during the year and based on the actuals of the last 3 years which should be shown separately against each detailed head of account.

(ii) Any variation between the average of the previous three years and the proposed requirements for the year, should be clearly explained against each item.

(iii) Expenditure of the nature for which no provision has been made in the budget estimate should be incurred and sanction for such expenditure will not be granted except in special cases. Whenever proposals are submitted for sanction of expenditure of the kind, the fact that no provision is available in the budget estimate should be clearly noted and the reason as to why the expenditure was not foreseen and why it cannot be postponed for the next year should be explained, in detail. An application for reappropriation of funds in the prescribed form should accompany each such proposal.

165. The concerned Drawing Officers will be responsible to see that any expenditure in excess of the funds allotted to him during a year, is not incurred without proper sanction.

II. Works - Agency for execution and their powers

166. Detailed instruction issued in Chapter VIII of the Kerala Financial Code, Volume I, shall be followed in respect of works relating to the Port Department.

167. Works pertaining to the Port Department may be classified as follows:

- (a) Works executed by the Mechanical-cum-Electrical Engineer of the Port Department, and
- (b) Works executed by the Public Works Department.

168. Before a work is commenced the following conditions should be fulfilled.

- (i) That administrative sanction has been obtained on the plans and estimates.
- (ii) That the detailed estimates have been technically sanctioned.
- (iii) That funds have been allotted by the competent authority.

169. In cases of real urgency when a work is to be commenced in anticipation of sanction of an estimate the approval of the State Port Officer should be obtained by telegrams.

170. The Mechanical-cum-Electrical Engineer of the Port Department will be under the direct control of the State Port Officer. He will exercise the powers of an Executive Engineer of the P.W.D. with regard to the execution of works. [G.O.MS. No.14/64/PW., dated 9th January 1964.]

172. A list of original and maintenance works which are proposed to be executed in a year in the order of urgency shall be submitted to the State Port Officer by the Mechanical-cum-Electrical Engineer, with the approximate cost in each case before the 15th September of the preceding financial year. The list of works relating to each port will then be placed before the concerned Port Advisory Committees and their approval obtained for inclusion in the budget estimates.

173. In respect of important works referred to above, the estimates and plans will be prepared by the Mechanical-cum-Electrical Engineer and submitted to the State Port Officer for approval. In other cases, the Junior Engineers shall prepare the estimates and submit the same through the Port Officer or Port Conservator as the case may be. The Junior Engineers shall strictly adhere to the following instructions in the matter of preparation and submission of estimates, etc.

(1) Each estimate should be exhaustive wherever possible, should comprise of detailed estimate, data supporting the rates and the abstract, In cases of absence of any specific data, assumed data or rates as per previous quotations received, if any, can be referred. Further, a clear report should invariably accompany each estimate giving the purpose, and the main provision made therein. The plans or sketches wherever necessary should also be sent.

(2) Estimates thus prepared should be got signed by the local Port Conservator also to confirm that the estimate covers all the need in respect of the works at the port. In the case of Calicut and Sub Ports the estimates should be countersigned by the Port Officer, Calicut also and then only sent to the State Port Officer for approval.

(3) All correspondence to the State Port Officer regarding estimates, execution of works, etc., should be channelled through the Port Officer, Calicut or the Senior Port Conservator, Alleppey as the case may be and should not be sent direct except in the case of the Ports of Trivandrum, Quilon and Koilthottam. But in case the Junior Engineers have any doubt or advice to be taken regarding the works they can address the Mechanical-cum-Electrical Engineer direct to avoid delay.

(4) As soon as the estimates are received duly sanctioned, action should be taken to start the work by calling tenders for the work and materials and stores if any needed. It will be the duty of each Junior Engineer to see that the work is taken up and completed with the utmost promptness.

(5) Each Junior Engineer should submit to the Mechanical-cum-Electrical Engineer a fortnightly progress report giving details of work attended to by him. He can mention therein any difficulty he is experiencing in the execution of works.

(6) After each work is over and payment made finally, a completion report in the prescribed form should be submitted to the State Port Officer through the Port Officer or the Senior Port Conservator as the case may be, with a copy to the Mechanical-cum-Electrical Engineer. This is important and should be submitted without waiting for a reminder from the State Port Officer.

(7) An account should be maintained for the new parts and old parts at the respective ports. These parts should be handed over to the stores section of the ports and they in turn should bring them in their accounts. These parts should be shown to the Mechanical-cum-Electrical Engineer during his inspection and survey reports for disposal of old parts submitted by the Junior Engineers thereafter.

(8) Whenever the Junior Engineer visits a port he should meet the local Port Conservator and ascertain from him his needs regarding works to be taken up. This fact should be made mention of in their tour programmes and certified in their tour diaries.

174. The public Works Department schedule of rates should be adopted as basis for the preparation of estimates.

175. In regard to payment on works, the following instruction shall be observed :

In the case of works and repairs executed through the Mechanical-cum-Electrical Engineer, and measured by the Junior Engineer and entered in the Measurement Book, will be checkmeasured by the Mechanical-cum-Electrical Engineer. The measurement books and a copy of the agreement entered into with the contractor shall be kept at the respective ports, for purpose of production to audit. Bills for materials purchased for works shall also be entered in the Measurement Book and a certificate to the effect that the materials purchased were used for the work recorded on the respective bills.

176. In cases where works are not susceptible for measurement, the Mechanical-cum-Electrical Engineer will record a certificate to that effect on the bill and also an additional certificate that the work done is worth the amounts claimed for it.

177. Charges for labourers engaged departmentally shall be supported by a certificate to the effect that the labourers were actually entertained and paid on muster rolls maintained in accordance with the rules.

178. A list of works executed in an year, with the amount sanctioned and expenditure incurred thereon will be furnished in the Administration Report of the Department.

179. The details of payments made by the P.W.D. against the works under their charges will be furnished to the State Port Officer, by the concerned Executive Engineer, each month

CHAPTER XII

STORES, STATIONERY AND FORMS

(a) Stores

180. The term 'Stores' means all articles and materials which come into the possession of a Government servant for use in the Public service. For fulfilling the duties and function of the Port Department, various kinds of stores have to be purchased.

181. In regard to the procedure to be adopted in purchasing stores the Port Officials will be guided by the rules in the Stores Purchase Manual, rules in Chapter VII of the K.F.C., Volume I and the orders of Government issued from time to time.

182. Stores which can be manufactured and supplied by Government Departments like the Central Prison, Forest, Department, etc., and Government owned commercial concerns like the Travancore Rubber Works, Trivandrum, Government Ceramic Concerns, Kundara etc., should be obtained from these sources by all Government offices and institutions irrespective of the cost of any single tender.

183. As regards purchase of furniture the instructions issued in para 58 of the Stores Purchase Manual should be strictly followed.

184. The following additional instruction shall also be strictly adhered to:

- (1) An account of stores (expendable and deadstock) shall be maintained in K.F.C. Form No.17
- (2) A stock account of office furniture shall be maintained in K.F.C. Form No. 18
- (3) A stock account of books and periodicals belonging to the office shall be maintained in K.F.C. Form No.19
- (4) Stock accounts for forms and stationery shall be maintained in accordance with the rules in the Stationery Manual - Vide Article 161 (c) of K.F.C., Volume I.

185. At the end of each financial year, the Port Officer, Senior Port Conservator and Port Conservators should prepare a list of articles required during the next financial year. The list may be prepared on the basis of the consumption during the previous 3 or 5 years and with reference to factors, if any, which justify an increase or decrease compared with the average. The list should also be based on the probable budget estimate for the next year and should be prepared duly allowing for the carrying over of stock for at least one quarter of the succeeding year.

186. After the list of articles required for the year is got ready an annual indent of stores in K.F.C. Form No.13 should be prepared in accordance with the instructions contained in Article 139 of the Kerala Financial Code. Volume I and should be submitted to the State Port Officer for verification and approval.

187. The State Port Officer after verification and approval of the list shall accord administrative sanction up to the limit of financial powers vested with him. For purchases involving higher amount the sanction of Government is necessary. All cases of purchases which do not fall within the powers of State Port Officer will be placed by him before the Departmental Purchase Committee. A Departmental Purchase Committee for the Port Department has been constituted with the following members:

1. Public Works Secretary to Government, Chairman and Convener.
2. The State Port Office and
3. The Joint Secretary to Government, Finance.

The Secretary in charge of the Stores Purchase Department (Now Additional Secretary, Planning and Finance) will be an additional member of the Departmental Purchase Committee, when purchase proposals exceeding Rs.5 lakhs are considered by the Departmental Purchase Committee. Where the cost of purchase in a case is likely to exceed Rs.5 lakhs the Departmental Purchase Committee will send the proposals with its recommendations to the Stores Purchase Department. The

Stores Purchase Department will scrutinise and submit the case through the Additional Secretary, Planning and the Chief Secretary and obtain the final orders of the Chief Minister through the Minister concerned. (G.O.MS. 98/64/PW, dated 18th March 1964 and G.O.(P) No. 5/63/SPD, dated 24th June 1963).

188. The Purchasing Officer shall obtain stores by calling competitive quotations or tenders in all cases except in the case of petty purchases of less than rupees 25 at a time, etc., as prescribed in the Store Purchase Manual.

189. Care should be taken to include all items of stores that may be required during the year in the annual indent submitted to the State Port Officer. When the submission of supplemental indent is found necessary an explanation as to why the requirement was not foreseen in time and when the annual indent was prepared, and why the supply in question could not stand over for inclusion in the next annual indent should be clearly set forth.

190. When new items of stores are included in the indent, the reasons for incorporating such items and the necessity for them shall be fully explained in the remarks column of the indent.

191. Metric system shall always be adopted in expressing weights and measurements of articles.

(b) Stationery

192. (a) An account of stationery articles shall be maintained in every Port Office in common Form No.4.

(b) Strictest economy should be exercised in the use of articles of stationery.

(c) Consolidated indents for stationery articles in respect of offices in Kozhikode, Palghat and Cannanore Districts required for the year Ist January to 31st December shall be forwarded to the Controller of Stationery before the Ist November previous to the year for which the annual indent is prepared. Indents in respect of the offices in the Trivandrum, Quilon and Alleppey Districts required for the Year Ist April to 31st March shall be forwarded to the Controller of Stationery before first February. The indents for stationery articles are to be prepared in duplicate in common Form Bo. 30 and vouchers for taking delivery of stationery articles in triplicate in common Form No. 55 or No. 56.

193. The following instructions are to be strictly complied with

(1) Closing entries of a supply year should be carried over to the next year.

(2) Receipt entries should be made in red ink and attested by the Head Ministerial Officer.

(3) The entries relating to issues should be completed and should show the following details:-

(a) Date of transaction

(b) Name and designation of the person receiving the supplies

(c) the quantity supplies

(d) The balance after the transaction

(e) Initials of the person receiving the articles

(4) Articles of different value such as B.C. paper (single size and double size), steel nibs of different categories such as durabrite, durabrite pattern, relief pattern, etc., bound books, 100 pages, 200 pages, etc., should be accounted for separately.

(5) Bulk supplies should be avoided as far as possible.

(6) Periodical stock verification of articles should be made in accordance with article 169 of the K.F.C., Vol.I

(7) Paper item should be accounted for in reams of 500 sheets.

(8) A copy each of the matter stencilled should be preserved for verification by the Stationery Department.

(9) Used carbon paper and spools of ribbons for typewriters must be preserved and sent to the Stationery Department periodically.

(10) Local Purchase - Local purchase of stationery articles should be avoided *vide* Government Circular No. 795888/G2/Edn., dated 15th January 1963 and No. 53280/J4/65-4/Edn., dated 20th November 1965.

(11) A register of office machines may be maintained in the form given below:

History of Machine Register

Name of Machine	Number
Date of Purchase	First Supply on

194. The following instructions should be followed for the preservation and disposal of waste paper:

(1) Waste paper may be kept safely without being damaged. It must not be mixed with articles like carbon paper, ribbon, stencilled waste, office sweeping and other extraneous matter.

(2) The waste paper may be disposed of as per the terms and conditions in the circulars issued by the Controller of Stationery, Kerala from time to time.

(3) The contractors may be addressed in time and the entire accumulation sold to the contractors.

(4) Delay on the part of the contractors may be intimated to the Controller of Stationery, Kerala.

(c) Forms

195. An account of forms and registers shall be maintained in every Port Office in common Form No.5.

196. Consolidated annual indents for printed forms in respect of Calicut and sub ports in the North Zone and State Port Office and 4 ports in the South Zone are to be forwarded to the Superintendent of Government Presses, Trivandrum before the 1st January of every calendar year.

197. When the annual indents for forms and registers prescribed under the Kerala Account Code, Financial Code and Treasury Code are made special attention shall be paid to note the name and forms Nos. as given in the Kerala Codes.

198. Necessary facilities shall be provided in every office to the Forms Inspectors under the Superintendent of Government Presses visiting the offices for inspection of the stock of forms.

The indents for forms are to be prepared in triplicate in common form No.7 and vouchers in duplicate in common form Nos.2 and 3. (Government Circular Memorandum No. H4-19670/64/Edn., dated 4th April 1964).

Survey Reports

199. Whenever stores, on inspection, have been found unfit for further service, the Inspecting Officer, shall enter the same on the survey report form K.F.C. Form No.21 and send the form to the State Port Officer for orders. Subject to any special orders issued by Government as applicable to individual cases, stores which are found to have become unserviceable in the ordinary course or by fair wear and tear may be condemned by the officers authorised to do so. Full reasons for condemning such unserviceable stores must be recorded on such orders together with a certificate to the following effect.

“Certified that I have personally satisfied myself that each item written off in these proceedings has become unserviceable in the ordinary course through proper usage, or by fair wear and tear”.

Articles 166 of the K.F.C. Vol. I shall also be followed when matters dealing with unserviceable and surplus stores.

Chapter XIII

LIGHTS AND LIGHT HOUSES - THEIR EXHIBITION, INSPECTION, ETC.

200. The lighthouses on the coast of the Kerala State are for administrative purposes divided into:-

- (1) General Lighthouses and
- (2) Local Lighthouses

The ‘Local Lighthouses’ are

- (1) Quilon
- (2) Ponnani
- (3) Calicut
- (4) Badagara
- (5) Cannanore
- (6) Tellicherry

The above lights are under the administrative control of the State Port Officer.

The ‘General Lighthouses’ are administered by the Central Government under section 5 (I) of the Indian Lighthouse Act, 1927.

The ‘General Lighthouses’ are:

- (1) Quilon (Thangasseri Point)
- (2) Koilthottam
- (3) Alleppey
- (4) Cochin
- (5) Kadalor point

201. The Superintendent of Lighthouses, Madras District, Madras, is in executive charge of the above General Lighthouses and the establishment connected therewith.

202. No new light shall be exhibited at a port without the previous sanction of the State Port Officer.

- (a) At least one month’s notice is required of intention to -
exhibit,
extinguish or,

change the character of a local light - See section 7 (2) of the Indian Lighthouse Act XVII of 11927.

203. The main work of issue of notices to mariners will rest with the Chief Hydrographer to the Government of India. The procedure to be followed by the officers and authorities in the various ports in India regarding the issue of notices to mariners is furnished below:

- (1) Notices dealing with subjects of a temporary nature will be called “Navigational Warnings”. Notices of a permanent nature or semi-permanent nature will be called “Notice to Mariners”.

- (2) When the information is of a very local and temporary nature, such as a light not functioning, a buoy breaking adrift or similar irregularities affecting navigational aids in a port, and

which can be rectified in a short time, a “Navigational Warning” may be issued, direct by the port authorities to the local shipping interests. Arrangements should be made by the port authorities in such cases to have the information broadcast by the local radio station, if possible. A copy of the notice should, however, be sent immediately to the Naval Chart Depot, Bombay, by telegram and a further copy sent by post to the Chief Hydrographer to the Government of India, Dehra Dun.

(3) In the case of notices of a temporary nature dealing with local conditions but likely to be in force for a period, say, 7 days or more an advance notice should be sent to the Chart Depot, Bombay, and to the Chief Hydrographer to the Government of India, Dehra Dun, as early as possible so that the information can be included in the printed notices to mariners. For example the Deputy Conservator, Bombay, wishes to temporarily withdraw the Bombay Floating Light of repairs on a certain date. The information should be conveyed to the Naval Hydrographic Office and the Chart Depot well in advance to be included as a temporary notice to mariners. In such case no other action by the port authorities will be required.

(4) Notice of a semi-permanent or permanent nature will be promulgated as a notice to mariners by the Hydrographic Office at Dehra Dun on receipts of information from the port or other authorities. Information of semi-permanent or permanent nature should, however, also be sent to Chart Depot, Bombay for information. The address of the Central Authority is Naval Hydrographic Office, Rajpur Road, Dehra Dun.

(5) Information regarding firing practice and exercise areas will be included in the general edition of notice to mariners issued by the Naval Hydrographic Office, Dehra Dun, during the course of the year.

204. Port Officers should inspect lighthouses at their headquarters at least once a month, and those at out ports as often as the port is visited.

(a) The Engineer Supervisor, Lighthouse Workshops, Madras and his Assistants will inspect all local lights as per requisition of State Port Officer/Port Officer to the Engineer Supervisor, Lighthouse Workshops, Madras in cases of emergencies and send report of such inspection to the State Port Officer/Port Officer for information and necessary action.

(b) All inspection will be through and exhaustive taking in everything in connection with the illuminating apparatus, buildings and stores, particular attention being paid to see that the distinguishing character of the light as laid down in the list of lights is always being exhibited. Surprise visit at night should be carried out occasionally.

(c) Port Officers will be responsible that the lightning conductors of lighthouses are kept in good order and that they are tested periodically. They are also responsible that a sufficient supply of acetylene gas, oil and stores is kept at each lighthouses and that the same is renewed when necessary. They will check the consumption of oil and stores and see that no undue expenditure is allowed.

(d) At ports where automatic acetylene lights are exhibited the Lighthouses Mechanic and his Assistant will give all possible help and instructions to Port Officers and Light Keepers in the management of such lights.

(e) Rules for regulating the duties and responsibilities of Light Keepers for upkeep and maintenance of ‘Aga’ lights are given below:

A. Optic, Lantern and Burner

(1) The optic should be dusted with a feather duster and wiped with a soft clean rag as often as opportunity arises.

(2) The optic should be cleaned with “silvo” whenever it is dirty and finally polished with a piece of sylvette.

(3) The lantern panes should be cleaned with spirit whenever it is dirty and should be wiped over with clean soft cloth.

(4) Great care must be taken to keep the optical apparatus free from dust and the light-keepers are particularly required to be careful to remove all grit and dust from the rags before use for cleaning.

(5) Occasionally the bright metallic parts if any, should be occasionally tested and oiled.

(6) The hinge of the ventilator cover should be occasionally tested and oiled.

(7) The rubber ring, if any, on the top of the lantern on which rests the ventilator should be inspected regularly and any sign of deterioration should be reported to proper authorities.

(8) Wire-gauze covering of all openings and vents should be kept in a thoroughly clean condition.

(9) The burner should be kept clean and no external matter should be allowed to deposit on it.

(10) The burner should be lighted by means of wooden sticks only. Waxed sticks should not be used as molten wax dropping on the burner may block the apertures. Before lighting, care should be taken that there is no accumulated gas inside the optic.

B. Accumulators, Pipe joints, Unions, etc.

(11) With regard to care and replacement of 'Aga' accumulators, instructions issued by the makers along with their drawings Nos. 1187 and 330 should be observed carefully.

(12) In case of any leakage or when leakage is suspected, the doors and windows of the accumulator-hold should be kept open in order to allow the gas to escape and under no circumstances should a naked flame be brought either within or in the vicinity of the hold.

(13) All unions, joints, pipe connections should be carefully tested with soap water. If there is a small leakage provided it is not inside the lantern and there is no danger of the leaking gas being lit, the light may be allowed to burn. If, however, the leakage is high, wherever it may be, the light should be extinguished by shutting off the main valve on the gas cylinder. In both the cases the matter should be reported to proper authorities.

(14) Readings of the pressure gauge should be taken at regular intervals of the month and recorded. Notwithstanding instructions contained in drawing 330 referred to in rule (11), pressure in any gas cylinder in service should not be allowed to fall below $1\frac{1}{2}$ atmospheres and under no circumstances should gas from one cylinder be transferred to another.

C. General

(15) Stoppage of light due to any cause whatsoever should be immediately reported to proper authorities.

(16) All breakdowns such as defective flashing and change in the character of light should be reported as in rule (15).

(17) Change over of accumulators should only be done under the supervision of a person who has been properly trained in that work and has been deputed by proper authorities.

(18) In case of any serious trouble the light-keeper should not tamper with the installation but only report the matter as indicated in rules (15) and (16).

(19) The light-keeper shall undergo a periodical test of competency in the proper upkeep of the 'Aga' lights once in two years at the Madras Lighthouse Workshops. The period of their absence in this connection shall be treated as on duty and the Lightkeepers allowed travelling allowance as on tour. The syllabus for the said test shall be as follows:

(i) Upkeep of 'Aga' light

(ii) General maintenance and care of optics, lanterns, parts, etc.

(iii) Use and care of accumulators, charges or empty, regulating valves, connections, etc., methods of their storage, changing of gas cylinders.

(iv) 'Aga' pressure gauge, fixing and removal, reading and recording of pressure.

(v) Leak tests of pipes and joints

- (vi) Valves - their functions and working
- (vii) Working of 'Aga' light in actual service conditions for one week.
- (viii) Chemical properties and danger from explosion of acetylene gas.

(20) The Lightkeepers in charge of 'Aga' lights shall be responsible for the upkeep and maintenance of such lights.

NOTE:- The term 'Lightkeepers' shall include Assistant Lightkeepers and Flag Lascars who are in charge of 'Aga' lights after having undergone the prescribed training.

(f) *Care of gas accumulators* - (1) Each accumulator shall be despatched in a coir mat cover, with a projecting handle cap which provides means for lifting and protects the valve.

(2) Storage should be in a dry place, away from heat, with the accumulators in an upright position and with the coir mats removed. If it is impracticable to store accumulators thus, they should at least be stood on end for a few days before being put into service.

(3) When newly charged accumulators are received, and particularly if they are to be stored for some time, it is desirable to ensure that they are put away in good order, and the following procedure is recommended:

(i) Unscrew the handle cap and if necessary, put a drop or two of machine oil on the neck threads.

(ii) Remove the chained brass cap which beds on to a fibre washer and protects the valve spindle proper and see that the valve is shut by trying it with a valve key. Turning the key clockwise closes the valve and vice versa.

(iii) Hand pressure only should be used and if the key is driven the valve seat will be damaged.

(iv) If an accumulator needs repainting, a coat of good quality maroon paint is recommended.

(4) Before a cylinder is put into service or connected to a pressure gauge for the purpose of noting the pressure, a couple of gusts of gas should be allowed to escape by opening and closing the valve quickly. If there is any dust or power in the valve it will be blown out and clear gas should come out afterwards. If, even after these blow-out any black powder is emitted, then the cylinder should be returned to the recharging station for inspection after obtaining necessary sanction from the State Port Officer.

CHAPTER XIV

MISCELLANEOUS

205. Officers of the Port Department should leave a reliable peon of the permanent establishment for the care of the buildings constructed from the departmental revenues and occupied by Officers of the Port Department when they fall temporarily vacant during the short absence of the officers and they should use their discretion as to the best means of protecting the buildings. Notice of vacancies should be promptly given to the State Port Officer.

206. With a view to avoid dispute in respect of claims for remission of tax in the case of vacant Government buildings, the acknowledgment of the Municipal Commissioners should be obtained and filed for the receipt of notice of vacancy of the buildings and vacancy remission claimed within the time allowed under the District Municipalities Act.

207. The cost of the erection and maintenance of pandals and sheds or shelters of any kind for cows, sheep, poultry, etc., in Government buildings used as residences shall be borne by the occupants.

208. Any officer misusing or damaging a Government residence or any part of it or making it unfit for occupation by his successor, will be held liable to pay the cost of all repairs and restoration that may be necessary. Such practices as cooking in dwelling rooms, are prohibited and they will be

treated as misuse of the building rendering the officers who resort to them liable to pay the cost of any special painting, white washing, cleaning or other repairs rendered necessary thereby.

209. The following rules govern the occupation by officers of Government residence attached to their appointments:

(1) Every officer, for whom a Government residence has been provided, will unless specially exempted by orders of Government from payment of rent, be required to pay rent for such residence whether he occupies it or not.

(2) Exemption will ordinarily be granted in the case of an officer appointed to hold charge of an officer for less than a month, if he does not wish to occupy the residence.

(3) When a residence remains unoccupied for a period of less than a month, the officer who is in charge of the current duties of the office will arrange to look after the residence and the garden attached to it. When the vacancy is likely to exceed a month, the department will employ a caretaker at the cost of Government to look after the building and the garden.

(4) It is undesirable to allow Government residence to be used as rest houses.

(5) Temporary occupation by any one other than the officer for whom a house is intended should be allowed only with the previous permission of the State Port Officer.

NOTE:- When a subordinate Government servant who, by virtue of the post he holds, is provided with a quarters, is granted leave for a period not exceeding four months and no substitute is appointed in his place, he may be allowed during that leave to occupy the same quarters.

This decision applies to the occupation of quarters during all kinds of leave.

210. The following rules issued with reference to the upkeep of compounds attached to public buildings should be carefully observed.

(1) The occupant of a Government building or residence shall be responsible for the proper care and upkeep of the trees, shrubs and edges in the compound and will also see that the compound is kept in proper order.

(2) No tree or main branch of a tree shall be cut without the State Port Officer's permission.

(3) The ground of the compound shall not, without the permission of the State Port Officer, be broken for any purpose except that of gardening in the ordinary sense of the word and this sense shall not include the digging of pits, ponds or wells for watering purposes.

(4) Bushes and shrubs planted in the ground are the property of the Government and may not be cut down or removed from the compound without the permission of the State Port Officer, but his permission shall not be required for such cutting down, uprooting or trimming of any bush or shrub or lopping of any trees as may be necessary for the proper maintenance of the garden.

211. The usufructs of the trees standing in the compounds of the staff quarters at the various ports in the port Department will be enjoyed by the staff of the port Department occupying the quarters, subject to the conditions laid down in para 205 above. (G.O. Rt. No. 360/66/PW., dated 25th March 1966).

212. At ports where quarters are provided for the staff, the rates of rent realisable from the occupants of Government residential quarters, will be 10 percent of the pay as defined in rule 12 (23) Part I, K.S.R. or standard whichever is lower as required in G.O.MS. No. 80/65/PW., dated 25th March 1965 and the same shall be deducted monthly from the pay bills of the individuals concerned, and credited to the receipt head of the Department.

213. The Capital and Revenue returns of residential buildings shall be forwarded to the Accountant General in the form prescribed in Government Circular No. 88/67/Fin., dated 23rd June 1967.

214. A certificate of clearance of rent on buildings relating to the preceding month should be recorded by the Head of the Office in the establishment pay bill and by the concerned Gazetted

Officers in the salary bill as the case may be. In the case of officers on transfer from one station to another, the drawing officers and the Treasury Officers should not issue the Last Pay Certificates of the officers concerned until a clearance certificate from the Executive Engineers concerned regarding arrears of rent is produced by the incumbents. In the case of officers who are not occupying Government quarters or in cases where no deduction is necessary in the case of establishment pay bills, the Drawing Officer should certify that the Officer is not in occupation of Government quarters or that no deduction is to be made on account of rent from the pay bill of subordinates. (G.O. (Rt.) 1100/65/PW., dated 13th August 1965).

215. The rules for the use of lands and trees within the compounds of Government offices and Government bungalows are given in Appendix XX.

216. At Ports at which the Port Office is in same building as the Sea Customs Office, the annual overhaul of the building connected with the Port Department should be taken in hand at the beginning of the financial year and the painting of doors and other works should be in uniformity with those of the Customs Department.

217. The Southern Railway administration in this State is requested to consult the Port Department (State Port Officer) Whenever a railway bridge is to be constructed across a river at a point within 15 miles (24 K.M.) from its mouth. Similar action should be taken by the officers of the Public Works Department also before starting the construction of road bridges.

218. In regard to rash navigation, exhibiting a false light mark or buoy and over loading, attention is drawn to the provisions of sections 280 - 283 of the Indian Penal Code quoted below:

“280 - Whoever navigates any vessel in a manner so rash or negligent as to endanger human life, or to be likely to cause hurt or injury to any other person, shall be punished with imprisonment of either description for a term which may extend to 6 months or with which may extend to one thousand rupees or with both.

281 - Whoever exhibits any false light, mark or buoy intending or knowing it to be likely that such exhibition will mislead any navigator shall be punished with imprisonment of either description for a term which may extend to seven years or with fine or with both.

282 - Whoever knowingly or negligently conveys or causes to be conveyed for hire, any person by water in any vessel when that vessel is in such a state or so loaded as to endanger the life of that person, shall be punished with imprisonment of either description for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.

283 - Whoever, by doing any act, or by omitting to take order with any property in his possession or under his charge, causes danger, obstruction or injury to any person in any public way or public line of navigation, shall be punished with fine which may extend to two hundred rupees”.

219. The following is the procedure to be followed in reporting the arrival etc., of vessels of the description given below:

(a) The arrival and departure of foreign vessels of war, at minor port or intermediate port, will be communicated by the local Port Officer by the telegram to the Commodore-in-charge, Navy Office, Cochin-4 and to the State Port Officer.

(b) The reports of arrival and departure of vessels of Indian Navy should be sent to the State Port Officer by post unless otherwise ordered.

220. The discovery of any inscription shall be reported atonce to the Director of Archaeological Department of the State with a copy to the State Port Officer.

221. The discovery of any valuable copper plate, inscription, coin, etc., which may come to the notice of officers shall be reported to the Collector of the District in which they are found.

222. Legal proceedings by one department of Government cannot be instituted against another department without the special sanction of Government. If an officer considers himself aggrieved by

the action of another officer acting in the discharge of his legitimate duties the proper course is to bring the matter to the notice of Government and to wait their orders.

223. The District Collectors will sanction the filing of appeals and revision before all courts in respect of civil cases, where the monetary limit is less than rupees one lakh except administrative cases and appeals arising from sales tax, and income tax cases. Sanction of Government will be obtained for filling appeals in all other cases. (G.O. (MS) No. 457, dated 2nd September 1964).

Under section 80 of Code of Civil Procedure it is enough if notices to Government is served upon the Collector. There is therefore no objection in his filing appeals and revision on behalf of Heads of Departments also. The District Officers in consultations with the collectors will decide regarding the appeals in civil suits involving a monetary limit of rupees one lakh.

224. All Government Officers have been authorised to issue contradictions on their own responsibility in respect of any false allegation published against them in newspapers.

Provision exist in the rules for giving legal assistance to Government servants for taking action against those who make false and malicious allegations against them. Assistance under these rules will continue to be given by the Government to those who apply for the same in case there are proper grounds for doing so. (Government Circular Memorandum No. 39186/F4/66/Home, dated 18th January 1967).

225. The office and the officer's room must be properly swept and dusted daily. The head peon is responsible for seeing that this is done, any neglect entailing severe punishment.

226. The State Port Officer is authorised to use the priority indication 'Important' in State telegrams and telephone trunk calls.

227. The Tugs 'Maraikar' and 'Azad' at the Port of Calicut and Azhikkal respectively will be hired out to commercial interest of other ports on levy of hire charges at Rs.575 per day or part of a day from the time the tugs leave their home ports until the return to the home ports. Overtime allowance payable to the crew of the tugs according to the schedule of rates in force in the Port Department will also be realised from the Commercial Interests, Wherever necessary in addition the hire charges mentioned above. (G.O. Rt. No. 115/66/Pw., dated 2nd February 1966).

228. The scheme for grant of loans for mechanisation of existing sailing vessels and construction of new mechanised sailing vessels formulated by the Government of India will be implemented in this state on certain terms and conditions. (G.O. Rt. No. 115/66/Pw., dated 4th September 1967).

229. Effective public relations in administration should be maintained. The important aspect of the problem is that officers competent to take decisions and the actions should make it a point to explain their decisions and actions to the people wherever necessary. Complaints from the public and the press should be attended to expeditiously and with an open mind. In this regard officers of the district level should make the best use of the services of the District Information Officers to the extent feasible. The Head of the Department should also adopt similar measures in the interest of public relations. The services of the Director of Public Relations should be made the best use of for such purposes. (Government Circular Memorandum No. 18422/67 O & M., dated 24th April 1967).

230. Whenever criminal proceedings are initiated on the basis of the complaint filed by a Government officer all officials connected with that case have a responsibility to see that the prosecution case is conducted properly and that they cannot shirk their responsibility by saying that they need produce only such evidence as is called for. Instances of non-cooperation or indifference on the part of Government Officers in such cases will be seriously viewed by Government. (Government Circular Memorandum No. 4107/F8/67-4/Home., dated 13th March 1967).

231. The Government of India have accorded approval to:-

(a) The establishment of one centre at Calicut for conducting courses of one month's duration every year during June to September for the training of Tindals of the sailing vessels in the traditions of sea.

(b) The payment of an honorarium of Rs. 200 (Rupees two hundred only) per course to the Port Officer conducting the courses.

(c) The incurring of an expenditure not exceeding Rs.300 (Rupees three hundred only) for the training centre representing the cost of rent of the premises, purchase of stationery, etc., for the duration of the course.

(d) The payment of stipend of the value of Rs.50 to each trainee undergoing the course and

(e) The payment of one way travelling allowance to the trainees at the rate of Rs.10 per trainee limited to actuals.

The expenditure involved on the scheme will be met by the Central Government and the Kerala Government on 50:50 basis. The expenditure representing the 50 percent share of the Central Government is debitable to the head. "54 - Mercantile Marine A - Direction". (Letter No.27 MT (2)/66., dated 13th July 1966 from the Government of India Ministry of Transport and Government of Kerala Memorandum No. 31329/P3/66-1/PW., dated 29th July 1966).

232. Calicut is declared as one of the centres for selecting boys for training under the supervision of Port Officer, Calicut, in 'T.S. Mekhala' Vizagpattinam and the monthly selection is limited to 3 boys. Of the three boys, one seat every month is reserved for candidates belonging to schedule tribe, candidates from Laccadive, Minicoy and Amnidiivi Islands. (Letter No. 17 (5) CRB/63/PT., dated 28th April 1965 from the Government of India, Ministry of Transport and Government of Kerala Memorandum No. 3337/P3/65-4/PW., dated 6th May 1965 and also letter No. 117 (5) - CRB/63., dated 22nd March 1966 from the Director General of Shipping, Bombay).

233. (a) The staff council for the Port Department has been constituted with 8 members. (G.O.Rt. 497/62/PW., dated 6th March 1962).

(b) In relaxation of rule 9 (b) of the rules for the constitution of Departmental Staff Councils, the meetings of the Departmental Staff Council for the Minor Ports Department during the shipping season that is from first September to 15th May will be held at the Port Office, Calicut instead of at the head quarters, Trivandrum. (G.O.Rt. 404/63/PW., dated 21st February 1963).

234. The staff deputed for supervision of landing and shipping operations at "peringad" a place lying outside the port limits and beyond 5 miles (8 K.M.) from Tellicherry shall be paid travelling allowance as per rules and the amount so paid to the staff shall be recovered from the parties concerned and credited to Government, (G.O. Rt. No. 2333/64/PW., dated 21st December 1964).

235. Occasional sales of unserviceable dismantled and condemned articles, broken branches of trees or fallen trees; improvements on lands to be acquired, annual actions of usufructs of trees, etc., cannot be treated as "sales" as per the provisions in the Kerala General Sales tax Act, 1963 and hence sales tax is not leviable on such sales. (G.O. Rt. No. 568/67/RD., dated 8th June 1967).

236. A common departmental test has been prescribed for the Port Department by name "The Kerala Port Department Test" and the following categories of employees of the Port Department have to pass the test for the satisfactory completion of probation:

(1) Wharf Supervisors/Assistant Port Conservators/Assistant Pier Masters and Cargo Supervisors.

(2) Port Officers.

The following will be the syllabus for the Test.

(1) The Madras Port Manual (Chapters III, IV, V (iii), VI, VII, X, XII, XIII and XIV only).

(2) The Indian Port Act, 1908 (Act XV of 1908)

(3) The Merchant Shipping Act, 1958 (Act XLIV of 1958)

(4) The Indian Light House Act

(5) The Madras Minor Ports Harbour Craft Rules, 1953.

(6) Port Conservancy Rules, Port Pier Rules, Rules Governing the warehousing of goods in the Government sheds and godowns at the working of the Tugs 'Alleppey' and 'Venad' - issued in Notification No. PWC 4 - 3496/55/PWC., dated 18th October 1955 as amended from time to time

(7) Notes for the guidance of Officers in Commonwealth Countries, Overseas Territories and the Irish Republic (British Merchant Shipping and Seamen - Revised). Issued by the Ministry of Transport 1963.

(8) (1) The Merchant Shipping (Registration of Sailing Vessels) Rules, 1960.

(2) The Merchant Shipping (Tonnage Measurement of Sailing Vessels) Rules, 1960.

(3) The Sailing Vessels (Assignment of free board) Rules, 1960.

(4) The Sailing Vessels (Statement of Crew) Rules, 1960 and the Sailing Vessel (Inspection) Rules, 1962.

(5) The Indian Merchant Shipping (Life Saving Appliances) Rules, 1956.

(6) Merchant Shipping (Distressed Seamen) Rules, 1960.

(7) Merchant Shipping (Continuous Discharge Certificate) Rules, 1960.

(8) Mercantile Marine Circulars issued by the Government of India from time to time (G.O. (MS) No. 73/67/PW., dated 24th April 1967).

237. The fees chargeable under the provisions of the Madras Court Fees and suits Valuation Act, 1955 on the following applications presented to the officers of the Port Department in the erstwhile Malabar Kasargod area have been remitted. (Government of Madras G.O. Rt. No. 2565/Home., dated 12th September 1956).

(1) Application to Import

(2) Application to Export

(3) Application for refund of Landing and Shipping Fees.

(4) Application for ground rent

(5) Application for the use of hand cranes

(6) Application for relanding of cargo (Relanding Pass)

(7) Application for use of port for stacking cargo before shipment or after landing and for hauling up of boats for repairs.

Court fees stamps to the value of 25 paise should be affixed to the following applications:

(1) Application to licence harbour craft and registry of vessels under the Merchant Shipping Act, 1958.

(2) Applications (i.e.) requisitions for entry and clearance of vessels.

(3) Application for overtime work

(4) Application for charge of tindals.

(5) Application for permission to visit the steamer.

(6) Application for a duplicate copy of harbour craft licence.

(7) Application for change of ownership of vessels.

(8) Application for removal of sand from port limits for marine purpose on which permits are issued by the Port Officers and Port Conservators.

(9) Application for refund of security deposit by contractors.

(10) Application for services of tugs, steam cranes, motor launches, etc.

(11) Application for lease of port land

(12) Applications or petitions from private parties for any other purpose on which the Port Office has to act upon.

238. Government have accorded sanction for the grant of loans to owners of cargo boats at the intermediate and minor ports in the State for the construction of new cargo boats and for repairs to cargo boats. (G.O. MS. No. 208/66/Pw., dated 1st September 1966).

The rules for the grant of loans are given in Appendix XXI.

239. The rules for precautions against fire to be observed in Public Offices are given in Appendix XXII.

240. The administrative and financial powers delegated to the State Port Officer, Port officer, etc., are given in Appendix XXIII.

241. The scale of fees for measuring and surveying vessels under section 35 of the Indian Ports Act, 11908 are given in Appendix XXIV.

State Port Office,
Trivandrum

(Sd.)

StatePortOfficer

APPENDIX II

(Vide paragraph 11 of the Port Manual)

Port Limits

<i>District</i>	<i>Port</i>	<i>Port Limits</i>
Trivandrum	Trivandrum	<p>On the north, by a line drawn south-west from the north boundary pillar to 10 fathoms of water.</p> <p>On the south, by a line drawn south-west and south-east and joining the north and south boundary lines in 10 fathoms of water.</p> <p>On the east, so much of the foreshore between the north and south boundary pillars as lies within 50 yards (45.72 metres) of high water mark and included within the port boundary stones, also the area of land enclosed by a line running from the boundary stone north of the pier to a stone south of the St. Anthony's Roman Catholic Church, thence south-east of the salt bank-shell, thence to the boundary stone on the foreshore.</p>
Quilon	Quilon	<p>On the north, a line drawn west-south-west from the north boundary pillar until the Tangassery Light House bears north.</p> <p>On the south, a line drawn west-south-west from the north boundary pillar until the Tangassery Light House bears north.</p> <p>On the east, so much of the foreshore as lies between the north and the south boundary pillars and within 50 yards (45.72 meters) of high water mark.</p> <p>On the west, a line cutting the north and south boundary lines and with the Tangassery Light House bearing north.</p>

APPENDIX II -(cont.)

<i>District</i>	<i>Port</i>	<i>Port Limits</i>
Quilon	Koilkhottam	<p>On the north, by a line drawn west from a point one mile (1.61 km.) north of Messrs. F.X. Pereira and Sons' Factory and 50 yards (45.72 metres) from high water mark to 8 fathoms of water.</p> <p>On the south, by a line drawn west from the north boundary pillar of Neendakara Port to 8 fathoms of water.</p> <p>On the west, by a line running north and south joining the north boundary and south boundary lines in 8 fathoms of water.</p> <p>On the east, so much of the foreshore as lies between the north and south boundary lines as lies within 50 yards (45.72 meters) of high water mark.</p>
Alleppey	Alleppey	<p>On the north, by a line drawn west from the north boundary pillar to 7 fathoms of water.</p> <p>On the south, by a line drawn from the south boundary pillar south-west to 5 fathoms of water and thence west in to 7 fathoms.</p> <p>On the west, by a line running north and south and joining the northern and southern boundary lines.</p>

On the east, by the Beach Road from the north boundary pillar to a stone on the Beach Road 220 ft. (67.056 metres) east of the south boundary pillar.

Palghat	Ponnani	<p>North.- The boundary pillar 1½ miles (2.41 km.) north of the river's entrance and the shore within 50 yards (45.72 meters) of high water.</p> <p>East.- The bank of the river, backwater, creeks and islands within 50 yards (45.72 meters) of high water and within a distance of 1½ miles (2.41 km.) from the entrance to the river.</p>
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APPENDIX II -(cont.)

<i>District</i>	<i>Port</i>	<i>Port Limits</i>
		<p>South.- The boundary pillar 1½ miles (2.41 km.) south of the river's entrance and the shore within 50 yards (45.72 metres) of high water.</p> <p>West.- The space enclosed between two lines running due west from north and south boundary marks to 9 fathoms of water.</p>
Kozhikode	Calicut	<p>North - A line running due west from the boundary pillar erected the south of Elattur point to 9 fathoms of water.</p> <p>South - A line drawn due west from the boundary pillar, a quarter of a mile (0.4 km) south of the river mouth of Kadalundi to 9 fathoms of water.</p> <p>East - So much of the seashore between the northern and southern limits as is within 50 yards (45.72 metre) of high water mark spring tides, excluding the Government Forest Timber Depot land and 0.03 acre (1121.4 sq. metres) in T.S. No. 125 (2) and (3) Ward IV, Block 4, Kozhikode Municipality and including the harbour or backwater and the Kallai River as far as the junction of Conolly's Canal and also backwaters, creeks and islands within the distance of 3 miles (4.82 km) upstream from the mouth of the Beypore River up to a line drawn due east and west across the river from the northern limit of the Mammali Coffee Works, Jetty and the unoccupied dry Government land measuring 44 yards (40.23 metres) north and east from the 50 yards (45.72 metres) high water mark limit on the northern side of the Beypore River mouth.</p> <p>West - A line running from the north to south and connecting the western most points of the two before mentioned lines defining the northern and southern limits.</p>

APPENDIX II -(cont.)

<i>District</i>	<i>Port</i>	<i>Port Limits</i>
Kozhikode	Badagara	<p>North - A line drawn due west from a point 1½ miles (2.41 km) north of the customs house to 9 fathoms of water.</p> <p>East - The sea-shore between the northern and southern boundary marks within 50 yards (45.72 metres) of high watermark spring tides.</p> <p>South - A line drawn due west from a point 3 miles (4.82 km) south of the customs house to 9 fathoms of water.</p> <p>West - A line connecting the western ends of the northern and southern boundary limits in 9 fathoms of water.</p>

Cannanore	Tellicherry	<p>North - A line drawn south-west from the north boundary pillar at base of Codata Hill 3 miles (4.82 km) north of customs house to 9 fathoms of water.</p> <p>East - The Anjerakandi and Koduvalli bridges and the sea-shore between the north and south boundary pillars within 50 yards (45.72 km) of high water mark spring tides.</p> <p>South - A line drawn south-west from the south boundary pillar on Ponnuli point 3 miles (4.82 km) south of the customs house to 9 fathoms of water.</p> <p>West - A line connecting the western ends of the northern and southern boundary limits in 9 fathoms of water.</p>
Cannanore	Cannanore	<p>North - The boundary pillar one mile (1.61 km) north of the Fort.</p> <p>East - The sea-shore between the northern and southern boundary pillars (Govt. Memorandum No. 42732/F/53-2 PW., dated 11th June 1953) to within 50 yards (45.72 metres) of high water-mark spring tides.</p> <p>South - The boundary pillar 2 miles (3.22 km) south of the Fort.</p>

APPENDIX II -(cont.)

<i>District</i>	<i>Port</i>	<i>Port Limits</i>
		<p>West - The space enclosed by two lines running due west from the boundary pillars to 9 fathoms of water.</p>
Cannanore	Azikkal	<p>North - A line drawn due west from north boundary pillar 1 mile (1.61 km) north Matool point to 10 fathoms of water.</p> <p>East - Both banks of the river including the Matool creek for 1 mile (1.61 km) from Matool point within 50 yards (45.72 metres) of high water mark spring tides from the mouth up to and including the Baliapatam ferry, all other creeks being excluded.</p> <p>South - A line drawn due west from south boundary pillar 1 mile (1.61 km) south of the left bank of the mouth of the river to 10 fathoms of water.</p> <p>West - A line connecting the western end of the northern and southern boundaries in 10 fathoms of water.</p>
Cannanore	kasargod	<p>North - A line drawn from the road leading from the Taluk Cutchery across the river and sea-shore to 9 fathoms of water in the sea.</p> <p>East - The bank of the Chandragiri river on the mainland from the Taluk Cutchery road to the Coast road at Talangara Village and the shores thereof on the opposite side of the river to within 50 yards (45.72 metres) of high water mark.</p> <p>South - A line drawn from the Coast road at Talangara Village to the southern end of the Railway bridge and along the shores of the river towards west-ward to the northern boundary stone of the Kalnad Village on the river shore extending due west to 9 fathoms of water in the sea.</p> <p>West - The space enclosed between the two lines running due west from the northern and southern boundaries to 9 fathoms of water in the sea.</p>

APPENDIX III

(Vide paragraph 20 of the Port Manual)

Copy of Memorandum No. 44600/O & M-2/62, dated 8th May 1963 to All Heads of Departments.

Sub:- O & M - Formation of O & M Division in the Offices of the Heads of Departments - Questionnaire for inspection - Finalized.

Ref:- Memorandum No. 44600/O & M-2/62., dated 9th January 1963.

The Heads of Departments are requested to adopt the questionnaire appended to this Memorandum for inspection of their offices and subordinate offices by the O & M Division.

M.S.K. RAMASWAMY

Deputy Secretary

INSPECTION OF THE OFFICES OF HEADS OF DEPARTMENTS AND OTHER SUBORDINATE OFFICES

I. Questionnaire for inspecting the work of clerks in section

N.B - The Manual referred to in this is the Manual of Office Procedure for use in offices other than the Secretariat.

1. (a) Date of Inspection
(b) Date of last inspection
2. Name of the office and section
3. (a) Names of clerks who worked in the seat from the date of last inspection or for the last one year.
(b) Name of the clerk now working and the date from which he is working.
4. Personal Registers (para 21):-
 - (a) Are they in Form III in Appendix 1 of the Manual
 - (b) Has a new register been opened for the current year.
 - (c) How many volumes are there?
 - (d) Have the names of the Superintendent of the Section and of the clerk maintaining the register been written on the flyleaf of each volume.
Have the charges in the personnel during the calendar year been indicated on the flyleaf?
 - (e) Have the old items been carried over to the current register and a certificate obtained from the Superintendent that effect.
 - (f) Is there a certificate regarding the number of pages in Personal Register on the front sheet of Personal Register.

5. Maintenance of Personal Registers:

- (a) Does the clerk register the currents on the day of receipt itself?
- (b) Are the titles brief and in accordance with instructions in Chapter 'X' of the Manual?
- (c) Are the entries in columns (8) and (9) made then and there?
- (d) Are the entries in columns (5) and (6) made properly and promptly?
- (e) Are the entries relating to reminders made in red ink in columns (7), (8) and (9).
- (f) Are unnecessary papers registered in Personal Registers?
- (g) Are the disposals clearly indicated in the last column as per the instructions contained in paragraph 34 of the Manual?
- (h) Is serial numbering of new cases done properly?

6. Checking delay:-

- (a) Is the days' rule strictly observed? (Para 151 of the Manual). This can be checked by comparing the entries in column (3), (5) and (9).
- (b) Are reminders issued regularly?
- (c) Is the clerk furnishing the arrear lists punctually and correctly?

7. Examination of files:-

(10 pending files and 5 closed files may be taken at random and examined with reference to the following points)

- (i) Is the punching of stamps, if any, being done properly?
- (ii) Are punching and tagging of papers done properly?
- (iii) Are the numbering in current files and note files and paragraph numbering in note files done?
- (iv) Have all the previous papers required been put up and referenced? If not why?
- (v) Are the instructions contained in paragraphs 46 and 57 being followed while linking files?
- (vi) Is there a tendency to make unnecessary references? (Only a cursory check is necessary as the responsibility to avoid it is mainly for superior officers)
- (vii) Are the petitions etc., acknowledged immediately on receipt?
Are replies being given to the petitions and other representations promptly?
- (viii) Are replies being sent promptly to the reminders received? If not why?
- (ix) Are there irregular disposals of files?
- (x) Are there instances of keeping open the files which ought to have been closed or of closing files prematurely?
- (xi) How many long pending files are there of:-
 - (a) Two years old and more.

(b) More than one year old but less than 2 years old.

(c) More than six months old but less than one year old

(xii) What is the work load of the seat? Is it light/normal/heavy or every heavy?

8. Inspection of Personal Register:-

(i) Is there any schedule for inspection of personal registers? If so what are the dates for inspection?

(ii) Is the schedule being followed scrupulously? If not why? How many times was inspection of Personal Registers done over a period of six months prior to the date of this inspection.

(iii) Are the inspections through and effective?

(iv) Does the clerk reply to remarks of inspecting officer in Running Note file within 48 hours?

(v) Has the clerk rectified all the defects pointed out during inspection?

(vi) Are there any missing files? (this can be checked by calling for files at random).

9. Records:-

(i) Is the 'chaining' of records being done regularly?

(ii) Are there unnecessary records without being sent to records section?

(iii) Has the acknowledgment of the clerk maintaining the distribution register been obtained in the Personal Register while sending new records to record room?

10. Stock files:-

(i) Does the clerk maintain a Stock File for keeping copies of important orders etc., on each of the subjects dealt with by him?

(ii) Is a table of contents affixed to the stock files and are its sheets page numbered?

(iii) Is there a periodical register and if so is it being maintained up-to-date (para 148).

11. Other points to be examined in the light of the special circumstances that prevail in the particular Department.

12. General Remarks

Signature
Name and designation of the
Inspecting Office

**INSPECTION OF THE OFFICES OF HEADS
OF DEPARTMENTS AND OTHER
SUBORDINATE OFFICES**

**I. Questionnaire for inspecting the work of
Superintendent or Section Head**

N.B - The Manual referred to is the Manual of Office Procedure for use in offices other than the Secretariat.

1. (a) Date of inspection
(b) Date of last inspection
2. Name of the office and section inspecting.
3. (a) Names of the Superintendent who worked in the seat from the date of last inspection or for the last one year.
(b) Name of the Superintendent now working and the date from which he is working.
4. Distribution of Tappals:-
 - (i) Does he distribute the tappal with necessary instructions and get the clerk's initials in the distribution register?
 - (ii) Does he check whether currents have been registered and furnish the necessary certificate?
 - (iii) Does the Superintendent regularly inspect the personal register?
5. Stock files:-

Does the Superintendent inspect the stock files periodically and see that it is maintained up-to-date.
6. Are the arrear lists submitted regularly?
7. Are there any files pending with Superintendent for more than ten days and if so their C.No., date of submission by clerks to him and also reasons for delay may be noted?
8. Casual Leave Register:-
 - (i) (a) Is a register showing casual leave and/or compensation leave granted to subordinates kept in the prescribed form and maintained up-to-date?
 - (b) Is there a column showing progressive total in the register?
 - (ii) Had the Head of Office initialled every item in the register?
 - (iii) In cases compensation leave is there a record to show why it was given?
 - (iv) Has any subordinate exceeded the prescribed maximum of casual leave and/or compensation leave?
9. Attendance Register:-
 - (i) Is the Attendance Register maintained in the prescribed form?

- (ii) Has it been periodically checked by the officer or the head ministerial officer in the absence of the Officer?

(The register in the Section is expected to be submitted to the officer at 10.10 a.m. Whether the register is submitted to the Officer at 10.10 am. and whether the staff attending office after 10.10 a.m. are allowed to initial the register only after obtaining explanation for their late attendance have to be verified in answering this question).

10. Inspection of cash chest, cash book and allied registers if offices dealing with cash:-

- (i) is the office provided with cash chest or cash box?
 - (a) If so, is it in good condition?
 - (b) In whose charge are the keys?
 - (c) Who is the custodian of cash?
- (ii) Is cash book maintained in the proper form (T.R.7-A) and is it complete in every respect?
 - (a) Are the entries in the cash books made simultaneously with the transactions?
 - (b) Are the cash books closed at the end of each day or at regular intervals if there are no daily transactions or if the transactions are few and the balance struck?
 - (c) Is it closed at the end of every month?
 - (d) Does the officer check the cash book regularly?
- (iii) Are the following registers maintained properly:-
 - (a) File of chalans
 - (b) Acquittance Roll (T.R. 95)
 - (c) Register of undisbursed pay etc. (T.R. 22)
 - (d) Cash received and despatched book (T.R. 27-A)
 - (e) Register of contingent charge (K.F.C. 10)
 - (f) Treasury Bills Book (T.R. 74)
 - (g) P.A. Disbursement Register (T.R. 96)
 - (h) Register of cheques (T.R. 17)
 - (i) Disbursing Officers Register
- (iv) Are amounts entered in “cash received and despatched book” brought to the cash book promptly? (Form T.R. 27-A).
 - (v) (a) Is the Acquittance Roll kept properly? (T.R. 95)
 - (i) Is it stamped wherever necessary? and
 - (ii) Are there proper receipts for all sums disbursed?

(b) Does the officer who is checking the Roll sign the statement as contemplated in Rule 432 (d) of K.T.C. Vol. I?

(vi) Is a separate register of undisbursed pay in Form T.R. 22 maintained and thereby the disposal of undisbursed pay watched? Are there any instance of undisbursed pay being retained unduly long?

(vii) Is the order book of contingent and permanent Advance Register being maintained properly and got verified and attested regularly by the Officer?

NOTE: - 1. Count the cash balance on the day of inspection and find out whether it agrees with the balance shown in the book.

2. Make a check of the entries in the cash book with the entries of other registers, vouchers, file of chalans, etc., and write down discrepancy, if any, found.

3. On the whole, note down whether you are satisfied that the cash dealings and accounting are done regularly.

11. Register of Service Books:-

Is the Register of Service Books maintained in the proper form?

A few Service Books may be taken at random and examined with reference to the following points:-

(1) Whether promotions, reductions, probations, increments, transfers and leave are regularly and correctly recorded?

(2) Whether such entries are regularly attested by the Head of Office or Gazetted Assistant to whom powers have been delegated?

(3) Whether leave account is properly and correctly maintained?

(4) Whether the quinquennial attestation of the Officer has been recorded in the Service Book regularly?

12. Inspection of Stock Registers of furniture, books, stationery, etc.

(1) Whether the Stock Register is maintained properly in respect of the following:

Register of motor cars/motor boats, log book

(2) Register of trunk calls.

(3) Stock accounts of furniture and other office stores (K.F.C. 18)

(4) Register of stationery

(5) Register of books and periodicals (K.F.C. 19)

(6) Register of printed forms (Separate for common, T.R., K.F.C., etc.)

(7) Acknowledgment of receipt of money (T.R. 5)

(8) Stock register of licence books (prawn fisheries, etc.)

13. Inspection of stamp accounts:-

(i) Is the stamp account maintained in the prescribed form?

(ii) Has the stamp account been periodically checked by the Officer or the Head Ministerial Officer?

14. Register of objection slips retrenchment orders, etc., receive from the Accountant-General's Office:-

(1) Whether the register in the prescribed form (Form No. 4 of K.F.C. Volume II) is maintained?

(2) Whether replies to the audit objections are sent to the Accountant-General within a fortnight of their receipt in the office?

(3) Whether the register is inspected and reviewed monthly by the Head of Office?

15. Inspection of other registers:-

(1) Register of special advances (K.F.C.5)

(2) Register of advances to Government servants for building, repairing or purchasing houses etc. (K.F.C.38)

(3) Register of advances (Onam Advances) (K.F.C. 53)

(4) Register of Security Deposit (K.F.C. 43)

(5) Register of Tenders (K.F.C. 15)

16. Is the section tidy and clean?

17. Other points if any.

18. Has the Superintendent got any suggestion to make for improving the procedure and ensuring expeditious despatch of work.

Signature

*Name and designation of the
Inspecting Office*

INSPECTION OF THE OFFICES OF DEPARTMENTS AND OTHER SUBORDINATE OFFICES

I. Questionnaire for inspection (i) Fair Copy Section and (ii) Record Room (Manual referred to in this is the Manual of Office Procedure for use in offices other than the Secretariat)

1. (a) Date of inspection
(b) Date of last inspection
2. Name of the office
3. (a) Sanctioned strength of the Fair Copy Section:
(b) Names of the incumbents including that of Fair Copy Superintendent (If there were frequent changes the name of the previous incumbents may also be noted):
4. Are there distribution registers in Form I for each section and is the numbering of tappals done properly with machine? If not why?

5. Has a box been kept for the tappals being dropped on holidays and out of office hours?
6. Are the tappals opened in the presence of the officer specified for the purpose?
7. Is there a date stamp seal and are the tappals properly stamped with it?
8. Is the Security Register in Form II maintained and are the instructions in para 18 of the Manual followed?
9. Are the stamps on the tappals defaced properly?
10. Is the fair copy register maintained in Form VI and are the entries therein made properly? (Para 116).
11. Is the local delivery book in Form VII maintained and examined each day?
12. Is daily stamp account in Form VIII maintained and checked daily?
13. Is the call book maintained up-to-date? (Para 1514)
14. Is it being inspected every month?
15. Is there a record room?
16. Note the staff strength of the record room with the names of incumbents and distribution of work?
17. Have the records been arranged properly with separate bundles for each kind of disposals?
18. Is there a records issue register and if so is it being maintained properly? (Para 139).
19. Are records issued without receiving requisition slip in Form No. IX?
20. Is the requisition slip put in the place of the record in the bundle?
21. Are reminders for the return of records issued 3 months before but remain unreturned prepared on the first of every month and sent to clerks concerned? (Para 142).
22. Is there a register of volumes, indexes, etc., contemplated in para 113 of the Manual?
23. Has action been taken to destroy records which are ripe for destruction? (Para 144 and 145)
24. Have the index slips been properly arranged and filed?
25. Have they been arranged in alphabetical order?
26. Are they being printed annually?
27. Has the record room been inspected by the Manager or Head Ministerial Officer in every quarter? (Para 116).
28. Are there any other defects?
29. General remarks.

Signature
Name and designation of the
Inspecting Office

**INSPECTION OF THE OFFICES OF HEADS OF
DEPARTMENTS AND OTHER SUBORDINATE OFFICES**

**I. Questionnaire for inspection of Pay Roll Saving Scheme
under the National Savings Scheme.**

(G.O.P. No. 424/65/Fin., dated 8th November 1965)

1. Whether Pay Roll Savings Scheme is working in the Office?
2. How many members are there?
3. Are consent slips and pass books kept in proper custody?
4. Is deduction noted in Acquittance Roll against the names of members?
5. Is the amount collected, entered in the Cash Book?
6. Is there any avoidable delay in remitting the amount?
7. Is commission claimed?
8. If so, has the Regional Director been intimated?

Signature
Name and designation of the
Inspecting Office

**Questionnaire for inspection the special
Registers of Port Offices**

1. Entry and Clearance Register:-
 - (a) Is the Register in the Proper form?
 - (b) Are all the entries made in respective columns after verification of the certificate of registry of the vessel and other papers produced by the Steamer Agents?
 - (c) Whether assessment of Port dues is correct?
 - (d) Whether the Nos. of entry and clearance certificates are noted in the Register in the last column attested by the head of office/certificate issuing officer?
 - (e) Whether the No. of Port dues receipt is noted against the respective entries?
 - (f) Whether the total of a day's collection is struck?
 - (g) Whether the monthly abstract is furnished?
 - (h) Whether the entry and clearance papers filed by the parties are filed and kept properly for ready reference?
2. Import and Export Dues Register:-
 - (a) Whether all the applications are registered?
 - (b) Whether the assessment is correct?
 - (c) Whether daily total and progressive total recorded?
 - (d) Whether the Import and Export Manifests are checked and closed periodically and steps taken to make good any omission in collection of dues?

3. Tug Charges Register:-

- (a) Whether all the requisitions for the services of the Tug are registered serially?
- (b) Whether the hours of work are noted?
- (c) Whether the charges are levied correctly?
- (d) Whether charges are collected promptly?

4. Overtime Fees Register:-

- (a) Whether all applications are registered seriously?
- (b) Whether the hours of work are recorded?
- (c) Whether the assessment is in accordance with the approved rates?
- (d) Have the date of collection and No. of receipt been noted?
- (e) Whether the date of remittance and No. of chalan are recorded?

5. Register of Miscellaneous Collection:-

Whether the miscellaneous items of revenue are collected and brought to account

6. Register of Marine Protest:-

- (a) Whether marine protests, if any, are noted in the requisite stamp paper and deposition taken?
- (b) Whether the fee for protest is collected and brought to account?

7. Mercantile Marine Registers (M.M. Cash Book, Shipping Masters Endt. Book, etc.):-

- (a) Whether the fees for engagement and discharge of crew, if any have been collected?
- (b) Whether the change of crew, etc., if any, are noted and endorsements made suitably?

8. Register of Harbour Craft Licence:-

- (a) Whether annual inspection of Harbor crafts has been carried out in all cases?
- (b) Whether all the harbour crafts plying in the Port are registered and licensed?
- (c) Whether the licence fee has been levied correctly?
- (d) Whether steps have been taken to know the where about of any crafts registered at the Port but not produced for annual inspection and action taken?

9. Fishing Licence Register:-

- (a) Whether any licence for fishing in the Port area is issued?
- (b) Whether the licence fee has been collected?

10. Ground Rent Register:-

- (a) Whether the register is maintained in the proper form?
- (b) Whether the occupation of land has been posted in the register and periodical check effected?

- (c) Whether individual applications for occupations are obtained and filed serially for verification and the occupations periodically measured and noted?
- (d) Whether the assessment and levy of ground rent are in accordance with rules?

11. Salvage Register:-

- (a) Whether the wrecks and salvages are recorded and fees levied?
- (b) Whether the various wrecks and salvages are recorded and fees levied?
- (c) Whether proper acquittance for disbursement of salvage charges are obtained? and filed?

12. Register of Passengers Arrived and Sailed:-

- (a) Whether the embarkation and disembarkation of passengers are noted?

13. Register of Tindals and Crew:-

- (a) Whether the name of tindals and crew of each harbour craft are noted in the Register at the time of registration and also at the time of annual inspection or personal verification?
- (b) Whether changes in tindals and crew, if any, are noted?

14. Pilotage Register:-

- (a) Whether all the pilots are licensed?
- (b) Whether pilotage fees have been levied and properly accounted?

15. Register of Licences for use of Lands within Port Limits and Construction of Fettes:-

- (a) Whether all the licences issued for using the lands within Port limits for marine purposes are entered in the register?
- (b) Whether the agreed rent is collected properly?
- (c) The change of licensee, if any, has been noted?
- (d) Whether prompt action has been taken to lease out the land at the expiry of each licence and the licences are readily available for reference?

16. Register of Landing and Shipping Dues Outstanding:-

Whether the outstanding are noted and prompt action taken for the collection of arrears?

17. Register of Test Check of Cargo:-

Whether the register in the prescribed form is maintained and check-weighment of cargo effected?

Signature
Name and designation of the
Inspecting Office

APPENDIX IV

(Vide Paragraph 23 and 24 (i) of the Port Manual)

(i) Uniform Prescribed for State Port Officer and Port Officers

State Port Officer: - The uniform prescribed for the State Port Officer, Kerala, shall be similar to that prescribed for Port Officers with the following exceptions:

- (i) Full dress Coat
- (ii) Undress (a) Coat
 Uniform (b) Shoulder straps
 and
- (iii) Mess dress (a) Shoulder strap
 (b) Mess trousers

FULL DRESS

Port Officers:- Coat - Blue cloth, double-breasted of evening tail coat pattern, five buttons in each row, with turn down collar with three rows of 111.25 cm. gold lace surmounted by a diamond instead of curl in same lace on the sleeves, facing on flags to be light blue.

Buttons:- Same as those prescribed for Officers of the Indian Merchant Navy.

Waist Coat:- White, single-breasted, with three small 1.25 cm. buttons.

Trousers:- Blue cloth, plain, without lace, or white duck as may be ordered to be worn.

Shirts:- White

Neck tie:- Black, silk, plain

Gloves:- White

Boots and Shoes:- White canvas or buck skin or black leather plain toes. Plain fronted half Wellingtons may be worn with mess kit.

Helmet:- White regulation naval pattern with blue piping at top of puggaree.

Sword:- The hilt solid, half basket guard, badge to be an anchor surmounted by the emblem of the State Government, back piece white fish-skin grip bound with three gilt wires blade 79.3 cm. long.

Sword belt:- Of black leather, the clasp to have the same device as the service badge on cap.

Scabbard:- Top and middle lockets to be 10.16 cm. and 8.87 cm. long respectively; to have loops and rings plain; the chape 19.05 cm. long and plain as above.

Sword-knot:- Light blue and gold rope, 58.4 cm. long with basket work head and 12 gold bullions; a piece of the same sort of cord 37.5 cm. long, is to be fixed to the hilt to which the knot is attached.

UNDRESS UNIFORM

Bush shirt:- White bush shirt as is worn by the Officers of Indian Navy.

Trousers:- Blue cloth (plain) or white drill or duck

Undress sword belt:- Same as full dress, black morocco leather slings to be 1.9 cm. wide.

Shoulder straps:- Navy blue cloth, with three rows of 1.25cm. width gold lace surmounted by a square. Rows of lace to be 0.63 apart. Shoulder strap to be 14 cm. long, 5.68 cm. broad and to have one 1.25 button at the top.

Cap:- Blue cloth, diameter of top to be 20.32 cm. total depth 8.12 cm. with a black mohair band 3.8 cm. wide surmounted in front by a badge. The peak to be sloping covered with blue cloth and bound with patent leather and embroidered on the front edge with laurel leaves in gold 1.9 cm. wide.

Badge:- Device to be an anchor on a navy blue raised background surmounted by the State emblem.

Helmet:- White regulation naval pattern with blue piping at top of puggaree.

Boots and shoes:- White canvas or buck skin or black leather plain toes.

MESS DRESS

Mess jacket:- Blue cloth, double breasted, six button holes in each row four in the turn and two below padded turn down collar slightly reached over the hips with a rounded peak behind two pockets with belts at sides. Round cuffs, the sleeves laced as in the undress coat. The jacket is fastened in front by a link 1.9 cm. buttons to be worn three in each row.

White jacket:- White drill or duck and of the shape the blue jacket but with a roll collar, two 1.9 cm. buttons in each row and two button holes on either side to correspond with the buttons to be worn linked with buttons connected by a ring. Shoulders fitted for straps.

Mess Waist Coat:- Single breasted cut low with roll collar. White drill or duck or blue cloth and with 4 small 1.25 cm. buttons.

Mess Trousers:- Blue cloth, plain

Shirt:- White stiff shirt with stiff cuffs

Neck Tie:- Black bow tie.

Shoulder Straps:- Navy blue cloth with three rows of 1.25 cm. width gold lace surmounted by a diamond instead of curl in same lace. Bows of lace to be 0.6 cm. apart. Shoulder straps to be 13.95 cm. long, 5.67 cm. broad and to have one 1.25 cm. button at the top.

Cap:- Blue cloth diameter of top to be 20.32 cm. total depth 8.12 cm. with a black mohair band 3.8 cm. wide round surmounted in front by a badge. The peak to be sloping covered with blue cloth and bound with patent leather and embroidered on the front edge with laurel leaves in gold, 1.9 cm. wide.

Badge:- Device to be an anchor on a navy blue raised background surmounted by the State emblem.

Boots and Shoes:- Black leather or patent leather shoes plain toes or plain half wellingtons.

ORDINARY WEAR

White uniform shirt, white shorts with shoulder strap and cap, white stockings with white or black shoes.

**(ii) Uniform prescribed to the Senior Port Conservator,
Port Conservators including pier Master
and Assistant Port Conservators
(Wharf Supervisors)**

1. Khaki slack
2. Khaki bush shirt (full arm or half arm) with approved buttons.
3. Khaki socks
4. Brown shoes
5. Peak cap with approved badge
6. Shoulder strap badge with the words "Port and Marine Kerala" and stars.

The stars, shoulder strap badges, buttons and peak cap badge shall be of white metal. The Senior Port Conservator shall wear three numbers five pointed stars on each shoulder and Port Conservators and Pier Master shall wear two numbers five pointed stars on each shoulder and the Assistant Port Conservators (Wharf Supervisors) shall wear one number five pointed star on each shoulder.

The Shoulder strap badges with the words "Port and Marine Kerala" will be worn at the base of the shoulder strap and the stars to be affixed in the middle portion of the strap.

APPENDIX VI

(Vide paragraph 27 of the Port Manual)

Rules for the grant overtime fees to the employees of the Port Department in the Kerala State

A. DUTY HOURS

1. The duty hours of the Officers of the Department who are eligible for overtime fees will be as shown in the schedule of rates of overtime fees appended subject to the following conditions:

(i) The duty hours of the executive staff such as Wharf Supervisor, Assistant Pier Master and Cargo Supervisor will be from 8 a.m. to 6 p.m. subject to the condition that no individual member will be required to work more than 9 hours a day.

(ii) Each member of the signalling staff will be no duty for 8 hours a day in suitable shifts as may be fixed by the State Port Officer and/or the Port Officer, Calicut, taking into account the staff strength of this category at each port.

(iii) In respect of members of the ministerial staff and the Port Conservators who are permitted to attend to outdoor overtime work, the working hours in respect of outdoor duties will be taken as that of the Wharf Supervisor/Cargo Supervisor, i.e. from 8 a.m. to 6. p.m.

B. OVERTIME FEES - REQUISITIONING, COLLECTION AND PAYMENT

1. (i) Overtime fees will be payable for all works done out of office hours or holidays at the rates prescribed in the schedule subject to the condition that for the service of crane driver or assistant crane driver, fireman, winchman or boiler lascar of the steam cranes overtime fees will be payable for an extra period of three hours required for the raising of steam, etc. immediately before the commencement of the work. This will also apply in cases where the services of the steam crane are required from the beginning of the normal duty hours of the staff concerned.

(ii) The overtime fees payable to the tug crew at Alleppey Port will be paid by Government subject to the following conditions:

(a) The monthly overtime earning of the tug crew at Alleppey will be subject to the maximum of one month's pay including D.P. and D.A.

(b) In the case of the absentees from duty on leave or other causes, they will only be paid the proportionate amount of a month's salary including D.P. and D.A as the actual number of overtime hours they worked is in relation to the total number of overtime hours the tug had to work for the month.

(2) Applications for services of employees of the Port Department including tug staff for work required to be done out of office hours or during Sundays and holidays shall be made to the concerned officers at each of the Ports by the steamer agents or importers or exporters concerned.

(3) The full amount of the fees shall be paid with the requisition for the overtime services of the port staff. This rule may however be relaxed by the Port Officer, Senior Port Conservator or Port Conservators concerned, in individual cases where proper guarantee for payment of the full amount of

fees is given to his satisfaction. In such cases the fees due in a month shall be paid not later than the 5th of the month following.

(4) The staff required for each particular work will be detailed by the Port Officer/Senior Port Conservator? Port Conservators as the case may be. Only the minimum staff required to meet the demand shall be posted for overtime work.

(5) In cases when more than one application is filed for work during a particular period, the amount of overtime fees payable will be divided among the parties proportionately.

(6) The minimum overtime fees prescribed shall be payable by the steamer agents/shippers or importers applying for overtime work whether the services of the staff requisitioned are utilised or not.

(7) In calculating the overtime fees chargeable, period of 15 minutes and less shall be ignored and period of over 15 minutes reckoned as one hour.

(8) The overtime fees collected from the party shall be credited to the receipt head of the Department, in the first instance and subsequently re-drawn and paid to the officers concerned at the end of each month.

(9) Any further clarification required over the deputation of staff for overtime work or other matters connected with the grant of overtime fees to the employees shall be issued by the State Port Officer and his decision shall be final.

APPENDIX VII

(Vide paragraph 30 (iii) of the Port Manual)

Instructions regarding the submission and receipt of petitions and other papers of the same class addressed to the Government of Kerala

G.O. (P) No. 217/Public (Services D), dated 29th February 1960.

- I. Definitions:- In these instructions
 - (1) 'Government' means the Government of Kerala.
 - (2) 'Petition' includes memorials, letters and applications of the nature of petitions.
- II. Scope of instructions:-
 - (1) Save as here in after provided, these instructions shall apply, so far as may be, to all petitions addressed to the Government.
 - (2) They shall not apply to:-
 - (a) Petitions which are appeals preferred by peons holding posts under the administrative control of Government under the rules governing the conditions of their services or under the Construction of India;
 - (b) Petitions relating to Bills pending before the State Legislature; such petitions are governed by the Standing Orders of the Legislature.
 - (c) Petitions submitted by, or on behalf of, convicts under sentence of death; and
 - (d) Petitions addressed to the Governor by persons who are or were serving in posts under the administrative control of this Government in respect of matters affecting them as Government servants; such petitions are governed by the Special instructions issued by the Governor in that behalf.
 - (3) They shall not affect any rules or orders in respect of representations submitted by recognised associations of Government servants.
- III. (1) A petition may be either in manuscript or typescript or in print.
 - (2) Every petition shall be authenticated by the signature of the petitioner, or, when the petitioners are numerous, by the signatures on one or more of them.
- IV. Every Petition shall:-
 - (a) Contain all materials, statements and arguments relied upon by the petitioner;
 - (b) be complete in itself;
 - (c) if any recorded order of a public authority is complained against, be accompanied by a copy of the order and by a copy of any order in the case passed by a subordinate authority together with a copy of the petition to such authority; and
 - (d) end with a specific prayer.
- V. Any person having cause of complaint against the Government shall in the first instance seek redress from the local authority who, if unable to grant the redress sought, shall pass an order in writing to that effect. If dissatisfied with this decision, the petitioner shall be at liberty to address the Board of Revenue, Court, or other superior authority by which the local authority is controlled; or he may address the Government in cases wherein there is no such controlling authority.

Communications intended for the Government shall be addressed to "the Government of Kerala" or to a "Secretary to the Government of Kerala".

VI. The Government will not receive a petition on any matter, unless it shall appear that the petitioner has first applied to the local authority and also to the Board of Revenue or other controlling authority, where such exists.

VII. In order to enable the Government to enforce the foregoing rules without injustice or hardship to complaining parties, all heads of offices shall understand that a party affected by an order is entitled to have, on application, a copy of such order, which, in all cases except those where no appeal lies, shall contain a statement of the grounds of the decision. This shall be furnished to him on plain paper and without payment.

IX. Resolutions submitted by associations and other similar bodies will receive no attention; any such body wishing action to be taken on its representation should submit them in the form of a petition stating the grounds and circumstances of each case.

X. As the Government never interfere with the distribution of subordinate appointments, applications for situations in the gift of appointing authorities will remain unnoticed.

XI. Every Government servant wishing to petition the Government do so separately;

Provided that nothing in this instructions shall apply:-

(i) to a joint representation on one and the same subject signed by several Government servants; and

(ii) to representations submitted by recognised associations of Government servants in accordance with such rules as may, from time to time, be prescribed by the Government.

XII. Every person in civil employment and every person who has been in civil employment shall, if he desires to petition the Government in respect of such employment, or in respect of the termination of such employment, submit a separate petition on his own behalf.

XIII. Every petition from, a person who is or was serving in a post under the administrative control of Government shall be addressed to a Secretary to Government and be submitted through the head of the office or department to which he belongs or belonged.

XIV. The head of the office or department shall, unless empowered under Instruction XVIII to return or withhold it, at once forward the petition to the Secretary to Government in the department concerned through the ordinary official channel and may make such remarks as he may consider necessary in regard to the accuracy of the statements made and inferences drawn in the petition; he shall also forward such records, not submitted by the petitioner, as should properly be consulted in order to the due disposal of the petition.

XV. Petitions addressed to the Government will be liable to summary rejection in the following cases:-

(1) When the petitioner has not complied in full with the above instructions.

(2) When a petition is illegible or unintelligible or contains language which in the opinion of the Government is disrespectful or improper.

(3) When a previous petition has been disposed of by the Government of Kerala or the Government of India and the petition discloses no new facts or circumstances which afford grounds for a reconsideration of the case.

(4) When the petition is a mere application for relief, pecuniary or other, which is-

(a) Presented by a person manifestly possessing no claim or advancing a claim of an obviously unsubstantial character: or

(b) so belated that its consideration is clearly impossible;

(5) When the petition is:-

(a) an application for employment in posts under the administrative control of Government not made in pursuance of any rule or announcement regarding applications for such employment; or

(b) a request for exemption from the provisions of any law or rule prescribing the qualifications to be possessed by persons serving in posts under the administrative control of Government or by persons engaging in any profession or employment;

(6) When the petition is an appeal from a judicial decision unless such petition:-

(a) is an appeal from a judicial decision in case in which the Government have reserved any discretion if interference;

(b) is an appeal from a judicial decision in a suit to which the Government were a party;

or

(c) is a prayer for the suspension or remission of a sentence under Chapter XXXIX of the Code of Criminal Procedure, 1898 (Central Act V of 1898).

(7) When the petition is a representation against a decision which is declared to be final by any law or statutory rule;

(8) When the law provides a different or specific remedy in respect of the subject matter of the petition whether or not any period of limitation prescribed for the prosecution of such remedy has expired;

(9) When the petition is submitted otherwise than in accordance with any rule, order or contract such as is referred to in sub-clause (a) of clause (14), by a person serving in a post under the administrative control of the Government with regard to his prospective claim to pension.

(10) When a petition is an appeal against a failure by the Government to exercise a discretion vested in them by law or rule.

(11) When the action desired in a petition is in the nature of a favour and not of a right;

(12) When the petition is a representation against an order of a subordinate authority communicated to the petitioner more than six months before the submission of the petition and no satisfactory explanation for the delay is given.

(13) When the petition is a representation against the discharge of a person:-

(a) appointed on probation, during such probation

(b) appointed, otherwise than under contract to hold a temporary appointment, on the expiration of the period of such appointment; or

(c) engaged under contract in accordance with the terms of such contract.

(14) When the petition is a representation by a Government Servant against an order:-

(a) from which he has exercised, or possesses a right of appeal under

(i) rules or orders regulating his conditions of services; or

(ii) the terms of his contract of service.

(b) passed by any authority in the exercise of appellate or revisional powers conferred by any rule, order or contract such as is referred to in sub-clause (a);

(15) When the petition is a representation relating to an order of the Government refusing to grant or to recommend:-

- (a) a special pension;
- (b) a compassionate pension; or
- (c) any pecuniary or other concession to which the petitioner is not entitled under any law or statutory rule;

(16) When the petition is a representation with regard to any matter connected with the official prospects or position of a person serving in a post under the administrative control of the Government and is not submitted by such person;

(17) When the petition relates to a subject on which the Government are competent to pass orders and no application for redress has been made by the petitioner to the Government;

(18) When the petition is a representation against the action of a private individual or of private individuals regarding the private relations of the petitioner and such individual or body; and

(19) When the petition, not being a petition such as is referred to in the exceptions in clause (6), relates to matters in which the petitioner has no direct personal interest.

XVI. The Government will, when a petition is rejected under Instruction XV, inform the petitioner of the rejection.

XVII. Where a petition has already been rejected under Instruction XV and a further petition on the same subject is submitted which does not contain facts not already brought to notice, such other petition will be disregarded.

XVIII. All Heads of Departments, Secretaries to Government, Collector, District and Sessions Judge, Superintending Engineers, Chairman of Municipal Councils and all the Regional Officers having jurisdiction over more than one District (Revenue District or Departmental District) are vested with discretionary power to return for correction or rectification, petitions addressed to the Government and forwarded through them, in the following cases:

- (a) when a petition is illegible or unintelligible;
- (b) When a petition runs in the name of a pleader or agent instead of in the name of the Principal;
- (c) When a petition from a person who is or who was serving in a post under the administrative control of the Government, is addressed otherwise than in accordance with these instructions.

**Instruction for the submission and disposal of petitions
to the Governor by persons who are in the service of
Government in respect of matters affecting them
as Government servants**

1. No petition addressed to the Governor shall be with held by any authority.
2. Every such petition shall be submitted through the head of the office or department to which the petitioner belongs or belonged, to the Secretary to Government in the administrative department concerned.
3. A petition addressed to the Governor will be liable to summary rejection if:-
 - (i) the petitioner has not availed himself of the remedies provided by rules or orders applicable to the case; or

(ii) the petition was not submitted within six months from the date on which the final order passed on appeal or revision under the rules or orders applicable to the case, was communicated to the petitioner; or

(iii) the petition relates to a matter which has already been disposed of by the Governor.

The authority forwarding a petition shall state on it whether the petitioner has complied with the above requirements.

APPENDIX IX

(Vide paragraph 46 of the Port Manual)

Rules for the levy of Port Dues

Government Notification No. 16719/60/PW/CC3, dated 8th August 1962 Government Notification No. 10811/P3/66-1/PW., dated 3rd October 1967

The Government of Kerala notify:-

(i) That the rates of port dues to be levied on vessels specified in column (2) of the schedule below entering the ports specified in the first column thereof shall be those laid down in the third column of the said schedule;

(ii) That such dues shall be levied subject to the conditions mentioned in the fourth column and the explanations given at the foot of the said schedule, provided that

(1) a vessel entering a port in ballast and not carrying passengers shall be charged with a port dues at three-fourths of the rate mentioned in the third column of the schedule;

(2) when a vessel enters a port, but does not discharge or take in any cargo or passengers therein (with the exception of such unshipment and reshipment as may be necessary for purposes of repair) she shall be charged with a port dues at half the rate mentioned in the 3rd column of the schedule; and

(3) no port dues shall be levied on-

(a) any pleasure yacht, or

(b) any vessel which, having left any port, is compelled to re enter it by stress of weather or in consequence of having sustained any damage, or

(c) any vessel which, having entered any port, leaves it within forty-eight hours without discharging or taking in any passengers or cargo;

(iii) That in arriving at the rate of port dues chargeable as per provisions (1) and (2) of clause (i) and (ii) above, any fraction shall be rounded to the nearest paise; and

(iv) Ports, enclosed in double brackets in the first column of the schedule shall be treated as if they were only one port; every vessel in respect of which such dues have been charged and taken at one of the bracketed ports being exempted from the payment of port dues on entering another port bracketed with it within the period specified in the fourth column of the schedule;

(v) That the rates of port dues specified in column (3) of the schedule shall be levied after the expiry of 60 days from the date of publication of the notification.

* Voyage means a round voyage to strait ports and back in the case of straits steamers only calling at any of the ports in the Districts of Palghat, Kozhikode and Cannanore.

NOTE:- 1. In assessing the port dues the date on which a vessel anchored shall be the date from which dues shall be calculated.

2. In the case of vessels, the certificate of registry of which shows her tonnage in the British Standard tons only a factor of 2.83 cubic metres will be the equivalent to one ton purpose of levy of port dues specified in column 3, and on concession of such tons into cubic metres any fraction less than half will be omitted and half and above rounded to the nearest cubic metre.

Explanation:- In this schedule-

- (a) 'Ship' means a vessel propelled solely by wind-power.
 - (b) 'Steamer' means any vessel other than a ship
 - (c) 'Coasting ship' or 'Coasting steamer' means respectively a ship or steamer which at any port discharge cargo exclusively from or takes in cargo exclusively for any port in India or in Burma or in the Island of Ceylon and 'Coasting steamer' includes a coasting steam vessel having a general pass under section 164 of the Sea Customs Act, 1878.
 - (d) 'Foreign ship' or 'Foreign steamer' means respectively a ship or steamer not being a coasting ship or coasting steamer, provided that, for the purpose of the levy of port dues, a vessel shall not be deemed during one and the same voyage, to be both a coasting ship or steamer and a foreign ship or steamer, but port dues shall, in respect of such voyage, be leviable on such vessel either as a coasting or as a foreign ship or steamer whichever rate is higher.
3. The total amount of port dues on any vessel payable at the port shall be rounded off to 'even' P. or multiples of 5p.

APPENDIX X

(Vide paragraph 50 of the Port Manual)

List of authorised Office Books and Forms (marine)

- Form K.P.M.
1. Entry and Clearance Register
 2. Certificate of Entry/Clearance
 3. Daily Log of the Port
 4. Rent Register
 5. Deposit Account
 6. Personal Ledger Account
 7. Chalan for remittance into Treasury (foil and counterfoil)
 8. Annual account of all stores received and expended
 9. Cranage Register
 10. Licence granted to the owners of harbour craft. (foil and counterfoil)
 11. Register showing the names, age, place of residence and thumb impressions of Tindals/Crew employed in the Port.
 12. Form of Chitta to be maintained by the Shroff.
 13. Application to Export (large size)
 14. Application to Export (small size)
 15. Application to Import (large size)
 16. Application to Import (small size)
 17. Light House Log Book
 18. Miscellaneous Receipt Book
 19. Receipt for Port Dues
 20. Pilotage Receipt Book
 21. Chitta for the collection of port dues etc.,

22. Signal Log Book
23. Log book of dredgers, tugs and launches
24. Wharf Supervisors Dairy
25. Register of licensed boats and free realised for inspection of boat.
26. Ticket boo (Tug)
27. Tug bill book for tug charges
28. Tug bill book for towing charges
29. Register of passengers arrived
30. Register of passengers sailed
31. Register of protest
32. Register of port lands licensed to parties
33. Tug hire Register
34. Register of overtime fees
35. Register of refund of export and inport dues
36. Pilotage Register
37. Receipt book for passengers lauggage
38. Shed rent register
39. Daily rent register for port lands
40. Statement of wrecks and casualties
41. Statement showing the number of cargo and other licensed boats at Ports
42. Statement showing various Government vessels, dredgers, etc.
43. Statement of passengers sailing from/arriving at the port
44. Application for refund of export and import dues
45. Relanding pass
46. Form of application for rent of port land
47. Bill for shore of pilotage collected
48. Protest form for the use of cargo boats
49. Protest form for the use of sailing vessels
50. Note of protest
51. Arrival report
52. Demand notice
53. 'Aga' light (gas) monthly report
54. Application for harbour craft licence
55. Licence for the use of lands within port limits for marine purposes.
56. Trip sheet
57. Form Deposit Account 1.
58. Do. 2.
59. Do. 3.
60. Statistic Form (Flagwise)
61. Report of Survey on stores
62. Register of Receipts

APPENDIX XI

(Vide paragraph 61 of the Port Manual)

Rules relating to uniform system or maritime buoyage

CHAPTER I - GENERAL

Article I - Definition

The marks to which the following buoyage regulations apply include all fixed and floating marks, other than lighthouses and lightships properly so called, serving to indicate:-

- (a) That lateral limits and axes of navigable channels
- (b) Natural dangers
- (c) Other obstructions, such as wrecks
- (d) Certain other points of importance to the mariner, such as landfalls

Article 2 - Buoyage systems

There are two systems of buoyage, the lateral and the cardinal.

The lateral system is generally used for well-defined channels; buoyage-marks indicate the position of dangers in relation to the route to be followed by mariners in their vicinity.

The cardinal system is generally used to indicate dangers where the coast is flanked by numerous islands, rocks and shoals, as well as to indicate dangers in the open sea. In this system, the bearing (true) of the mark from the danger is indicated to the nearest cardinal point.

Article 3 - Use of systems

One or other or both systems may be used in the same country according to preference or local requirements, on condition that the limits of their respective use are clearly indicated in nautical documents and, if necessary, by means of appropriate marks.

Article 4 - Method of characterising marks by shape

The characteristics of the principal types of floating marks are shown either by the shape of the upper part of the body of the mark or by the shape of the body of the mark or by the shape of a topmark placed on the mark.

CHAPTER II - LATERAL SYSTEM

Article 5 - Position of marks

In Principle, the position of marks in the lateral system is determined by the general direction taken by the mariner when approaching a harbour, river, estuary or other water way from seaward, and may also be determined with reference to the main stream of flood tide. The application of the principle shall be defined, as required, by nautical documents.

Article 6 - Principal types of marks

The principal types of marks employed in the lateral system are conical, can, spherical and spar (the last-named including the spindle type, i.e. a tapered spar).

Article 7 - Shapes of topmarks

The topmarks for which specific provision is made in these rules have the appearance of:-

- | | | |
|--------|---|----------------------|
| A cone | - | A diamond |
| A can | - | A St. George's cross |

S Sphere - A "T"

Article 8 - Marking of sides of channels

Marks on the two sides of a channel are characterised as follows:

(a) Starboard-hand marks Shape or type: Conical or spar colour: Black, or, for purposes of differentiation in the case of conical marks, black and white cheques; in the case of spars, for purposes of differentiation of visibility, black with the upper part white.

(b) Port-hand marks Shape or type: Can or spars Colour: Red, or in the case of can-shaped marks, for purpose of differentiation, red and white cheques.

Topmark (if any): Can, coloured red, or, for purposes of differentiation, a "T", except at the entrance of channel.
On spars, a broom in the form of a cone

point downwards may be used.

N.B:- The use of yellow instead of white in the cheques is permitted in secondary channels (channels which are alternatives to main channels)

Article 9 - Numbering or lettering

If marks at the sides of a channel are numbered or lettered, the numbering or lettering shall commence from seaward, odd numbers on the starboard and even numbers on the port hand.

Article 10 - Lighted marks

Lights on marks on the two sides of a channel are differentiated by colour or, where preferred, by rhythm, or by a combination of both colour and rhythm, viz.,

(a) Standard-hand lights - White light showing one or three flashes or occultations; green lights of a character not allocated to the marking of wrecks (see Article 24) or both white lights and green lights with the above characteristics.

(b) Port-hand lights - Red lights showing any number of flashes or occultations up to four; white lights showing two or four flashes or occultations; or both red lights and white lights with the above characteristics.

N.B:- A rapid flashing light is regarded as a single flashing light.

Article 11 - Middle-ground or Bifurcation or Junction marks

Marks at the ends of middle grounds have the following characteristics:

Shape or type - Spherical or spar

Colour - Red and White horizontal bands where the main channel is to the right or the channels are of equal importance black and white horizontal bands where the main channel is to the left.

Topmarks (if any):-

(a) Main channel to the right:-

Outer end, a can

Inner end, a "T"

(b) Main channel to the left:-

Outer end, a cone, point upwards

Inner end, a diamond (two cones
base to base)

(c) Channels of equal importance:-

Outer end, a sphere,

Inner end, a St. George's cross

N.B.:- Where the body of the mark is not spherical, a spherical topmark is placed immediately below the topmarks indicated in (a) (b) and (c) as the case may be.

Lighted marks:- The characteristics of lights on these marks shall as far as possible, be distinctive, provided that no colours are used other than those prescribed in article 10 above, and provided also that neither colour nor rhythm, nor combinations of colour and rhythm, shall be such as to lead to uncertainty with regard to the side on which the marks shall be passed.

When lights with distinctive characteristics cannot conveniently be adopted, the lights shall conform to the rules prescribed in article 10 and they shall, as far as possible be differentiated

Article 12 - Mid-channel marks

Mid-channel marks serve to indicate the deep-water channel or fairway. They may be passed on either hand, but should preferably be left to port.

These marks are as follows:-

Shape:- As far as practicable, to be distinctive and different from the principal characteristic shapes (viz., conical, can and spherical)

Colour:- Black and White, or red and white, vertical stripes.

Topmark (if any):- To be of a distinctive shape other than cone, point upwards, can or sphere.

Lights (if any):- To be of a character different from neighbouring lights on marks at the sides of the channel.

CHAPTER III

CARDINAL SYSTEM

Article 13 - Principal types of marks

The principal types of marks employed in the cardinal system are: Conical, Cylindrical, Ogival, Spindle and Spar.

Article 14 - Shape of topmarks

The characteristic topmarks have the appearance of a cone point upwards, a cone point downwards, two cones base to base and two cones point to point. The cones in each case shall be clearly separated.

Article 15 - Characteristic colours

The characteristic colours by day for marking dangers are black combined with white and red combined with white, in horizontal sections.

Article 16 - Allocation of characteristic colours

The four quadrants, north, south, east and west are bounded by the bearings north-east, south-east, south-west and north-west, taken from the point of danger.

Danger marks in the different quadrants are characterised as follows:

North Quadrant	-	(North-west to north-east)
Shape or type	-	Conical or spar
Topmark (if any)	-	Cone, point upwards
Colour	-	Black with a wide white median band
Light (if any)	-	White, with an odd number of variations (flashing preferably or occulting)
Southern quadrant	-	(South-east to south-west)
Shape or type	-	Cylindrical, or spar
Topmark (if any)	-	Cone, point downwards
Colour	-	Red with a wide white median band
Light (if any)	-	Red preferably or white, with an even number of variations (flashing preferably or occulting)
Eastern quadrant	-	(North-east to south-east)
Shape or type	-	Ogival, or spar
Topmark (if any)	-	Two cones, base to base
Colour	-	Red above, white below
Light (if any)	-	Red preferably or white, with an odd number of variations (flashing preferably or occulting)
Western quadrant	-	(South-west to north-west)
Shape or type	-	Spindle, or spar
Topmark (if any)	-	Two cones, point to point
Colour	-	Black above and white below
Light (if any)	-	White with an even number of variations (flashing preferably or occulting)

N.B.:- (a) The number of characteristics shapes employed for the body of the mark may, if desired, be limited to two, the conical shape being employed in the northern and eastern quadrants and the cylindrical shape in the southern and western quadrants.

(b) When spars only are used, it may be advantageous in the northern and eastern quadrants to reverse the position of the dark colours; in this case, the northern quadrant mark shall be white with a wide black median band and the eastern quadrant mark shall be white with a wide black median band and the eastern quadrant mark shall be white above and red below.

(c) A rapid flashing light is regarded as single flashing light.

CHAPTER IV

MARKS COMMON TO BOTH SYSTEMS AND OTHER MARKS

Article 17 - Isolated danger marks

Where it is desired to use a special mark for a danger which can be adequately indicated by a single mark and which may be passed on either hand, the mark shall be as follows:-

- Shape or type - Spherical or spar
- Colour - Wide black and red horizontal bands separated, if desirable, by a narrow white band
- Topmark (if any) - Sphere painted black or red, or half-black and half-red, horizontally.
- Light (if any) - Rhythmic, either white or red.

Article 18 - Landfall marks

Landfall marks serving to indicate the seaward approach to a harbour, river or estuary are as follows-

- Shape - Optional, but must not be misleading having regard to the rules for channel marking.
- Colour - Black and white, or red and white, vertical strips.
- Light (if any) - Rhythmic

Article 19 - Transition marks

Marks indicating the transition between the cardinal and lateral systems are as follows:

- Shape - Optional, but must not be misleading, having regard to the rules for channel marking.
- Colour - Either red and white or black and white spiral bands.

Article 20 - Quarantine, ground marks

Quarantine-ground marks are as follows:

- Shape - Optional, but must not be misleading, having regard to the rules for channel marking.
- Colour - Yellow

Article 21 - Outfall and spoil-ground marks

Outfall and spoil-ground marks are as follows:

- Shape - Optional, but must not be misleading, having regard to the rules for channel marking.
- Colour - Yellow above and black below
- Light - Optional, but due regard should be paid to the character of other lighted marks in the vicinity.

Article 22 - Marking of areas used for Naval, Military or Air Force practice purposes

Buoys indicating the limits of such areas are as follows:

- Shape - Optional
- Colour - White with two blue stripes intersecting at right angles at the upper extremity of the vertical axis of the mark and extending to the water-line, thus

representing a cross when observed from above, in combination, if desired, with lettering indicating in the national language a dangerous area. (e.g., in English "D.A").

CHAPTER V

MARKETING OF WRECKS

Article 23 - General provisions

Wrecks may be marked according to the lateral system or the cardinal system.

Nautical documents shall indicate the system or systems in use in each country.

When the presence of a wreck has become generally known, it may then be marked as a natural danger, after adequate notice to this effect has been given to the mariner.

Wreck marks are painted with the characteristic colour green.

Wreck marks should, if possible, carry the letter "W", or if space permits, as in the case of vessels, the words, "wreck" or the letter "W" followed, where deemed advisable, by the equivalent word in the national language. Such inscriptions shall be painted in white on both sides.

N.B:- Sound signals, if used on wreck marks, shall be such as not to be mistaken for neighbouring sound signals.

CHARACTERISTICS IN THE LATERAL SYSTEM

Article 24 - Wreck-marking buoys ⁽¹⁾

Colour - Green (including topmark, if any)

(a) If to be passed on the *Starboard-hand*:-

Shape or type - Conical or spar

Topmark (if any) - Cone

Light (if any) - Triple flashing green

(b) If to be passed on the *port-hand*:-

Shape or type - Can or spar

Topmark (if any) - Can

Light (if any) - Double flashing green

If the body of the mark in the cases of (a) and (b) above does not conform to the characteristic shape, the lower part of the mark shall be coloured black or red, as the case may be, but the predominant colour shall be green.

(c) If to be passed on either hands:-

Shape or type - Spherical or spar

Topmarks (if any) - Sphere

Light (if any) - Single occulting green, the duration of light being appreciably longer to the eye than the interval of darkness.

Where a wreck which can be passed on either hand is marked by more than one lighted buoys, the lights may be differentiated by different periods of occultation, provided that the principle embodied in the proceeding paragraph is observed in the case of each light.

Article 25 - Wreck-marking vessels ⁽²⁾

Wreck-marking vessels display green painted shapes

(a) If to be passed on the mariner's *starboard-hand*:

Two spheres surmounted by a cone point upwards in a vertical line.

- (1) When posts fixed in the ground are used to mark wrecks in shallow waters, they conform to the rules
- (2) Where shapes and/or lights are exhibited from the wreck itself instead of a floating mark being used, the colour green shall be employed by day and by night and the shapes and/or lights shall not conflict with the rules laid down in this article.

(b) If to be passed on the mariner's *port-hand*:

A sphere surmounted by a cylinder in a vertical line.

(c) If to be passed on *either-hand*:

Four spheres disposed vertically by pairs.

The shapes are disposed so as to be distinctly visible above the vessels and superstructure.

The shapes shall be disposed vertically with a clear space between each shape equal to not less than one and half times the diameter of the spherical shape.

The horizontal distance between the shapes in (c) shall be as great as possible and in no case less than twice the vertical distance between the shapes.

Lights - Fixed green: shall correspond in number and arrangement to the shapes mentioned above.

Vessels marking wrecks shall not carry the ordinary riding-light carried by a vessel at anchor.

Sound signals - On manned wreck-marking vessels during fog, mist, falling snow or heavy rainstorms, a bell, if used, is rung at intervals of not more than thirty seconds, as follows:

Three strokes, if the vessel is to be passed on the mariner's starboard-hand;

Two strokes, if the vessel is to be passed on the mariner's port-hand.

Four strokes, if the vessel can be passed on either hand.

N.B:- Should sound signals be given by means other than a bell, they shall be such as not to be mistaken for neighbouring sound signals.

Article 26 - Wreck marking buoys

Wrecks marks are only placed in the eastern and western quadrants and have the following characteristics

Eastern quadrant-

Shape or type - Conical, ogival or spar

Topmark - Two cones base to base

Colour - Green

Light (if any) - Green interrupted flashing, giving a succession of rapid flashes, at a rate of at least forty per minute for a given period, followed by given interval of darkness.

Western quadrant:-

Shape or type - Cylindrical, spindle or spar

Topmark - Two cones point to point

Colour - Green

Light (if any) - Green flashing, at a rate of at least forty flashes per minute.

N.B:- Topmarks are compulsory either on the main mark or, as in article 28, in conjunction with it, in order to distinguish the wreck-marking buoys of the cardinal system from the wreck-marking buoys of the lateral system.

CHAPTER VI
MISCELLANEOUS PROVISIONS

Article 27 - Undefined marks

Marks whose purpose is not defined in these rules are coloured in such a way as not to lead to confusion with marks whose purpose is defined in these rules. Bell buoys and whistle buoys have, if practicable, the characteristics appropriate to their position in accordance with the foregoing rules.

Certain fixed marks indicating, for instance the direction to be followed by a mariner may be provided with characteristics which allow them to be distinguished clearly from floating marks.

Article 28 - Topmarks

When, owing to damage or to other exceptional circumstances, a mark or its superstructure having regard to its position in the system, does not conform to the characteristic shape laid down in the foregoing rules, it shall, pending for example, repair or replacement, be furnished with the appropriate characteristic topmark. Alternatively, an additional mark bearing the appropriate topmark may be used.

Where not otherwise stated in the foregoing rules, topmarks are painted with the darker of the characteristic colours used for the body of the mark. This provision is not obligatory when brooms are employed as topmarks.

For purposes of differentiation where there are numerous neighbouring marks, additional topmarks of the same shape may be used on the same mark or the lower cone alone may be duplicated in the case of topmarks used in the western quadrants of the cardinal system.

Article 29 - Fixed lights

The use of fixed lights, especially white lights on fixed and floating marks, which serve the sole purpose of the marking of channel should be avoided whenever practicable, except in the case of wreck-marking vessels, where the lights should conform with article 25.

Article 30 - Harbour lights

In the case of lights placed on external permanent works at the entrance to harbours opening directly on to the sea and whose principal purpose is to mark the channel, the colour and rhythm should, as far as possible, be in accordance with the provisions of article 10. This rule need not be applied in the case of harbour which do not open directly on to the sea or in the case of lights situated within harbours if, in the opinion of the responsible authorities, local conditions render other characteristics preferable.

The present article does not relate to lights which are placed on fixed supports and which cannot be confused with lights forming part of the buoyage system properly so called.

Article 31 - coloured sector lights and leading lights

where coloured sectors are used in lights forming part of the lateral system of buoyage, it is desirable when circumstances permit, that their colours should be in accordance with article 10. In cases where this is not considered practicable, the colours should preferably be allocated in accordance with a definite rule laid down for a particular region, in order that the sectors may be arranged in the same manner when the circumstances are similar.

Where a leading light or lights might be mistaken for a light or lights forming a part of the lateral system, the colour should be in accordance with one or other of the principles laid down in the preceding paragraph.

Article 32 - Fixed supports for lights

Fixed supports for lights forming part of the lateral system of buoyage should, as far as practicable, be painted in the colour characteristic of the position of the light in that in that system. If the correct characteristic colour cannot be used, the opposite characteristic colour should be avoided.

APPENDIX XII

(Vide paragraph 67 (a) of the Port Manual)

Rules for the Collection of Port dues at the minor Ports in the Kerala State

Port dues shall be levied and collected by officers of the Port Department. In undertaking such collections Port Officials will be guided by the following rules which they are enjoined to observe strictly:-

(1) On the Master of vessel complying with the provisions of paragraph 43 of the Kerala Port Manual, he should be informed of the port dues, if any, due.

(2) As soon as payment is made in cash or by adjustment towards a deposit account referred to in the rule (6), the Port Official shall prepare, by the use of carbon paper, a receipt in duplicate in K.P.M. Form No.19 for the amount paid, obtain the signature of the Master of Agent of the vessel in the place provided therefor, sign it, deliver the original to the party making the payment, and retain the duplicate for record in his office.

NOTE:- When payment is made by adjustment the words "by adjustment" shall be added in the port dues receipt after the entry in words of the amount of port dues.

(3) Whenever a certificate of payment is demanded, it shall be granted on payment of the fee prescribed in rule 94 in Part III, Volume I of the Kerala Treasury Code.

(4) On payment of port and other dues, the Master shall be furnished with a certificate of entry duly filled in and signed by the Port Official in charge of the Port for purposes of entry in the local Customs House.

(5) In the case of steam vessels cheques of reputed agents thereof may be accepted in payment of port for purposes of entry in the local Customs House.

(6) Any Shipping Agency may open a deposit account with either the State Port Officer, Trivandrum or the Port Officers, at the out ports, subject to the following conditions:

(a) The company wishing to open a deposit account shall execute in the form annexed an agreement to pay immediately on demand, any amount due to the Port Department.

(b) The company shall keep a certain minimum amount (to be settled mutually) in the deposit account with the Port Department.

(c) The company shall, in the case of payment of port dues at ports other than that at which the account stands, pay in cash, charges for sending a telegram to the Officer (with whom the account is opened) advising the name of the ship and the amount to be adjusted from the deposit account. On issue of this telegram the necessary receipt for port dues shall be granted. A copy of the telegram referred to above, shall be sent to the company concerned so as to enable them to make further deposits, as necessary.

(d) A deposit account in K.P.M. Form No.5 and a personal ledger account in K.P.M. Form No.6 shall be maintained by the officer with whom the account is opened.

(e) Adjustment and necessary entries of the amount due shall be made in the deposit account and in the personal ledger account as soon as the claim arises at the Port or immediately on receipt of the telegram referred to in clause (c) above, when the claim arises at any other port after K.P.M. Form No. 58 has been duly filled in and a memorandum of adjustment in K.P.M. Form No. 59 sent to the port officials concerned, specifying the amount so adjusted, a copy thereof showing also the balance at credit in the account, after such adjustment being sent to the company concerned.

(f) On the last working day of each month the company shall be furnished with a copy of the personal ledger account in K.P.M. Form No. 6 showing also the balance at credit in the deposit account which the company shall confirm with the three days of its receipt.

(g) The company shall fill in K.P.M. Form No. 57 and always make payments of deposits by cheque for which a preliminary acknowledgment in Form T.R. 6 shall be granted. A final receipt for the amount will be granted to the party after the amount is realised. After advice of encasement is received necessary entries in the deposit account and the personal ledger account may be made.

(h) In the deposit account an abstract shall be entered at the close of each month, specifying clearly the opening balance, credits and debits during the month and closing balance.

(i) Any balance of deposits shall be refunded to the company on closure of the deposit account.

(j) Deposit accounts shall be opened either in the State Port Office, Trivandrum or in the Officer of the Port Officers at the out ports.

(k) The deposit accounts shall be operated upon for making payment of port dues at ports which should be mentioned in the application to open the account and due notice thereof shall be given to the Port Officials in charge of the ports concerned by the officer with whom the account is opened.

(7) All collections should, unless they amount to Rs. 25 and less, be remitted into the nearest treasury, the same evening if practicable or, where the treasury is at a distance from the Port Office, on the following morning. The entire collections, whatever the amount, should, however, be remitted on the last working day of the month.

(8) Receipts or acknowledgments for the remittances sent to the treasuries shall be filed in the Port Office chronologically to facilitate verification with entries in the cash book.

(9) The entry and clearance register shall be maintained in K.P.M. Form No. 1 miscellaneous receipt of the Department shall be prepared in duplicate as in the case of port dues receipts.

(10) It shall be the duty of every departmental Inspecting Officer to see that the levy and collection of dues have been made correctly and promptly and remittances sent according to rule 7 supra.

(11) The continuance of the maintenance of the port dues deposit account system for the payment of port dues consequent on the merger of port and marine funds with the consolidated fund of the State, on first April 1960, was sanctioned in G.O. (Ms.) No. 230/61/PW., dated 30th May 1961 with the following arrangements.

(i) The Principal Port Officer (now Port Officer, Calicut) to continue to maintain similar proforma accounts after 1st April 1960 detailing the amount due, collected and balance due from the Shipping Agents.

(ii) The payment in advance of the Port dues by the Shipping Agents to be treated as a payment to Government of a demand not yet due; such payments being treated as 'Revenue' in Government Accounts.

(iii) Similar procedure to be followed in respect of the Ports of the Travancore-Cochin area unit.

FORM OF AGREEMENT

[Vide Rule 6 (a)]

THIS AGREEMENT made this day of one thousand nine hundred and between THE GOVERNOR OF KERALA of the one part and COMPANY LIMITED, a company incorporated in and having its registered office at (hereinafter called 'The Company') of the other part.

WHEREAS the company has requested the State Port Officer, Trivandrum/Port Officer,..... (hereinafter called the Port Officer) to open and maintain a deposit account in its name on and subject to the terms, conditions and rules laid down in Appendix XII of the Kerala Port Manual and whereas the Port Officer has agreed to open such account;

AND WHEREAS the company has agreed to execute these presents in accordance with sub-rule (a) of rule 6 of the rules in Appendix XII of Kerala Port Manual;

AND WHEREAS the company has deposited with the Port Officer, Government promissory notes of the value of Rs.1,000 (Rupees one thousand) as security for the due payment by the company, whenever called upon to do so, of all amounts that any from time to time and at any time be found due to the Port Department;

NOW THIS AGREEMENT WITNESSETH THAT:

(1) In consideration of the premises the company hereby agrees at any time and from time to time on demand made in writing by the to forthwith pay all sum of money that any be due to the Port Department.

(2) The company hereby agrees that in default of payment as aforesaid it shall be lawful for the Port Officer at any time and from time to time to sell the Government promissory notes deposited by the Company or so many thereof, the sale proceeds of which may in the opinion of the Port Officer be sufficient to cover the amount then due from the Company, and to appropriate the proceeds of such sale towards the amount due by the Company.

(3) In the event of the security above mentioned being diminished by any deductions as aforesaid, it shall be lawful for the Port Officer at any time or from time to time to call upon the company by writing addressed to the company's place of business to deposit further securities of such value as may be necessary to make up the total of the deposit to the sum of Rs.1,000 above mentioned and the company shall within..... days from the receipt of such intimation deposit securities of the value mentioned in such notice.

IN WITNESS WHEREOF acting on behalf of and by the order and direction of the Governor of Kerala and the duly constituted attorney of the company Limited, have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered by the above named in the presence of

Signed, sealed and delivered by the above named in the presence of.....

APPENDIX XIII

[Vide paragraph 67 (c) of the Port Manual]

Non-Statutory Rules Regulating Pilotage, Licensing, Appointment, Conduct and Duties of Pilots at the Ports of Azhikkal and Kozhikode (Beypore)

GENERAL RULES APPLICABLE TO ALL PORTS WHERE PILOTAGE IS IN FORCE

1. Every application for the licence of a pilot shall be presented to the Port Officer concerned (through the respective Port Conservator if any) and the applicant shall, on presenting his application, be required to sign the agreement in Form 'A' appended to these rules.

2. Whenever a vacancy occurs in the pilot establishment in any port, the applicants shall be examined orally at that port, as to their qualifications for plying as pilots by the Port Officer concerned assisted by one for the purpose of having his eyesight and ability to distinguish colours correctly tested.

NOTE:- 1. No fee shall be charged for the medical examination.

4. No applicant will be examined for appointment as a pilot who:-

(a) does not produce a certificate of physical fitness from the Health Officer showing that he is not suffering from defective vision and is able to distinguish colours correctly.

(b) is under 21 or over 28 years of age,

(c) has not been employed afloat either as a boatman or seaman at the port and in its channels for four consecutive years and has not been instructed in the duties of a pilot by one of the permanent pilots for the last two years of this period,

(d) is not literate in the language of the District,

(e) is unable to produce testimonials regarding conduct and ability, or

(f) refuses to sign the agreement in Form 'A'.

5. The subjects in which an applicant shall be examined are as follows:

(1) The set of local tides and currents

(2) Depth of water in the different channels and at the various anchorages.

(3) The arrangements to be made for taking vessels safely through

the various channels and across the bars.

(4) The marks leading through the channels and guiding clear of the obstructions in them.

(5) The direction of the prevailing winds.

(6) The rule of the road; and

(7) The methods of ascertaining the vessels' draught by means of hooking.

6. The results of the examination will be communicated to the candidate orally by the Port Officer and in the case of a successful candidate, the Port Officer shall, as soon as possible, forward a certificate in Form 'B' to the State Port Officer. After satisfying himself that the candidate has complied with all the necessary requirements, the State Port Officer shall obtain for him from the State Government a permit to pilot vessels in Form 'C' and thereafter grant him a licence in Form 'D' and forward it to the Port Officer or to the Port Conservator through the Port Officer exercising jurisdiction for delivery to the candidate.

7. Every applicant shall on receiving his licence supply himself with a brass badge with the word 'PILOT', his number and the name of the port cut on it as shown in the specimen form below. Every licensed pilot shall when on duty wear this badge on the left hand breast of his shirt or coat.

PILOT

No. 11

BEYPORE/AZHICKAL

8. Each licensed pilot shall also provided himself with a measuring stick correctly marked in metres and centimeters for the purpose of ascertaining, when necessary, the drought of any vessel. Before the grant of a license this stick should ne brought to the Port Officer or the Port Conservator for approval. It should be used in checking the depth of water when the pilot uses the channels at half tides and low water with light draft vessels, and the pilot should report to the Port Officer or the Port Conservator, if any appreciable amount of silt formation is found.

9. Licensed pilots shall in the absence of special instructions from the Port Conservator to the contrary do duty by turns in the order of the numbers allotted to them. Pilots, whom are not on duty, should attend the Port Office daily at 10 a.m. and take orders whether their services will be required during the day.

10. Licensed pilots shall at their own cost maintain a sufficient number of canoes with crews of able-bodied men and shall have a number painted in white figures on each bow. Every licensed pilot will on the grant of a licence be supplied at the cost of Government with a red flag 2½ x 2' (76.2 x 60.96 centimetres) with his number shown on it in white figures which should be displayed in some conspicuous part of the rigging or mast head of the vessel, he is piloting. When the pilot is in his canoe proceeding to or returning from the vessel piloted, the flag shall be displayed in the bow of his canoe and hauled down on return to the shore.

If the flag is at any time lost through the carelessness of the pilot, is should be replaced by him at his own expense.

11. Pilots should take no risk in order to oblige masters or tindals of vessels who wish to be taken through to suit their own convenience; but when a Master or Tindal is prepared to engage, whenever available, the services of the steamer agent's launch for towing or to proceed by warping, the pilot may use his discretion.

12. Pilots are responsible for the safe conduct and pilotage of the vessels in their charge. Should any accident happen to the ship through grounding or otherwise, the vessel should at first be incurred securely by running out anchors, and all endeavours should be made to float her. The canoe tindal should in the meantime be sent to report the fact t the Port Officer or to the Port Conservator without delay. The pilot shall remain by the vessel until such accident be satisfactorily dealt with and shall at once report the fact in detail to the Port Officer or the Port Conservator.

13. All disputes between a licensed pilot and the master of a vessel shall be referred to the Port Officer or the Port Conservator and if any such dispute relates to the correct draft of a vessel it shall be settled in accordance with section 40 of the Indian Ports Act, 1908.

14. Any change in the channels and any obstruction to free navigation within the pilotage ground shall at once be brought to the notice of the Port Officer or the Port Conservator of the Port, by any pilot who discovers the same. Pilots shall also report any missing channel marking posts, beacons or buoys that may be out of position, or lost through bad weather or strong currents.

15. Each licensed pilot shall obtain from the Port Officer or the Port Conservator a copy of these instructions and a copy of the scale of charges which may have been framed under section 35 of the Indian Ports Act, 1908 (Act XV of 1908) for the Port and shall make himself thoroughly acquainted with them.

16. Licensed pilots shall be subject to the control of the Port Officer exercising jurisdiction and shall obey all orders which may be issued by him or under his authority by the Port Conservator from time to time in connection with their duties as pilots.

17. The pilotage fees shall on realisation be credited to 'XXXIX Ports and Pilotage'. The licensed pilots at the ports will be paid:-

(a) As soon as practicable, after the close of each month an amount calculated at 88 paise in the rupee on the total amount of the pilotage fees collected during the month on account of his services; and

(b) As soon as practicable after the end of each financial year, a share of the balance are credit of XXXIX ports and pilotage after due payment of all charges calculated in proportion to the amount of the pilotage fees collected during the year on account of his services.

18 (A) A licensed pilot who:-

(a) fails to obey any of these rules or any oral constructions issued to him by the Port Officer or by the Port Conservator,

(b) performs his duty in negligent or careless manner, or

(c) behaves with disrespect or in an unbecoming manner towards the master of any vessel which he is piloting, shall be liable to have his licence suspended or cancelled as the nature of the offence may in the opinion of the licensing authority seem to require.

(B) If at any time due to various improvements in the port or for other reasons, the services of all or any of the licensed pilots become superfluous or are not required the licenses of all or any of the pilots may be withdrawn or cancelled as may be considered necessary by the licensing authority.

19. The Port Conservators in charge of ports shall report in detail to the Port Officers concerned urgently all cases of groundings and cases of disputes and misconduct among the pilots.

20. In the event of canoes or men being required to warp a vessel through any of the channels, they should be supplied by the pilot for the time being in charge of such vessel at such rates as are sanctioned by Government for the purpose; and the number of canoes and men required shall be arranged between the pilot and the master of the vessel concerned. Only able-bodied men should be engaged as mazdoors either for the pilots canoe, warping canoes or for purposes of working the warps on board vessels, and only reliable coir lines supplied by the Port Office should be used. Should the master of a vessel prefer to use the steamer agent's steam launch he may obtain the same at a rate of hire agreed upon with the agents in the presence of the pilot. With a view to avoid possible disputes regarding launch hire after completion of then work, the pilot should report to the Port Officer or Port Conservator in the presence of the master of the vessel the amount of hire settled.

21. In the case of vessels outward bound, applications for the services of a pilot, when one is required should be sent to the Port Office during office hours on the working day previous to sailing whenever practicable.

22. The number of licences pilots for each of the Ports of Azhikkal and Kozhikode (Beyepore) shall not exceed 12.

23. A licensed pilot will be required by the Port Officer concerned to undergo periodical medical examination for physical fitness and normal eye-sight before being permitted to continue as a pilot for the ensuing year.

24. The licence granted to a pilot under rule 6 shall be cancelled by the State Port Officer when the pilot attains the age of 60.

ANNEXURE

A

Form of Agreement

I, an applicant for a licence to ply as a pilot at the port of in the District of, do hereby acknowledge having read and understood the instructions relating to the duties of licensed pilots authorised for that port and agree to abide by the same if a licence to ply as a pilot is granted to me.

B

Form of Certificate

This is to certify that, son of has been examined by me touching his knowledge of the channel and currents of (port) and I find that he is fully competent to undertake the duties of a pilot for the port and passages leading thereto.

C

Government of Kerala

This is to certify that a.b., son of si a pilot within the terms of section (3(3) of the Indian Ports Act (XV of 1908) authorised by the Government to pilot vessels at the port of

(By order of the Governor)

(Sd.)

Secretary to Government

Date

D

Form of licence

A.B., son of inhabitant of being proved to be a duly qualified pilot and to be thoroughly acquainted with the channels at is hereby licensed to act in that capacity at the aforesaid port of

(Sd.)

State Port Officer

Date

Shed rent schedule

(a) PORT OF CALICUT

Open cargo shed:- (1) For the first calendar day free, day of actual landing not to count.

For the next three days or any portion of the period of three days p. 75 (paise seventy-five)

For every succeeding three days or any part thereof rupee one and paise fifty only (Rs.1.50)

(2) Open cargo shed in the Customs Yard, Kozhikode:-

The same rates as prescribed in the standard schedule of rent

charged by the Customs Department for goods stored in the Customs yard, with similar free time allowance granted by that department as reproduced below:

(1) The rules apply to all goods including personal effects landed or brought for shipment at the port.

(2) Goods will be allowed to remain in the shed free of charge for six whole working days from the date of completion of steamer's discharge. In calculating the free period, the day of landing, the day of clearance and any Sunday and holidays immediately following the last free working day will not be reckoned.

(3) After these periods, rent will be charged for the first week or a portion thereof at the rates given in the schedule below.

(4) After the first week, twice the rate will be charged for the second week or a portion thereof.

(5) No charge will be made for the periods during which goods were detained in consequence of the inability of the Port Officer to examine and pass them.

(6) In the case of articles detained in the shed a rent of 12 paise per week or part of a week will be charged for each firearm, a packet of ammunition or any other parcel which is not cleared within one calendar month from the date of its receipt at the port. No rent will, calendar month from the date of its receipt at the port. No rent will however, be charged in respect of packages detained for port purposes.

(7) The lowest charge made under these rules will be 6 paise, sums of less than 3 paise will be disregarded and fractions of 6 paise equal to or greater than 3 paise will be counted as 6 paise.

(8) Rules 2 and 5 do not apply to free export goods which will pay rent for the whole period of storage.

(9) In case there is not enough space in the shed to accommodate both import and export goods, preference will be given to the former.

Schedule of rates of wharfage or godown rent

<i>Description of packages</i>	<i>Rate per day</i>	
	<i>Rs.</i>	<i>P</i>
1. Bags and Bales:-		
Small, not weighing more than 150 kg	.. 0	02
Large, weighing more than 150 kg.	.. 0	03
2. Cases and Crates:-		
Up to 15 cubic metre	.. 0	02
Over 15 and not exceeding 50 cubic metres	.. 0	03
		<i>Rs.</i>
<i>P</i>		
Over 50 and not exceeding 70 cubic metres	.. 0	04
Over 70 cubic metres	.. 0	06

3. Casks, Kegs, Drums and Jars:-

If contents are liquid - Not above 125 litres capacity	..	0	02
Above 125 litres and not above 250 litres capacity	..	0	03
Above 250 litres capacity	..	0	05

4. If contents are solid or semi solid such as paints, alizarine, cement, chalk, tar, pitch, etc:-

Not exceeding 1 metre in height	..	0	02
Exceeding 1 and not exceeding 2 metres in height	..	0	03
Above 2 metres in height	..	0	04

5. Metals of all kinds including pipes, and tubes, copper, yellow metal sheets, hardware, also loose articles such as bricks, tiles, stone, marble slabs, reattain (in bundles), shovels (in bundles) etc. per 50 kilograms

	..	0	02
--	----	---	----

6. Carriages motor cars each

	..	0	50
--	----	---	----

7. Machinery, unpacked per 50 kilograms

	..	0	02
--	----	---	----

8. Combustibles

rare quoted	..	Triple the	
-------------	----	------------	--

for packages
of similar size.

9. Valuables, viz., bullion, silver lametter thread jewellery and silver goods rates shown

	..	Quadruple the	
--	----	---------------	--

for packages
of similar size

10. Timber per metric tonne of 1.40 cubic metres..

	..	0	03
--	----	---	----

11. Articles not enumerated per 50 kilograms

	..	0	02
--	----	---	----

(b) PORT OF PONNANI

(1) For the first 24 hours after storing of cargo.. Free

(2) For next 3 days or any portion thereof:-

		<i>Rs.</i>	<i>P</i>
(i) Per bag	..	0	02
(ii) Per small case, bundle or package	..	0	02
(iii) Per large case, bundle or package	..	0	03

		<i>Rs.</i>	<i>P</i>
--	--	------------	----------

(iv) Coconut loose per 1,000 or part thereof.. 0 03

(v) Other cargo per metric tonne .. 0 04

(vi) Other cargo per cubic metre .. 0 09

(3) Double rates for the next three days or any portion thereof and treble rates for every succeeding three days or any portion thereof.

A large bundle, case or package is one exceeding 0.25 cubic metre, Goods will be stored at the owner's risk and the Government accept no responsibility for the safe custody.

(c) PORT OF TELlichERRY.

(1) (a) First 24 hours free if cargo is removed within that period.

(b) For the first 3 days or part thereof:-

	<i>Rs.</i>	<i>P</i>
(i) Per bag	.. 0	01
(ii) Per small case or bale	.. 0	02
(iii) Per large case or bale	.. 0	03
(iv) Coconuts loose per 1,000 or part thereof..	0	06
(v) Other cargo per metric tonne or cubic metre	.. 0	12

(c) Double rates for the next three days or part thereof and treble rates for every succeeding three days or part thereof.

(d) A large case or bale is one exceeding 0.25 cubic metre.

Rules for the working of the closed cargo shed at Tellicherry:-

1. Application for storage of goods shall be sent to the Port Conservator, Tellicherry. No storage shall commence until permission has been obtained.

2. Goods will be stored at owner's risk and the Government accept no responsibility for their safe custody.

3. On no account shall cargo be stored touching the trusses.

Infringement of this rule render the occupant liable to be prohibited from using the shed for such period as the Port Conservator may deem fit in addition to making good the damage if any, caused to the building

(d) PORT OF CANNANORE

Rupee 0.05 per unit of 10 square metre or part thereof for a period of three days or part thereof and double that rate for subsequent period of three days or part thereof, provided that no rent shall be levied, if cargo is removed on the day of storage.

**Rules governing the warehousing of goods in the Government
sheds and godowns at the ports in the former
Travancore-Cochin**

1. On all goods warehoused, warehouse rent will be charged as follows:

For the first seven days	- Free	
For the 1st month (continuing from the	- Single rate per week as	8th day)
	per schedule appended.	
For the 2nd month (continuing from the	- Double rate per week as	8th day)
	per schedule appended.	
For the IIIrd month	- Treble rates per week	

The rates will be similarly increased for every succeeding month.

Fraction of a week will be counted as one week.

2. Rule 1 does not apply to the open godowns or sheds which have been built for the temporary accommodation of shippers and which are not intended to be used as warehouses.

3. Goods intended for export may be stored in the open godowns or sheds for *seven* days free of charge. But in the case of such goods, should the period of free storage exceed seven days, they will be charged *double* warehouse rates from the date of storage.

4. Importers shall not be permitted to use the open godowns or sheds when such godowns or sheds are required by the exporters for the storage of their goods, nor shall importers be allowed to store their goods in the open godowns free of charge for more than two days. Owners of imported goods using such godowns for more than two days will be charged four times the normal warehouse rates from the date of occupation.

5. The warehouse rent shall be paid to the officer in charge of the warehouse and godowns or sheds are required by the exporters for the storage of their goods, nor shall importers be allowed to store their goods in the open godowns free of charge for more than two days. Owners of imported goods using such godowns for more than two days will be charged four times the normal warehouse rates from the date of occupation.

6. In the case of imports, the Officer in charge of the Port shall, wherever he finds it necessary, have power to issue notice to the owner, consignee or agent to remove the goods and pay the rent within a specified time not exceeding 14 days. In the event of failure to pay the rent within such time, the goods or such portion of them as may be necessary shall be sold by public auction, and the dues of Government, plus 10 percent of such dues shall be recovered from the proceeds of the sale.

7. Storage of salt fish, dried prawns or other goods with offensive smell or of a damaging nature in any of the Government warehouses or sheds is strictly prohibited.

8. Inflammable oils, gun-powder, explosive and the other goods of a highly dangerous character shall not be stored in any of the Government warehouses or sheds. Persons importing such goods should provide themselves with places where they may be stored with safety. Such goods should at once be removed on import.

SCHEDULE

Rice, paddy, ginger, turmeric, cargo	37 paise per 100 bags per week	pepper and other bag
Copra, ginger, pepper, turmeric	62 paise per 100 robbins per etc., in robbins	week
Coir yarn and fibre in bales	75 paise per 100 bales per	week
Coir mats and matting in bundles or rolls	75 paise per 100 bundles	per week
Coir yarn in bundles and dholes	62 paise per 5000 kilograms	per week
All other goods	5 paise per metric tonne of	one cubic metre per week

Note : - The total amount payable on cash and every application shall be rounded to the nearest "even" paise or multiple of 5 paise.

"Ground rent for the use of lands within port limits for marine purposes in the ports of Alleppey, Koilthottam, Quilon and Trivandrum is rupees 3 per 100 square metres.

APPENDIX XV

[Vide paragraph 77 (a) of the Port Manual]

Licence for erection of Jetty

A licence is hereby granted to erect a Jetty according to the plan hereto attached on the land, the property of Government forming the

foreshore in the port of..... of the dimensions and materials and at the place shown in the schedule and the plan hereto attached and subject to the following conditions:-

(a) A sum of Rs.10 shall be payable by the license annually in advance from the date of this licence to the entire satisfaction of the State Port Officer.

(c) The jetty shall be maintained by the licensee in good and substantial repair to the satisfaction of the State Port Officer; and it shall not be extended or altered in any way without the previous sanction of the Government of Kerala (hereinafter referred to as “the Government”).

(d) When so required by the Government the licensee shall remove the jetty and vacate its site within three months after receiving notice in writing, and shall not erect any other jetty or structure on any part of such foreshore without the previous further sanction of the Government.

(e) In the event of delay or default in such erection and completion, or of any breach of any of the above terms, the Government may cancel this licence and assume control of or otherwise dispose of all or any part of the jetty that may have been constructed, as well as the site thereof; and the licensee shall have no right to compensation and no right in the land in consequence of erection made thereon.

(f) This licence, unless otherwise cancelled, shall remain in force for a period not exceeding 49 years.

APPENDIX XVI

[Vide paragraph 86 of the Port Manual]

Non-Statutory Rules for the maintenance of the accounts of Export and import dues collected under the Madras Out Ports Landing and Shipping Fees Act (Act III of 1885) applicable to the ports in the former Malabar and Kasargod area only

The following rules should be followed for the collection and maintenance of the accounts of the export and import dues levied under the Madras Out Ports Landing and Shipping Fees (Act III of 1885) applicable to the ports in the former Malabar and Kasargod area only. At ports where there are no separate clerks or no shroff the rules will equally apply to the Port Conservators authorised under the Act to assess and collect the export and import dues.

One clerk working in Port Office will be designated as clerk and shroff and will be required to furnish security. The clerk-shroff will receive the dues and initial the receipt for them in token of having done so. He will also maintain a chitta to facilities reconciliation of the accounts between the cash and account branches. Another clerk will keep the accounts and prepare the receipts initialling them in token of having entered the payments in the accounts.

2. The following registers and forms shall be maintained in respect of collections of export and import dues and maintenance of accounts there under :

1. Shroffs chitta. (K.P.M.Form No.12)
2. Application to pass goods imported. (K.P.M. Form No.15 or 116)
3. Application to pass goods to be exported. (K.P.M. Form No.37)
4. Receipt book for passenger's baggage. (K.P.M. Form No.37)
5. Cash book. (T.R.7A)
6. Remittance chalan book (Foil and counterfoil) (K.P.M. Form No.7)

The parties concerned shall make their own arrangements to get the following forms printed as may be required as per the specimen forms available in the Port Offices.

Printed forms of application will also be stocked in Port Offices and sold to parties.

- (1) Import form of application (K.P.M.Form No.15 or 16)
- (2) Export form of application (K.P.M. Form No.13 or 14)
- (3) Rent form of application (K.P.M. Form No.46)
- (4) Application for refund of export and import dues (K.P.M. Form No.44)

3. The person paying the fees will produce or be requested to prepare in triplicate the application to pass the goods in K.P.M. Form No.15 or 16 (Application to import) of K.P.M Form No.13 or 14 tonnage and will present the same together with the duplicate copy of the relative bill of entry and delivery order or original copy of the shipping bill and shipping order to the import or export clerk as the case may be. The entries in the application should agree with the particulars contained in the corresponding manifest. The duplicate applications shall be carefully checked by the clerk and compared with the customs documents so far as particulars contained in columns (1) to (4) of the application are concerned and when everything is found correct he shall complete the entries in all the three copies of the application simultaneously by the use of carbon papers and shall initial all the three copies of the application and the duplicate copy of the bill of entry or original copy of the shipping bill.

NOTE:- In the case of import manifests, the statement of outturn of landings, if any, filed by the steamer agents, shall be treated as part and parcel of such manifests.

4. The clerk shall then send one copy of application direct to the clerk-shroff and hand over the other documents to the party and direct him to pay the amount to the clerk-shroff. On receiving payment the clerk-shroff will initial the receipt in all the three copies of the application after entering in words and figures the amount received by him simultaneously by the use of carbon paper and will also note on the customs documents the amount paid together with his initials; the clerk shall then submit all the three copies of the applications with the customs documents and chitta to the Port Officer who after satisfying himself as to the correctness of the assessment and of the several entries and that the fees levied have been received sign all the three copies of the application and initial the duplicate bill of entry or original shipping bill concerned in attestation of the entries made by the clerk-shroff.

5. The original copy of the application shall be filed in the Port Office and the duplicate and triplicate copies returned with the customs documents to the party concerned who will present the latter at the Customs House. The customs clerk shall before delivery of any goods in customs custody or before passing any Shipping Bills for export satisfy himself that the documents have been duly noted in the Port Office, and that the Port Officer has attested the duplicate copy of the bill of entry or original copy of the shipping bill. If everything is in order he shall deliver the goods imported or pass the goods for export. If the documents are found wanting in any of the above particulars they will not be admitted but will be returned to the parties for representation after the omissions have been made good in the Port Office.

NOTE:- The party concerned shall produce the triplicate copy of the export or import application to the Port Office representative concerned and an endorsement to the effect that the goods covered by the export/import application have been shipped/removed under his supervision shall be obtained before the goods are exported into a vessel or removed from the port and the same filed in the Port Office as soon as the goods are shipped or removed.

6. Receipt books for passengers baggage, K.P.M. Form No. 37. K.P.M. Form No. 37 shall be used as a receipt for money paid by passengers for baggage other than food and bedding. The receipts (foil and counterfoil) will be bound in books of hundred each the pages being numbered consequently in pairs and the numbers being printed. The counterfoil to be retained will be immediately below the foil to be given to the party and clerk-shroff who receives the money will place carbon paper between the foil and counterfoil when he writes and signs the receipts so that the entries in the foil are exactly reproduced in the counterfoil.

7. The daily total of collections of dues shall be worked out on the reverse of the last export or import application as the case may be passed for the day or if necessary on a separate sheet of paper showing the port officer authorised to collect export and import dues at the port. This will also be checked with the entries on the shroff's chitta. Progressive monthly total shall similarly be worked out

each day there is collection of dues. Import and export applications passed in a day shall be separately stitched together with the daily total sheets whenever arranged chronologically, tied up with twine cross-wise and kept in an almirah under lock and key in the personal charge of the officer referred to above.

8. (a) A register of refund of export and import dues (K.P.M. Form No. 35) shall be maintained in respect of all refund applications admitted by the above officer. It should contain the following columns.

- (1) Date of receipt of refund application.
- (2) Serial number (to be given separately for each financial year)
- (3) Name of the Party.
- (4) Number and date of the relative export import Applications.
- (5) Amount of fees realised
- (6) Amount of fees refunded
- (7) Signature of the Officer authorised to collect export and import dues.
- (8) Remarks

(b) A note of the refund shall be made in red ink across the relative application to import or export filed in the Port Office. It shall also be made in the shroff's chitta against the number of the application concerned. The note referred to above shall include the amount refunded, serial number in the refund register and date of order for payment.

(c) The refund register with all the entries referred to shall be put up before the Port Advisory Committee for its recommendation as to whether the refund applied for may be sanctioned. The number and date of resolution recommending sanction of the refund shall be noted therein. The Port Office, Calicut is empowered to sanction refund of import and export dues in respect of the Port of Calicut on the recommendation of the Port Advisory Committee, Calicut. In respect of all the ports where the Port Advisory Committees are constituted Port Conservators at the Ports of Ponnani, Badagara, Tellicherry, Cannanore and Azhikkal are declared as the competent authority to sanction refund of import and export dues on the recommendations of the respective committees at the ports. In respect of the Ports of Quilon and Koilthottam where there are no Port Advisory Committees, the State Port Officer will sanction refunds after the claims have been duly verified by the Local Port Conservators.

9. *Cash book*:- The cash book shall be written up every day and entries therein should be compared daily by the Port Officer, with the chitta and the subsidiary registers.

10. All money collected during the day should be kept under lock and key by the Port Officer. When the collections exceed Rs.25 they should be remitted in the Treasury on the following morning.

11. *Remittance book*:- When a remittance is about to be made to the Treasury, the remittance chalan book shall be prepared in respect of the money to be remitted and placed before the Port Officer, who shall sign it and initial the corresponding entry in the cash books after examining and initialling the receipt granted by the Treasury Officer for the remittance of the previous day.

12. One copy of all import and export manifests filed at the Customs House will be forwarded to the Port Officer where they will be retained permanently.

Date of landing, date of delivery of goods, date of payment of fees and register number of application will be entered against each item in the import manifest; similarly date of receipt for shipment, date of shipment, and date of payment of fees and register number of application will be noted in the export manifest. Date of delivery of goods and shipment will be filled in, in the respective manifests daily from such information as is available in the Port Office and in the case of the import manifests, also from the customs delivery book which shall, for this purpose, be forwarded each day at 5p.m from the Sea Customs Office and returned the same evening. The Customs Office Shall also forward day by day in original all applications for amendment with the orders endorsed thereon to the

Port Officer to enable the latter to make necessary amendments in the import and export manifests concerned.

At the close of each fortnight the Port Officer should check the import and export manifests with import and export applications and cash books to ensure that every item has been properly accounted for and should prepare a statement of any dues that are still outstanding and take steps for their prompt collection.

The term 'Port Officer' in these rules means and includes any officer appointed by the Local Government to levy, receive and account for export and import dues, and any person appointed to discharge the duties of a Port Officer during his absence. If the Port Officer is unavoidably absent from the office or in cases where the arrangements have been specially sanctioned by Government, he may depute the Personal Assistant or the Head Accountant of his office to carry out on his behalf of his duties specified in Nos. 4,6,7,9 and 11 of these rules, provided that, unless the Port Officer is absent from the port, the Port Officer shall personally examine the accounts and cash balance in the evening and carry out his duties prescribed in the above rules except as regards duties specially permitted by Government to be carried out by the Personal Assistant or Head Accountant of his office. The delegation of duties as above to the Personal Assistant or Head Accountant of the Port Office does not, however, relieve to Port Officer of his responsibility for the proper levy and collection of dues. He should therefore satisfy himself by a careful examination of the registers and accountant as often as possible that the dues have been correctly assessed and accounted for.

APPENDIX XX

[*Vide* paragraph 215 of the Port Manual]

Rules for the lease of lands and trees within the compounds of Government offices and Government Bungalows

(*G.O.(P) No. 74/PW., dated 22nd February 1967*)

1. *Lands to be given on lease:-* Government lands available within the compounds of Government offices and residential bungalows, guest houses, travellers' bungalows, camp sheds, sathrams and other buildings belonging to Government except those under the Police Department shall be leased out temporarily on a yearly basis for being used for cultivation of food crops.

2. *Lease of trees:-* The lease of such lands may include the right of collecting usufructs of trees thereon but where it does not include the land, the right of collecting usufructs of trees may be leased out separately which may generally be for a period of three years.

3. *Lease to be given in auction or without auction:-*

(1) The lease shall ordinarily be granted in public auction. If the lease is without auction, the rent prescribed under the Kerala Land Assistant Rules, 1964 shall be realised in advance from the lessee. The officer competent to confirm auction is competent to decide for reasons to be recorded in writing whether lease of land or trees or both in a particular case should be without auction and if so to whom it should be granted.

(2) The usufructs of trees in compounds of residential bungalow shall either be collected and sold departmentally or leased out to the contingent employees or last grade employees of the concerned bungalows without auction.

4. *Demarcation of plots for lease:-* Before holding the auction the plot available for lease shall be marked out and fixed taking into consideration the convenience of the occupants as well as visitors to the buildings within the compounds.

NOTE:- In the case of big bungalows like guest houses, and tourist bungalows under the Tourist Department, the conveniences and feelings of the visitors, particularly tourists should be respected. As regards residential buildings, the sentiments and convenience of the occupants should be looked into. In the case of compounds of public officers sufficient space should be left for the use of the visitors to the offices in the compound. Keeping these aspects in view, every efforts should be made to set apart the maximum area for being leased out for food crops cultivation. The area to be leased out will be decided by the Head of the Office in the case of office compounds. If there are more than one office in a compound and if one of such offices is occupied by the Revenue Department, the officer in charge of that office will determine the plot available for lease. If there is no revenue office, the District Collector shall authorise an Officer occupying one of the buildings to determine the plot available for lease. In the case of residential bungalows except those in charge of the Tourist Department in charge of the bungalows will determine the plot available for lease leaving sufficient space, wherever possible, for raising kitchen gardens by the occupants of the bungalows, and also adequate space for garden, lawn access road, or drive-way. As regards residential bungalows, guest houses and tourist bungalows in charge of the Tourist Department, the lowest Gazetted Officer of that Department in charge of the bungalows will determine the plots available for being leased out, leaving sufficient space for the convenient use of the residents.

5. *Notice of auction to be published:-* Auction shall be conducted after giving wide publicity in the locality and by publication of notice in other important Government Offices in the locality at least seven clear days prior to the date fixed for auction.

6. *Period of lease:-*

(1) The lease of land shall be temporary for a period of one year commencing usually from the 1st April of every year.

Provided that the Officer granting the lease may in his discretion and taking into consideration the agricultural seasons, grant lease for a period of one year commencing from any date.

(2) The Officer granting the lease may, if he considers it so necessary, renew the lease in the name of the original lessee. The lessee however cannot claim renewal as a matter of right.

7. *Officers competent to conduct the auction and to confirm it:-* The officer authorised to demarcate the plot is empowered to conduct the auction sale of the lease. The sale is subject to confirmation by the officer immediately superior to the officer conducting the sale. If there was any irregularity in the conduct of the sale or if the sale was conducted without proper publicity or for such other reasons to be recorded in writing, the officer competent to confirm the sale may set aside the sale within one month from the date of sale and order a resale. The lessee shall within two weeks from the date of intimation of confirmation of sale execute a lease deed in the form appended to these rules to abide by the conditions of the lease. If the officer granting the lease is not competent to execute the lease deed on behalf of government, he should submit it to his superior officer who is competent to execute it on behalf of Government and get it executed by him.

8. *Last grade and contingent employees authorised to take land and trees on lease:-* The contingent employees and last grade employees of the respective offices and bungalows are also eligible to take the land or trees or both on lease subject to the prescribed terms and conditions.

9. *Conditions of lease:-* The lease shall be subject to the following conditions:

(a) The lessee shall not cultivate the area earmarked for access road or drive way or set apart for any other purpose like kitchen garden lawn, garden, etc.

(b) The lease shall ordinarily be for a period of one year as determined by the officer sanctioning the lease as per these rules.

(c) The officer granting the lease shall have power to terminate it after giving one month's notice if the lessee violates all or any of the conditions of the lease or the land is required by Government for a public purpose.

(d) The lessee should remit the full amount of the rent in advance within two weeks from the date of intimation of confirmation of the auction or in case where the lease has been granted or renewed without auction, within two weeks from the date of intimation of sanction of such lease or its renewal. He shall also on the date execute a lease the premises neat at his own cost.

(e) The lessee shall keep the whole premises properly enclosed so as to prevent stray animals from getting into the premises and shall also keep the premises neat at his own cost.

(f) The lessee shall not cut any of the trees or their branches standing within the compound without proper authority. He should not also commit waste in any way. Should any loss be caused to Government on account of any act of negligence of the lessee, his agent or employees, he shall be held liable to compensate for such loss. The decision of the officer granting the lease, as to whether any loss of the type mentioned has been committed and if so, the extent of such loss, shall be final.

(g) The lessee shall see that no disturbance of any kind is caused to the inmates of the bungalow or the office staff as the case may be, by him or by his employees or agents.

(h) The lessee shall on the expiry of the lease have no claim whatsoever for any compensation for improvements.

(i) If the lease is revoked within the period originally fixed for the violation of all or any of the conditions of the lease on the part of the lessee, he should vacate the land unconditionally without claiming any compensation and should restore the land to its original condition. But if the lease is terminated on the ground that the land is required for a bonafide public purpose, then the lessee shall be paid such reasonable compensation for the food crops cultivated but not removed by him, as may be fixed by the officer terminating the lease. He will also be entitled to refund of the rent in proportion to the period that remains unexpired.

(j) The lessee shall pay within the time specified, any amount that may be due from him to Government from time to time and in case of default, it shall be open to the Government to recover the same as an arrear of land revenue under the Revenue Recovery Act in force for the time being.

Lease deed

This lease deed is executed on this the..... day of one thousand nine hundred and sixty..... between the Governor of Kerala (hereinafter called ‘the lessor’) of the one part and Sri..... (H.E. name and address) (hereinafter called ‘the lessee’) of the other part.

Whereas the lessee has/applied to the lessor for/taken in auction/the right of collecting usufructs of the trees mentioned in Schedule A hereto standing on the properties mentioned and described in Schedule B hereto and for that purpose entering into the said properties.

OR

Whereas the lessee has/applied to the lessor for/taken in auction the right of cultivating with food crops the properties mentioned and described in Schedule B hereto and for that purpose entering into the said properties.

OR

Whereas the lessee has/applied to the lessor for/taken in auction the liberty of collecting the usufructs of the trees mentioned in Schedule A hereto standing on the properties mentioned and described in Schedule B hereto and the liberty of cultivating with food crops the land mentioned and described in Schedule B hereto and for that purpose entering into the said properties.

NOTE:- Strike out the portion not applicable.

And whereas the lessor has agreed as aforesaid to the extent and subject to the conditions hereinafter set forth and the lessee has likewise agreed to accept the grant on such conditions.

Now these presents witness and it is hereby mutually agreed as follows:-

1. The lessor hereby grants to the lessee this lease to enter into the lands mentioned and described in Schedule B hereunder written for the purpose of collecting usufructs of the trees mentioned in Schedule A hereto for a period of years/for cultivating the land with food crops the properties mentioned and described in Schedule B hereto and for that purpose entering into the said properties for a period of years/for collecting usufructs of the trees mentioned in Schedule A hereto standing on the properties mentioned and described in Schedule B hereto and the right of cultivating with food crops the land mentioned and described in Schedule B hereto and for years with effect from to on an annual rent of Rs..... (Rs..... only) to be paid in advance within a period of days from

2. The lessee shall not cultivate the area earmarked for access road or drive way or set a part for any other purpose like kitchen garden, lawn, garden, etc.

3. The lessee shall use the said premises only for the purpose of and for no other purpose.

4. In the event of the lease not being renewed on the expiry of the period of year/years from the commencement of the lease, the lessee shall on termination or revocation of the lease restore the said premises in as good a condition as it was consistent; with the terms and conditions hereinafter contained.

5. The lessee shall not without the previous sanction of the lessor permit any person to enter the said premises.

6. The lessee shall keep the whole premises properly enclosed so as to event stray animals from getting into the premises and also keep the premises neat at his own cost.

7. The lessee shall not cut any of the trees standing in the premises or their branches without the prior consent in writing of the lessor. He shall not also commit waste in any way. In case any loss is caused to the lessor on account of any act or negligence of the lessee or his agent or employees he shall be held liable to compensate for such loss. The decision of the officer granting the lease as to

whether any loss of the type mentioned has been committed and if so, the extent of such loss, shall be final.

8. The lessee shall not remove fruits which are not ripe for removal from the trees but shall leave all such fruits intact at the expiry of the lease period.

(Strike out if not applicable)

9. The lessee shall see that no disturbance of any kind is caused to the inmates of the bungalow or the office staff, as the case may be, by him or by his employees or agents.

10. The lessee shall have no claim whatsoever for compensation for improvement on any ground whatsoever.

11. In case the lessee commits breach of all or any of the terms and conditions herein contained, it shall be competent for the lessor to terminate the lease after giving one month's notice and without being liable for payment of any loss of damage caused to the lessor in the manner prescribed in clause 16 hereunder.

12. Not with standing anything contained in these presents the lessor may terminate the lease by giving one month's notice on the ground that the leasehold premises are required for bonafide public purpose. Thereupon, the lessee shall be paid reasonable compensation for food crops cultivated, but not removed by him and he will also be entitled to refund of the rent for the unexpired portion of the lease period.

13. The lessee shall comply with all instructions and directions which may be given to him by the Head of any office situate within the compound or by any office authorised in this behalf by such Head of office, in respect of any matter under or pertaining to it in respect of the lease.

14. The officer granting the lease, may if he considers it so necessary, renew the lease. The lessee however cannot claim renewal as a matter of right.

15. In case any doubt or dispute of any kind arises under or by virtue of this Deed, the decision of the Government thereon shall be final and legally binding on the lessee.

16. The lessee hereby agree that all sums found due to the Government under or by virtue of these presents shall be recovered from the lessee and his properties movable and immovable as if such sums are arrears of land revenue under the provisions of the Revenue Recovery Act for the time being in force or in such other manner as the Government may deem fit.

17. The stamp duty shall be borne by the lessor.

IN WITNESS WHEREOF Sri for and on behalf of the Governor of Kerala and Sri the lessee have hereunto set their hands the day and year first above written.

SCHEDULE A

(H.E. details of the trees)

SCHEDULE B

(H.E. details of the land)

Signed by Sri.....

(For and on behalf of the lessor)

In the presence if witness:-

(1).....

(2).....

Signed by Sri.....

(The lessee)

In the presence of witnesses:-

(1).....

(2).....

APPENDIX XXI

[Vide paragraph 238 of the Port Manual]

Rules for the grant of loans for the construction of/or repairs to cargo boats

I. *Short title, extent and application:-*

- (a) These rules may be called “The Kerala Cargo Boats Loans Rules, 1966”.
- (b) They shall extend to all the intermediate and minor ports of the State of Kerala.
- (c) They shall come into force on the 12th June 1968

II. *Definitions:-* For purposes of these rules unless there is anything repugnant in the subject or context:-

(i) *‘Minor and Intermediate Ports’* means Ports of Kerala State other than the Major Port of Cochin.

(ii) *“Cargo Boats”* means boats intended solely for the purpose of transport of cargo from shore to ship and *vice versa* licensed as per rules framed under section 6 (I) (k) of the Indian Ports Act, 1908 (Act XV of 1908).

(iii) *“Cargo boat owners”* means those who have been licensed to ply cargo-boats at the respective ports and include any person who is interested in providing cargo-boats at any of the ports for the carriage of cargo and passengers.

III. *Grant of loans:-* Persons to whom and the objects for which loans may be granted.

(1) Loans under these rules may be granted to cargo-boat owners at the minor and intermediate ports for any of the following purposes namely:-

(a) for the construction of new cargo-boats, intended for the transport of cargo from shore to ship at anchorage and *vice-versa*.

(b) for the repairs to the cargo-boats intended for the same purpose.

IV. *Authority competent to sanction loans and the limit of loans:-* Loans will be granted by the State Port Officer, Kerala, Trivandrum on the recommendations of the officers in charge of the ports concerned to the extent indicated below:

(a) *For construction of new cargo-boats:-* 50% of the estimated cost of the new boats, subject to a maximum of Rs.10,000 per boat.

(b) *For repairs to cargo boats:-* Actual estimated cost of repairs, or Rs.1,000 per boat whichever is less.

NOTE:- Loans under item (a) above will be paid in two equal installments; the 1st instalment after the keel is laid and the 2nd after the hull is planked.

V. *Rate of interest:-*

(1) The loans shall bear simple interest at 6½% per annum or at such rates as may be fixed by Government from time to time.

(2) In calculating interest fractions of a month consisting of 15 days and above shall be counted as one month and fractions of less than 15 days disregarded.

(3) Calculation of interest:- Interest shall accrue from the date of disbursement of the loan and the loan when disbursed in installments, interest on each instalment shall run from the date of disbursement of such instalment.

(4) Penalty on over-due instalments:- A penal interest at 2% shall be charged on all instalments delayed beyond the due date till date of payment of the instalment unless the time for payment of the instalment has been duly extended by the authority empowered in this regard.

VI. Procedure for sanctioning loans:-

(1) Mode of application for the loan:- Application for loan shall be made in triplicate in the form prescribed in Appendix 1 to these rules and shall be addressed to the State Port Officer, Kerala, Trivandrum. The applications shall also be sufficiently stamped and be accompanied by a detailed estimate of the cost of construction or repairs as the case may be proposed to be made utilising the loan.

(2) Processing of loan applications:- On receipt of an application, the State Port Officer shall forward one copy to the Tahsildar of the taluk concerned for the valuation of landed properties, if any, offered as security. He shall simultaneously send another copy to Mechanical-cum-Electrical Engineer of the Port Department for the scrutiny and approval of the estimate of the work proposed. The services of the Engineer may also be utilised, if he is qualified for the purpose, for the valuation of machinery or other properties that may be offered as security. The buildings may be got valued by the Executive Engineer (B & R) having jurisdiction over the area. Normally such properties should not be accepted as security unless covered by fire-risk insurance and continued to be covered likewise for the period of the loan. The copy with the court fee stamp affixed may be retained by the State Port Officer for a local enquiry as to the bonafides of the application, of the economic feasibility and soundness of the proposal, of the properties offered as security and the solvency of the applicant generally, his capacity to carry out the work of construction or repairs within the prescribed time, his capacity to carry on the business of a cargo-boat owner and repay regularly the loans, the number of instalments to be fixed for the repayment of the loan, whether the applicant had previously obtained any loan and had defaulted in repayment on the due dates, whether he is generally regular in payment of Government taxes and dues, and all other relevant factors relating to the case. The State Port Officer may also if thought fit get this enquiry conducted by the officer in charge of the ports concerned.

(3) Security and valuation:- In addition to the boat proposed to be constructed or repaired, unencumbered immovable property may also be offered as security. Subject to the limit of loans prescribed in Rule IV the amount of loan under these rules shall be restricted to 50 percent of the value of the land as assessed by the Tahsildar or 50 percent of the value of machinery and/or buildings as assessed by the Engineer. The buildings and machinery, where thought necessary, may be got valued by the officers of the Public Works Department also. The Tahsildar, within a fortnight of his receiving a copy of the application from the State Port Officer should report on the market value and the encumbrances of the landed properties offered as security. For this purpose he may insist the party producing an encumbrance certificate from the Dub-registrar concerned, where necessary. The Tahsildar should also give a certificate of possession and enjoyment in respect of the property. Where there is any doubt as to title, the State Port Officer or the officer in charge of the Port concerned, may get the title deeds scrutinised by the Government Pleader.

VII. Issue of loan orders:- If after the due processing of the application, the State Port Officer is satisfied that the loan may be granted he shall record a decision to the effect that the loan asked for on a lesser sum may be given and shall then issue an order granting the loan. He shall also specify in the order the period within which the amount should be fully utilised and the work completed.

VIII. Execution of mortgage deed:- The mortgage deed shall be executed by loanees in the form appended and got registered in all cases where the value of such property exceeds Rs.100. The charges for valuation, registration, the fee for legal scrutiny of the records, title deeds and other incidental charges will be met by the loanees at rates prescribed from time to time.

IX. Drawal of the loan amount:- After the loanees have executed the necessary bond, the loan amount shall be drawn by the State Port Officer on the appropriate bill-form and disbursed to the

loanee after obtaining a simple receipt. The expenditure will be debited to the proper head of account as may be intimated from time to time.

X. Verification of proper utilisation of loans:-

(1) Every loan granted under these rules shall be applied for the purpose or which it is granted. It shall be the duty of the State Port Officer and the officer in charge of port to inspect the concerns and works of the loanee and to satisfy themselves by a reference to the books and by physical verification that the loan amounts have been properly utilised and should record a certificate to this effect in their inspection notes. The books of account and stocks of the loanee concern should be made available for inspection to the State Port Officer and the officer in charge of the port. If at any time, it is proved to the satisfaction of the sanctioning authorities or of the inspecting officers that the loan amount or any part of it has not been applied for the purpose for which it was granted, the whole unpaid balance of the loan with interest shall become immediately payable and shall be recovered in the manner laid down in Rule XIV. The accounts in respect of the loans sanctioned for the purposes of construction and repairs of cargo-boats will be open to audit at any time by the Accountant-General or any other officer authorised in this behalf by the Government. Time limit for utilising the loan will be six months from the date of drawal of each instalment of the loan sanctioned.

(2) *Inspection of works:-* The State Port Officer shall make provision for ascertaining and securing that such loans are duly applied to the purpose for which they are made and for the proper inspection of works in the course of construction.

If it is found that the work has not been carried out in substantial conformity with the proposals made or that the loan has not been applied for the purpose for which it was granted the State Port Officer may either require immediate repayment of the whole amount advanced with interest at 6½ percent and costly, if any, or alter the instalment fixed under Rule XI so as to ensure repayment of the loan within the period for which the improvements are likely to last.

XI. Repayment of loan:-

(1) Repayment of the loans for the construction of new boats shall be made in 60 equal monthly instalments and that for repairs in 12 equal monthly instalments; the first instalment of the repayment in new-boat construction cases, commencing in the eighth month after the drawal of the loan amount, and that in the case of repairs starting in the third month after the drawal of the loan amount.

(2) *Method of repayment:-* Loans shall be repayable in equal monthly instalment; payment of interest commencing after the complete repayment of the loan amount. The payment of interest shall also be in monthly instalments in continuation of the repayment of the loan, the amount of each instalments in continuation of the repayment of the loan, the amount of each instalment of interest also being the same as the monthly instalment of the principal. Interest shall be calculated on the balance of the loan outstanding as on the 1st day of each month. Each instalment of loan or interest shall be payable on the 15th day of each month or if the 15th happens to be a treasury holiday on the next working day.

(3) *Where repayment is to be made:-* Repayment shall be made by the borrowers directly into the treasuries or sub-treasuries concerned on chalans duly countersigned by the Officers in charge of the ports concerned.

XII. Suspension of instalment:- The repayment of any instalment of loan may be suspended by the State Port Officer where he is satisfied that from causes beyond the borrower's control such repayment of the instalment becomes unduly burdensome. Whenever the payment of an instalment is suspended all the remaining instalments due on the loan may also be postponed; provided that nothing in this rule shall enable the State Port Officer to make any order which will have the effect of extending the period of repayment beyond the financial year in question.

XIII. Voluntary Payment:- Nothing in Rule XI above shall prevent a borrower from repaying at any time a larger sum than the monthly instalment or from discharging the whole loan in a single

repayment. Repayment other than the payment on the due date of the prescribed monthly instalments may be classified as follows:

(i) Payment on the due date of a sum in excess of the equated payment:- Such excess payments should at once be credited in reduction of principal, the number of future instalments being if necessary, reduced by no postponement of subsequent instalments being allowed. Nor shall any alteration in the amount of subsequent instalment be allowed except in the final instalment and when such alteration is necessary to adjust the balance due.

(ii) Payment before the due date of the equated payment:- Such payments should be treated as having been made on the due date.

(iii) Voluntary repayment before the due date of any amount without reference to the equated payment due:- Unless the borrower specially requires such a payment to be regarded in whole or in part as an advance payment under clause (ii), it should be taken wholly in reduction of principal, the borrower being still liable for the equated payment on the due date.

XIV. *Summary recovery on breach of conditions*:- If at any time the State Port Officer is satisfied that any person who has received a loan has failed to satisfy any of the conditions on which it was sanctioned, he may, after recording in writing the grounds for his decision proceed to recover forthwith from such person the entire unpaid balance of the loan, together with any interest payable thereon and costs as arrears of land revenue under the provision of the Revenue Recovery Act for the time being in force.

Provided that such officer may at his discretion so recover any sum less than the whole balance of the loan without prejudice to his right to recover the remainder of such balance at any subsequent time.

XV. *Grant of second loan*:- A second or subsequent loan under these rules will be granted only after the complete repayment of the previous loan, with interest.

XVI. *Maintenance of accounts*:- The State Port Officer shall be responsible to maintain accounts and watch recovery of the loans granted and the closing balance certificate for the balance under the head of account shall be furnished to audit by him.

XVII. The State Port Officer shall be the custodian of the mortgage deed executed under these rules.

ANNEXURE I

Form of application for the grant of loans for repairs to/construction of cargo boats

(To be sent in triplicate to the State Port Officer, Trivandrum
one copy to bear a Two Rupee Court Fee Stamp)

1. Name of the applicant :
2. Purpose for which the loan is sought,
if for repairs the No. given to the boat
proposed for repairs should be noted :
3. Estimated cost of the repairs/Construction.
Detailed estimate to be attached :
4. Amount of loan applied for :
5. Number of instalments desired for
repayment :
6. Facilities available to carry out the repairs
or construction :
7. Facilities available to run cargo service :

8. No. of workmen available, etc. :
9. Estimated income, expenditure and net profit per month by the proposed cargo service :
10. Dates of drawal and complete repayment of previous loans if any :
11. Security offered:-
 - (i) If land-
 - (a) District :
 - (b) Village :
 - (c) Survey No. :
 - (d) Extent :
 - (e) In whose name registered :
 - (f) Estimated value :
 - (ii) Nature and description of other security offered, if any :
 - (iii) Whether arrears of taxes, etc., are due on the immovable property offered as security and if so the nature and extent of such arrears :
12. Nature and extent of the applicant's right to the property offered as security :
13. Nature and extent of encumbrance on the property :
14. Other remarks if any :

Declaration

I..... hereby declare that the statements made above are true to the best of my knowledge and belief.

Place

Date

Signature of the applicant

ANNEXURE II

Mortgage Deed

THIS DEED OF MORTGAGE made on this the day of one thousand nine hundred and by owner of cargo boats No..... of Port (hereinafter called 'The Mortgagor') in favour of the Governor of Kerala (hereinafter called 'the Mortgagee');

WHEREAS the Mortgagor has applied to the Mortgagee for a loan of Rs..... (Rupees..... only) under the Kerala Cargo Boats Loans Rules, 1966 (hereinafter referred to as 'the rules' which expression shall where the context so admits or implies include any amendment thereof for the time being in force);

WHEREAS the Mortgagor is the absolute owner and is in undisputed possession and enjoyment of the properties mentioned and described in the schedule hereunder written;

WHEREAS the Mortgagor assured the Mortgagee that the said properties are not subject to any encumbrance of charge of any description whatsoever or to any attachment or restraint of alienation of whatever kind inspired by revenue authorities or civil or criminal courts or any other authority authorised therefor;

WHEREAS the Mortgagor has received from the State Port Officer, Kerala, Trivandrum acting for and on behalf of the Mortgagee an order No..... dated..... (hereinafter referred to as 'the said order' a copy of which is attached hereto and shall form part of this deed as if incorporated herein) by virtue of which the Mortgagor is entitled to receive the sum of Rs..... as loan from the Mortgagee for the purpose of (H.E. the purpose for which the loan is granted);

AND WHEREAS the Mortgagee has granted the said loan of Rs..... (Rupees..... only) to the Mortgagor subject to the terms and conditions contained in the rules, in the said order and also subject to the terms and conditions herein contained to which the Mortgagor has also agreed;

NOW THESE PRESENT WITNESS AS FOLLOWS:-

1. In consideration of the said loan of Rs..... (Rupees.....only) advanced to the Mortgagor (the receipt of which the Mortgagor both hereby admit and acknowledge) the Mortgagor hereby transfers to the Mortgagee by way of simple mortgage all that movable and immovable properties mentioned and described in the schedule hereunder written to the intent that the said properties shall remain charged by way of security for the due and proper performance of the terms and conditions contained in the rules, in the said order and those herein contained and the Mortgagee shall have first charge over the same.

2. The Mortgagor shall comply with the terms and conditions contained in the rules, in the said order and those herein contained and shall apply the loan amount and every part thereof in the manner and for the purpose specified in the said order and shall duly repay the loan amount together with interest accrued thereon as specified in the Rules and the said order.

3. In case the Mortgagor, his legal representatives or assignees shall fail to comply with all or any of the terms and conditions under which the loan has been sanctioned either by applying the loan amount or any part thereof otherwise than as provided in the rules or the said order or shall not duly repay the instalments of loan amount or commits breach of all or any of the terms and conditions contained in the rules, in the said order and those herein contained then and in any such case the Mortgagee shall be competent to recover the entire sum then outstanding together with interests from the Mortgagor in a lump at once by proceeding against the properties hereby Mortgaged and the Mortgagee shall have all the powers vested in a Mortgagee under sections 69 and 69-A of the Transfer of Property Act (Act IV of 1882).

4. The Mortgagor shall not during the continuance of the security create any Mortgage, lien or charge by way of hypothecation, plead or create encumbrance of any kind whatsoever in respect of the properties hereby Mortgaged or let or lease them and the same shall remain and continue to remain free from any other encumbrance or liability whatsoever except the liability hereby created.

5. If the Mortgagor shall duly comply with the terms and conditions contained in the rules, in the said order and those herein contained, the Mortgagee shall, at the request and the cost of the Mortgaged properties,

6. Without prejudice to the right of the Mortgagee under clause 3 above, all sums found due to the Mortgagee under or by virtue of these presents shall be recoverable from the Mortgagor and his properties movable and immovable including the properties described in the schedule hereto as arrears

of land revenue under the provisions of the Revenue Recovery Act for the time being in force or in such other manner as the Mortgagee deems fit.

IN WITNESS WHEREOF Shri..... has hereunto set his hands the day and year first above written.

SCHEDULE

Signed by Shri.....

In the presence of witnesses:

(1).....

(2).....

APPENDIX XXII

(Vide paragraph 239 of the Port Manual)

Rules for the provision of fire extinguishers in Government buildings and private buildings and in which Government offices are accommodated

(G.O. (P) 330/64/PW., dated 22nd October 1964)

I. General

1. The items of fire-fighting equipment prescribed in these rules will be treated as "first-aid fire-fighting equipment". The scales given are meant for normal conditions. Buildings which are especially susceptible to fire should be provided with such additional items of equipment as may be considered necessary by the occupier on the advice of the local Fire Officer.

2. Provision of fire-fighting equipment, as dealt with in these instructions, should be regarded as a supplementary to reasonable structural precautions against the risk of fire.

II. Scale of equipment to be provided

First-aid "fire-fighting equipment will be provided at the scales mentioned below:

1. For every 100 sq.m. of floor area or part thereof:-

(a) One Fire bucket (approx. 12 inches high) with a minimum of four such buckets on each floor of the building. The buckets shall be filled with water and be evenly disturbed on the floor area are to be covered in lots two buckets.

(b) One stirrup pump to be used in conjunction with the buckets, on each floor.

2. Additional equipment for floor area exceeding 100 sq.m.:-

One soda acid fire extinguisher if 2 gln. size for every 600 sq.m. or part thereof. A minimum of two such fire extinguishers shall be provided on each floor. The fire extinguisher shall be so located that no point within the floor area is more than 15 metres from the nearest extinguisher by the normal route of travel.

4. Additional equipment for buildings or sections of building where there is risk of fire due to electrical plant installed as part of the buildings, or there is risk of fire due to electricity:-

One 1/2 gln. pump type carbon-tetra-chloride fire extinguisher for every 75 sq. meters or part thereof. Dry powder extinguisher or carbon-di-oxide fire extinguisher may be proved as substitute to C.T.C. Extinguisher.

5. I buildings or sections of buildings where oil, paint, varnish and other inflammable liquid storages are kept:-

(a) One foam fire extinguisher of 2 gln. size for every 125 sq.m. or part thereof. A minimum of two shall be provided in a building or a section of the building.

(b) In addition to the fire extinguisher, fire buckers filled with dry sand shall be provided at the rate of two per 50 sq.m. or part thereof. No water should be used.

6. All extinguishers provided in a building should be serially numbered, the numbers being painted on the body of the extinguishers. These numbers will be used to identify each extinguisher in the register to be maintained according to the instructions in paragraph VIII.

III. Precautions against fire

1. No temporary shed required in the compound of any Government building should of combustible materials, without the permission of the Executive Engineer. The erection of thatched or mat buildings within fifteen yards of a permanent Government officer is prohibited.

2. Fire-fighting equipments such as buckets with water or sand, fire extinguishers etc., should be kept in easily accessible places in every building. They should ne located as far as possible at the top and bottom of staircases, or at the commencement and junctions of important corridors in each floor.

3. For buildings for which an adequate supply of water is not available within a convenient distance, water should be provided in covered tanks sufficiently large to fill the buckers ten times.

4. When portable fire engines are provided, the engine, its hoses, other appurtenances and accessories should be complete and in working order. They should be periodically examined and kept complete and in working order.

5. All attenders and peons and as many members of the office staff as possible should be given a practice drill at least once a month in the use of firstaid fire appliances and the head of each office concerned should make arrangements for the proper conduct of these drills. Where a telephone exists, attenders and peons and other members of the office staff should be instructed in its use for the purpose of obtaining assistance from the Fire Station.

6. The head of each office should see that the following percussions are carried out:-

(a) That before closing the office for the night the Manager or head clerk or under his written authority a clerk names by him visits each room and sees, that all lights are put out; that in offices in which electric fans and lights are provided, the switches are turned off; and that all waste paper has been removed, and that in hill stations where fire is kept in fire places to keep the room warm, all fire is effectively extinguished.

(b) That none but safety matches are used in offices.

(c) That kerosene oil or any easily inflammable material is always stored in an out-building or godown.

(d) That the sealing of paper is always done under the direct supervision of a responsible clerk who should see that due care is taken to avoid the outbreak of any fire.

(e) That no naked lights are used in any office. All candles or wicks must be protected by glasses.

(f) That fire places for the preparation of pastes or glue are not allowed in or near any building.

(g) That waste paper is not allowed to accumulate in large quantities in any office, or allowed to lie about as a means of causing or spreading fire.

(h) That fire buckets are kept always full of sand or water or in some cases it any be found suitable to keep half the number of buckets filled with water and half with sand.

- (i) That old furniture is not left lying about but disposed of at once.
 - (j) That smoking in record rooms is strictly prohibited.
 - (k) That dried leaves and other litter is removed from the top of terraces at intervals.
 - (l) That all restrictions and rules regarding lighting issued by the local, municipal or A.R.P. authorities are strictly followed.
 - (m) That in hill stations where there are fire places for warming officers, fire-guards of metal gauze or netting are provided in front of all fire places.
7. One bell gong or more according to the size of the building should be fixed in each building which should be sounded to give the "Fire alarm". When this is sounded, it is the duty of men listed for fire-fighting to rush up to the place of fire for fire-fighting.

IV. On the outbreak of fire

1. On the outbreak of fire, electric current should be switched off at the main.
2. Fire caused by ignited oil should be smothered at once by means of earth or sand kept in receptacles placed in suitable positions for the purpose; and water should on no account be used. If chemical extinguishers of the foam-type are available, they can be used.
3. Immediately a fire is detected, the alarm must be given as explained in paragraph 7 of Chapter III and intimation also given to the nearest fire brigade and to the nearest Police Station by phone or otherwise.
4. Immediately on the alarm being raised, every man should proceed to the post to which he is told off and make such effective efforts as he can to put out the fire, pending the arrival of the fire brigade. If buildings are equipped with fire-hoses and hydrants connected to the overhead tanks, they should be used to the best advantage, as it will be possible to put out major fires by timely use of these appliances.
5. All movements should be carried out with silence and rapidly and special care must be taken to see that there is no crowding in passages and staircases.
6. As a draught of air will tend to increase the fire, all doors and windows which it is not necessary to use for ingress or egress, should be closed.
7. All inflammable materials near the fire should be collected and carried to a place of safety.

V. General Instructions

1. These rules are applicable for ordinary Government nonresidential buildings. These rules should be printed in English and in the regional language and be hung up in conspicuous places in every building.
2. As regards the appliances to be provided, for fire protection, the Executive Engineer, who is in charge of building, will advise the head of the office of the number of fire buckets and chemical extinguishers required according to the scale fixed taking into consideration the cost of the building and the superficial area of each floor. The responsibility of seeing that the equipment is according to scale and is kept in working order is that of the head of the office.
3. In the case of important buildings where there is insufficient means of access to the roof, the Executive Engineer should consider the possibility of providing ladders of suitable length for gaining access to any part of the roof.
4. The initial supply of fire buckets and fire extinguishers together with other appurtenances, such as stands; buckets, etc., as well as all renewals of, and repairs to, the fire buckets and fire extinguishers shall be made by the Heads of the offices concerned - such works being treated as assigned to the departments concerned. If in any case professional skill or assistance is considered necessary, the Executive Engineer or the Sub-Divisional Officer shall be consulted.
5. When a building is occupied by more than one departments the department for the purpose of this rule, shall be Revenue Department if it be one of the occupants and if not the State Government

Department occupying the major portion of the building, to be decided in each case, by the Superintending Engineer concerned. If, in such cases, a department of the Central Government happens to be one of the occupants, the cost of the fire appliances supplied, or of the repairs thereto in respect of the portion of the building occupied by such department, shall be recovered from that department.

6. A building should be the unit for purposes of fire protection. In cases where a building (whether owned by Government or hired) is used partly as an office and partly as a residence for a Government Officer, the department to which office belongs shall be responsible for the provision of fire protection appliances for the entire buildings.

7. The supply of buckets and tanks, etc., to building rented as offices will be arranged for by the heads of offices occupying the buildings.

8. Responsibility for fire protection for buildings not in charge of Public Works Department is that of the head of the office occupying it.

9. For the initial and recurring expenditure involved in the installation and maintenance of fire extinguishers as also the appointment of night watchman, where necessary, specific sanction of competent authority will be necessary in each case.

VI. Practice Drill

1. The head of the office should designate an officer to be responsible for the training of the men to take part in putting out fires during day and night and conducting periodical drills. Initial training to this officer may be given at the local fire station. The practices must be as realistic as possible and should include relaying of sand and water from a nearby source by forming a chain of all staff available.

2. For day time the services of the attenders and peons on duty and other members of the staff should be utilised but for night, special watchmen should be available.

3. Fire practices in the use of these appliances should be given by the officer appointed once a week until all the attenders, peons, night watchmen and other members of the staff have had sufficient practise in the use of the various appliances.

4. There should be periodical practice drill in the use of chemical fire extinguishers, etc., at intervals of one month. At such practices fire extinguishers will not be discharged.

5. A stock of spare refills, at the scale of one per chemical fire extinguisher, should be kept. New refills should be loaded after each annual practice or use in fire fighting earlier.

6. A suitable day in the first week of every quarter should be selected for fire drill but the hour should not be intimated in advance. On the day selected, an alarm should be given by the officer in charge of the arrangements at different parts of the building each time and the practice drill with appliances gone through under the guidance of the officer in as orderly a manner as possible. This should be witnessed by the head of the office or his assistant deputed for the purpose. Similar drill should be gone through during night time during the same week but on a different day, with staff who are normally present by night.

7. A register should be kept of all such exercises and of the defects noticed with any of the appliances. This register should be inspected by the head of the office on the same day or the day following and he should take action to set right the defects.

8. A register should be kept showing the issue of the each refill for the chemical fire extinguishers after each practice fire fight.

9. Where special hydrants are fixed inside the building and fire-hoses are kept in glass cases, all the hydrants should be tested with the hoses on the drill day to ensure that they function all right and the men are fully acquainted with their use. On the morning of the practice, the glass cases should be kept open. After the practice is over, the hoses should be cleaned, aired and kept in the proper places and glass cases closed.

VII. Night Watchmen

1. Night watchmen, where provided, will be on duty from 6 p.m. to 6 a.m. They will go round as soon as they come on duty to see that all doors have been locked. They will take turns (where there are more than one watchman on duty) in going round the offices and record the same at the tell-tale clock (where these are provided), at fixed intervals of time, patrolling only the verandahs and corridors round the office rooms. They will carry a whistle and a stout bamboo 5 feet long.

2. A head watchman or other supervisory person, if appointed, will visit the watchmen at uncertain hours during the night to see that they are doing their duty, during such visit he will carry on his person the set of duplicate keys of all the offices sealed in a bag.

3. Duplicate keys, where these are not entrusted to a head watchman or other individual as prescribed above, will be kept with the night watchmen in a sealed bag.

4. Action to be taken in case of a fire:- Should a watchman observe any outbreak of fire, he will at once whistle for other watchmen, if any, and sound the fire alarm bell. He will telephone to the nearest Fire Station and report the locality in danger. Where there are no telephones, information should be communicated to the nearest Police Station.

5. If the fire is inside any one of the rooms, which cannot be readily opened, the watchmen and others available on the spot, will immediately force open the door by means of a crow-bar (which will be kept in the custody of the watchman at an approved location) and try to put out the fire with the chemical fire extinguishers if present. The fire buckets and stirrups pumps should also be put into operation. They will also whistle and try to secure assistance from the neighborhood.

VIII. Inspection and maintenance

1. Fire extinguishers will be inspected and tested as follows:-

(a) Inspected once every quarter by the nearest Fire Station

(b) Tested by discharge once a year, from the date on which an extinguisher was last tested, or was used. This testing will be done by the nearest Fire Station. One spare refill for every extinguisher should be maintained by the office concerned for ready replacement.

(c) Pressure tested at 350 lb. per sq. inch to detect incipient weakness, if any, once every two years. This test will be done by an Engineering Firm who has the necessary apparatus to conduct the test until the Fire Force is provided with the necessary equipment.

2. The Head of Office shall maintain a register showing the details of all items of first aid fire-fighting equipment on charge. Extinguishers will be enumerated individually, allotting a separate serial number for each extinguisher. The dates and results of the tests of extinguishers prescribed in paragraph 1 above will be recorded in this register. When an extinguisher is discharged otherwise than in a test, that fact and the date of refilling it will also be recorded.

3. The Head of Office shall get the Sub Officer of the local Fire Station to check up and report on the adequacy and condition of the first aid fire-fighting equipment kept according to these instructions. A record of such checks and result will also be made in the register prescribed according to paragraph 2 above.

K.P.M. FORM NO. 54
Application for Harbour Craft Licence

Name of applicant :
Port and date of application :
Occupation of applicant :
Place of residence :
Description of harbour craft :

Declaration

I inhabitant of
....., by this declaration subscribed by me pursuant to
and compliance with rule 4 of the Madras Minor Ports Harbour Craft Rules, 1933, do hereby testify
and declare that I am the owner of the harbour craft above described and that I fully understand all the
provisions of the said Rules and agree to abide by the same.

As witness my hand this day of 19....

(Signature)

(Witness to signature)

K.P.M. FORM NO. 55
Licence for the use of lands within Port limits for Marine Purposes

1. The State Port Officer/Kozhikode Port Officer (hereinafter referred to as Port authority) hereby license and authorise the for the time being (hereinafter referred to as licensee) to use at all times during the continuance of this licence all that piece and parcel of land situated inand belonging to the Government of Kerala and more particularly described in the schedule hereto and shown in the plan attached, for the purpose of the subject nevertheless to the conditions herein contained.

2. The licensee shall, so long as the licence hereby granted shall not be determined in the manner hereinafter provided, pay in advance an annual licence fee Rs..... clear off all deductions, the first of such payments to be made on the day of and subsequent annual payments on the corresponding day of the succeeding years.

3. The licensee shall bear, pay and discharge all existing and future municipal and other taxes, charges, assessments and outgoings payable in respect of the said land.

4. The license shall not use the said land or suffer it to be used except for the purposes of the which are the following:-

5. The licensee may erect in accordance with the plan(s) hereto annexed.

6. The land and the building(s) shall not be used for political meetings.

7. The licensee shall not, except as provided in condition 5, erect any buildings, fences or structures of a permanent or temporary character on the said land without the previous written sanction of the Port authority.

8. The licensee shall maintain the said land in a clean and sanitary condition to the satisfaction of the Port authority and shall also maintain the structures, if any, erected thereon as aforesaid, in good

and substantial repair to the satisfaction of the Port authority. No alteration or extension of any such structure shall be made without the previous written sanction of the Port authority.

9. The licensee shall remove immediately any unauthorised building, fence or structure, on receiving notice from the Port authority and in default of immediate compliance with any such notice, the Port authority shall have power to remove the same and the licensee shall, upon demand made by or on behalf of the Port authority, pay the cost of removal and the cost of storing the materials removed and take delivery of the same. The licensee shall have no claim to any materials removed under this condition, which shall not have been taken delivery of or the cost of removal and storage of which shall not have been paid by the licensee on demand made as aforesaid.

10. The licensee shall not, without the previous written sanction of the Port authority, permit any person to use the said land or any structure thereon or any portion of such land or of such structure except as provided in condition 4.

11. The licensee shall on the termination on revocation of this licence restore the said land to as good a condition as consistent with the foregoing condition.

12. The licensee shall be answerable to the Government for all or any injury or damage done to the said land except such as is permitted by the foregoing conditions.

13. The Port authority may revoke this licence at any time if the licence fee or any part thereof shall remain unpaid for 15 days after it has become payable (whether formally demanded or not) or if the licensee shall have broken any of the conditions herein contained and assume control or otherwise dispose of all or any part of the said land and any buildings, fences and structures thereon and the licensee shall not be entitled to any compensation therefor.

14. The Port authority may revoke this licence at any time, if it is found that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or that there was an irregularity in the procedure relating to the grant of the licence or a mistake in the licence fee payable on account of wrong classification of lands or for any other cause.

15. The licence hereby granted may be revoked by the Port authority after giving..... months notice in writing and by the Government of Kerala, without notice for emergent reasons (the said Government being the sole judge of the emergency) and shall be terminable by the licensee by giving to the Port authority months' notice in writing but without prejudice to any right of action or remedy of the Port authority in respect of any antecedent breach of any of the foregoing conditions. The licensee shall not, in case of any buildings, fences and structures on the said land or of any other improvements effected by to the said land, but may, before the revocation or termination of the licence takes effect or, if the licence is revoked without notice, within such time as may be allowed by the Port authority in that behalf, remove such buildings, fences and structures. The licence shall unless otherwise cancelled be in force for a period of three years from

