



Ship Type: Bulk Carriers Trade Area: Australia

Bulletin xxx - 09/01 – BILLS OF LADING IN INDIAN PORTS

The Major Ports Act governs Major Indian Ports, and the cargoes shipped through them are received by the Port as bailee of the cargo.

The Port will therefore not allow the Master or Shipowner to clause either their mate's receipts or B/L for these cargoes. However, if the shipper agrees to clausing, the Port will concur. Our Correspondents usually advise the Master, when they have been appointed to protect the Member's interests, to ensure that only sound cargo is loaded if clausing is not allowed.

The situation with Minor Ports is different, depending upon the Port and the State Government. In a recent case, the Minor Port Authorities, under pressure from the shipper, instructed the Master to only issue a clean B/L. The P&I appointed surveyor protested with the Port and the matter was resolved. There was however a substantial delay since the surveyor wasn't appointed until after the cargo was loaded.

It is advisable to exercise caution while loading in Indian ports and to seek the advice of the local P&I Correspondent prior to commencement of cargo loading operations, to save time and reduce the likelihood of a claim. The Correspondent will recommend a reliable surveyor for the Shipowner to appoint.

Source of information: PandI Mumbai