

## **INDIAN AIRLINES DISPOSAL OF UNCLAIMED GOODS REGULATIONS, 1977**

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## **INDIAN AIRLINES DISPOSAL OF UNCLAIMED GOODS REGULATIONS, 1977**

<sup>1</sup>1. Published in the Gazette of India. Pt. III, Sec. 4, pp. 946, 947, dated 5th March, 1977 No. HCD/8R/1076.- In exercise of the powers conferred by sub-section (1) and Clause (f) of sub-section (2) of Sec. 45 of the Air Corporations (Amendment) Act, 1971 and in amendment of S.R.O. 2464 published in Regulation III in the Gazette of India, Extraordinary Part, III, Section 3 (No. 166) dated Thursday, July 29, 1954 Indian Airlines hereby makes the following regulations namely:-

### **1. Short title :-**

(a) These regulations may be called the "Indian Airlines Disposal of Unclaimed Goods Regulations, 1977.

(b) It shall come into force from First day of March, 1977.

### **2. Definitions :-**

In these Regulations unless the context otherwise requires:-

(a) "Corporation" means the Indian Airlines.

(b) "Unclaimed Goods" means articles, packages or any other consignments booked for an Indian Airlines aircraft but not taken delivery of by the owners concerned at the destination.

### **3. Deposit of unclaimed goods at suitable places :-**

Corporations shall not be responsible for any article, package, luggage, or any other consignments booked for carriage in an

aircraft but not taken delivery of by the owners concerned at the destination. Such articles, packages, luggage or other equipments shall be deposited by the staff of the Corporation at a place appointed for the purpose and shall be returned to the owner on an established claim being made in writing by the officer authorised to receive such claims or disposed of in the manner specified in regulation 4 on the expiry of the period mentioned in regulation 5.

#### **4. Method of disposal of unclaimed goods :-**

(i) Any unclaimed goods in the custody of the Corporation may on the expiry of the period specified in Regulation 5 be sold by public auction and, after deducting from the sale proceeds of such goods the expenses on account of the sale and any amount which is due to the Corporation by way of freight, storage and other charges, the Corporation shall, on an established claim being made in writing by the owner of such goods or his legal representative, pay to him the surplus, if any, of the sale proceeds: Provided that-

(a) The Corporation shall have the right to realise from the owner or his legal representative, any balance left outstanding against him on account of the freight and storage or other charges after such sale;

(b) The goods which are of a perishable nature or which are or may become dangerous or offensive may be disposed of or destroyed immediately without notice to the owner and in such manner as may be determined by the Officer duly authorised in this behalf;

(c) The consignments declared as document printed matter, advertisement material, commercial trade samples etc. for which the shipper has not declared any value and or which do not have resale value or have very little re-sale value may be disposed of in part or in whole in without public auction and in any manner as may be convenient to the corporation.

(ii) The price at which the Corporation sells the consignment or part thereof, as declared and described in the provisos (b) and (c) of Regulation 4(;) above, shall be final and shall not be subject to verification, scrutiny, review of question by the owner of the goods, his legal representatives or any other party claiming under him: Provided that- Any amount that is recovered and obtained by the Corporation in respect of and as a result of such disposal of consignments as has been provided under provisos (b) and (c) of Regulation 4(c) shall be adjusted against any expenses incurred by

the Corporation and in the manner outlined in clause 4(i) of the Regulation read with proviso (a) thereto.]

Comment - The unclaimed goods are liable for sale by public auction. The unclaimed goods of perishable or dangerous or perishable nature are liable for immediate disposal or destruction. There is no need of sale by public auction as to the goods which do not have re-sale value or have very little resale value.

**5. Period after the expiry of which unclaimed goods may be disposed :-**

A sale by public auction in pursuance of regulation 4 may be held:-

(i) In the case of a live animal at any time after the expiry of seven days from the date on which such live animal has been in the custody of the Corporation; and

(ii) In the case of any other goods at any time after the expiry of thirty days from the date on which such goods have been in the custody of the Corporation.