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TARIFF AUTHORITY FOR MAJOR PORTS

G.No. 172 **New Delhi,** **12 April, 2021**

NOTIFICATION

In exercise of the powers conferred by Section 48 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby disposes of the proposal received from Jawaharlal Nehru Port Trust (JNPT) for fixing Reference Tariff for the Project of conversion of the existing container terminal (JNPCT) operated by JNPT into PPP model, under revised guidelines for Determination of Tariff for projects at Major Ports, 2013 as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports

Case No. TAMP/12/2021-JNPT

Jawaharlal Nehru Port Trust **- - -** **Applicant**

QUORUM

(i). Shri. T.S. Balasubramanian, Member (Finance)
(ii). Shri. Sunil Kumar Singh, Member (Economic)

O R D E R

(Passed on this 16th day of March 2021)

The then Ministry of Shipping (MOS) issued revised Guidelines for Determination of Tariff for Projects at Major Ports, 2013 under Section 111 of the Major Port Trusts Act and made it effective from 9 September 2013. The said revised guidelines were notified in the Gazette of India on 30 September 2013 vide Gazette No.254 and valid for 5 years. The validity of the said guidelines has been subsequently extended by the MOS beyond its expiry from time to time and the validity has been extended till 8 September 2021 vide Order No. TAMP/18/2013-Misc. dated 16 March 2021.

2.1. The JNPT vide its letter dated 28 January 2021 has filed its proposal for approval of Reference Tariff for the project of Conversion of the existing container terminal operated by JNPT into PPP model under the revised guidelines for determination of tariff for Projects of Major Ports, 2013 and made the following submissions:

(i). JNPT is in the process of converting the existing container terminal (JNPCT) operated by JNPT into PPP model. The proposal for the same has been approved by the Board vide Board Resolution No.173 dated 24 December 2020, for further submission to MOS.

(ii). The proposed PPP model is to be operated mainly with existing infrastructure as the same is to be transferred on “as is where is basis” The project does not involve berth construction. Hence, draft reference tariff was prepared on the basis of JNPCT Tariff (Only for container handling activity) as approved by TAMP vide Order No. TAMP/52/2019- JNPT dated 1 June 2020.

(iii). With respect to applicability of M/s BMCTPL and M/s NSIGTPL tariff as a reference tariff, it is submitted that, these projects were green field projects and were different from the project envisaged by the JNPT now at JNPCT terminal. Therefore, it is difficult to compare the proposed Project of Upgradation, Operation and Maintenance of Container at JNPCT or projects at other Major Port Trusts (mainly green field projects) due to vast difference in terms of Project scope, capacity, cost and project site advantages. Hence, the tariff of M/s NSIGTPL, M/s BMCTPL and any other PPP Operators at Major Ports may not represent the applicable tariff for proposed project.

(iv). Further, the Board has also approved the adoption of the aforesaid tariff (JNPCT Tariff) as reference tariff to be adopted for the prospective PPP operator of the existing terminal operated by the port based on reason specified above.

(v). In view of the above, the reference scale of rates based on current TAMP Order applicable to JNPCT along with performance standards for proposed PPP at JNPCT is being submitted.

(vi). As per Clause 2.5 of Revised Guidelines for Determination of Tariff for Projects at Major Ports, 2013, the Reference Tariff and Performance Standards notified by TAMP will be mentioned in the bid document and subsequently in the Concession Agreement in respect of PPP Projects.

2.2. Based on the above, the JNPT has requested to take up its proposal on priority and issue tariff order notifying the reference tariff for the proposed conversion of existing terminal operated by the port into PPP model.

3. Based on a preliminary scrutiny of the proposal, the JNPT was requested vide letter dated 04 February 2021 to furnish some information/ clarification. The JNPT has responded vide its letter dated 09 February 2021. The information sought from JNPT and the response of JNPT thereon is tabulated below:

No.	Information/ clarification sought from JNPT	Response of JNPT
(i).	The JNPT has indicated that its proposal has the	The JNPT has furnished the copy of Board Resolution.

<table>
<tr><td></td><td>approval of its Board of Trustees. The JNPT has, however, not forwarded the Board Resolution approving the subject proposal. The same to be furnished.</td><td></td></tr>
<tr><td>(ii).</td><td>Incase of Transhipment Containers, the rate proposed by JNPT for the proposed project in respect of only 1st slab i.e. ‘1 – 3000 TEUs’, is found to be about 161% higher than the existing SOR of JNPT. The rates for the other slab are found be in order as per JNPT SOR. The reason for the said quantum of increase only in the 1st slab to be explained.</td><td>There is a typographical error in the rate for the Transhipment Containers in respect of 1st slab i.e. ‘1 – 3000 TEUs’, in the existing SOR of JNPT. A separate letter has been issued to TAMP requesting TAMP to pass a Corrigendum rectifying the error in the general SOR of JNPT.</td></tr>
<tr><td>(iii).</td><td>The reason for not proposing rates for Shutout Containers as prevailing in the existing SOR of JNPT, in the SOR for the proposed Project, to be explained.</td><td>The tariff for shut out containers alongwith the conditionalities in the proposed reference tariff based on the existing JNPCT terminal may be considered as follows:
SHUTOUT CONTAINERS
<table>
<tr><th rowspan="2">Sr No.</th><th rowspan="2">Description</th><th colspan="2">Rate per TEU</th></tr>
<tr><th>Foreign-going vessel (US$)</th><th>Coastal vessels (₹)</th></tr>
<tr><td>01</td><td>Shutout charges</td><td>4372.65</td><td>2623.59</td></tr>
<tr><td>02</td><td>Transportation of shutout container from any place in the port to quay and back to the designated area irrespective of location inside the terminal. (`₹)</td><td>2187.7549</td><td>2187.75</td></tr>
</table>
Note: Foreign going Vessel rate is calculated in INR based on coastal rates (coastal tariff are considered as 60% of foreign tariff)

Shut out charges are not to be levied on the following instances

1. When a vessel is required to sail with shut outs for accommodating another vessel on port request.

2. a. The vessel has to sail at the first available tide if the terminal cannot complete the operations.
b. The vessel alongside is forced to sail so as to accommodate the incoming vessel due to tidal restrictions.

3. When containers could not be loaded on board by port due to break down of cranes.

4. When containers could not be loaded on board due to bad weather conditions.</td></tr>
</table>

4. With reference to the proposal filed by the JNPT and the justification given by JNPT, the following position emerges:

(i). The Jawaharlal Nehru Port Trust (JNPT) is reported to be in the process of converting its existing container terminal being operated by it into a Public Private Partnership (PPP) model. The project does not involve berth construction and the existing facility is proposed to be transferred on “as is where is basis” to the successful BOT operator. In this connection, the JNPT has come up with a proposal for adoption of its own container related tariff fixed in the year 2020 as the Reference Tariff for the proposed project. The proposal of the port has the approval of its Board of Trustees.

(ii). Clause 2.2. of the Reference Tariff Guidelines of 2013, interalia, stipulates that if the highest tariff fixed for a particular commodity in the concerned major port trust does not represent the project proposed to be developed, then concerned major port trust can propose to this Authority any other tariff fixed under 2008 tariff guidelines in any other major port trust, which is representative enough for that commodity giving detailed and sufficient justification.

However, the JNPT has stated that adoption of the existing Reference Tariff fixed in respect of the green field Container terminals is not representative enough for the Proposed Project, which does not involve berth construction and where the existing facility is proposed to be transferred to the successful BOT Operator on "as is where is basis", thereby resulting in vast difference in terms of Project scope, capacity, cost and project site advantages. It is in this backdrop, that the JNPT has proposed adoption of its own container related tariff fixed in the year 2020 as the Reference Tariff for the proposed project.

(iii). This Authority had passed an Order No. TAMP/52/2019-JNPT dated 01 June 2020 disposing of the General Revision proposal filed by JNPT following the Tariff Policy 2018 read with Working Guidelines issued to operationalize the Tariff Policy 2018. This was followed by issue of a Corrigendum vide Order no. TAMP/10/2014-PPT dated 08 September 2020.

Vide the said Order, as against the Ceiling Indexed Annual Revenue Requirement (ARR) for the JNPT as a whole assessed at ₹ 1280.55 crores, the Revenue Estimation at the proposed level of tariff had been worked out by JNPT at ₹ 1188.98 crores, thereby leaving an uncovered revenue gap of ₹ 91.57 crores. The revenue estimated by the JNPT then at ₹ 1188.98 crores comprised of the revenue from the levy of various Cargo related charges, Vessel Related Charges, Container Related Charges and Other Miscellaneous Charges and accordingly rates have been prescribed in the Scale of Rates of JNPT. It is only the Container Related Charges that the port proposes now to adopt as the Reference Tariff for the proposed project.

(iv). Generally, when any port adopts any Upfront/ Reference Tariff already fixed earlier in respect of any of the Project, the ARR of the said Project is already available, based on which the Upfront/ Reference Tariff is determined. In the present scenario, the Revenue Estimation at ₹ 1188.98 crores at the proposed level of tariff as determined in the JNPT General Revision Order of June 2020 comprises of revenue from the levy of various Cargo related charges, Vessel Related Charges and Other Miscellaneous Charges apart from container related charges. Since the JNPT proposes to adopt only the Container Related Charges for the proposed Project, it is necessary to separately quantify the revenue from the levy of only Container Related Charges, as this component alone would be relevant as the ARR of the Proposed Project of JNPT

(v). (a). It is ascertained from the General Revision proposal filed by JNPT which culminated into the Order dated 01 June 2020 that the Revenue Estimation at the proposed level of tariff at ₹ 1188.98 crores, comprised of the following components:

No.	Particulars	Revenue Estimation at the proposed level of tariff (₹ in crores)
1.	Vessel Related charges	527.69
2.	Container Related Charges	651.01
3.	Cargo Related Charges	10.28
	TOTAL	1188.98

(b). The relevant Form -3 and the working of the income estimation from the levy of proposed level of container related charges forming part of the JNPT general revision proposal is collectively attached as **Annex – I**. Thus, the container related charges approved vide the General Revision Order no. TAMP/52/2019-JNPT dated 01 June 2020 was to enable the port to achieve the estimated ARR of ₹ 651.01 crores. The summary of the workings is given below:

A	Charges For Handling And Movement Of Containers	Revenue
(a)	Normal Containers - Import	2,552,765,377
(b)	Normal Containers - Export	2,429,324,260
(c)	Reefer Containers - Import	262,918,609
(d)	Reefer Containers - Export	250,372,461
(e)	Hazardous Containers - Import	226,137,139
(f)	Hazardous Containers - Export	138,805,002
(g)	Transhipment Containers	69,264,144
(h)	Over Dimensional Cargo Containers - Import	30,018,908
(i)	Over Dimensional Cargo Containers - Export	18,824,470
(j)	Shutout Containers	86,334,535
(k)	Reefer Monitoring And Connection	456,544,220
(l)	Container Handling Charges –Shallow water Berth	232,458,851
(m)	Wharfage On Non Std Cargo	16,417,129
(n)	Misc. Income	14,332,447

B	Rebates	-575,199,670
C	Dwell Time Charges For Container Stored In The Port Premises And Shallow Water Berth	217,681,528
D	Charges For Miscellaneous Services Rendered To The Container Vessels (Hatch Cover)	83,175,767
		6,510,175,179

(c). However, it is relevant here to mention that the said Revenue Estimation at the proposed level of tariff for the container related activity at ₹ 651.01 crores, is after excluding the component of Rebate to the tune of ₹ 57.52 crores. In the proposed Scale of Rates, the Rebate Schedule as prevailing in the existing SOR of JNPT has been done away with. As such, it is not felt appropriate to factor the impact of the Rebate in the ARR of the proposed facility. Thus, the quantum of rebate to the tune of ₹ 57.52 crores is added back so as to determine the ARR for the proposed facility.

(d). Further, incase of Transhipment Containers, the rate proposed by JNPT for the proposed project in respect of only 1st slab i.e. '1 – 3000 TEUs', was found to be about 161% higher than the existing SOR of JNPT. The rates for the other slab are found be in order as per JNPT SOR. On being pointed out, the JNPT has conveyed that there is a typographical error in the rate for the Transhipment Containers in respect of 1st slab i.e. '1 – 3000 TEUs', in the existing SOR of JNPT and vide a separate letter has requested this Authority to pass a Corrigendum to rectify the error in the general Scale of Rates of JNPT. In other words, the JNPT has requested to retain the rates as proposed by it, in respect of the Transhipment Containers in respect of 1st slab i.e. '1 – 3000 TEUs', for the proposed Project.

(e). Based on the Corrigendum dated 16 March 2021 to the Order No. TAMP/52/2019-JNPT, the rate for transhipment containers in the 1st slab for the proposed Project, is prescribed as proposed by the port. In this connection, incidentally, it has been ascertained that in the workings relating to estimation of income at the proposed level of tariff in the general revision proposal of JNPT in June 2020, the income from the transshipment containers has been estimated based on the lower level of rates of 1st slab. Given that this is now being rectified, the income estimation at the proposed level of tariff for the container related activity at ₹ 651.01 crores as assessed in the general revision Order of JNPT would also undergo a change so as to capture the differential in the rates. The differential between the earlier lower rates as well as the presently approved higher rates for transshipment containers has been assessed at ₹ 3.93 crores. This is also added to the income estimation at the proposed level of tariff for the container related activity at ₹ 651.01 crores.

(f). Further it is to state that the income as estimated by JNPT at the proposed level of tariff in its general revision proposal is inclusive of income from Container Handling Charges at Shallow water berth to the tune of ₹ 23.25 crores. It is understood from JNPT that the shallow water berth is not going to be handed over to the BOT Operator. Hence, it is appropriate to exclude the said income from the income estimation of ₹ 651.01 crores.

(g). Thus, the ARR at ₹ 689.21 crores is considered as the ARR for the proposed facility, as per the details tabulated below:

Particulars	Amount in ₹
Income estimated at the proposed level of tariff for the container related activity in the General Revision Order of JNPT of June 2020	651.01
Add: Impact of Rebates	57.52
Add: Differential between the earlier lower rates and the present (to be) approved higher rates of 1st slab for transshipment containers	3.93
Less: Income from Container Handling Charges at Shallow Draft Berth	23.25
TOTAL ARR FOR THE PROPOSED FACILITY	**689.21**

(vi). With regard to JNPT adopting its own container related tariff fixed in the year 2020 as per Tariff Policy 2018, as the Reference Tariff for the proposed project, the following points are relevant to mention, with regard to the proposed Scale of Rates:

(a). The JNPT in the proposed Scale of Rates for the proposed Project has introduced definitions for the terms 'FCL', 'LCL', 'Import Container' and 'Export Container', in the absence of the definition for the said terms in its own Scale of Rates. The definitions for the said terms are seen to be in line with the definitions prescribed for the said terms in the Scale of Rates of neighbouring Container Terminals viz., Nhava Sheva (India) Gateway Terminal Private Limited (NSIGTPL), Nhava Sheva Container Terminal Private Limited (NSICTPL) and Bharat Mumbai Container Terminal Private Limited (BMCTPL), and hence is accepted.

(b). The definition of 'Port area' in the JNPT's own Scale of Rates is that 'Port area shall mean the custom notified area of the Port'. The JNPT has now proposed the definition of Port area as that it shall mean the custom bound area/ Port operational Area of the Port. This definition is seen to be as per the Scale of Rates of NSIGTPL, NSICTPL and BMCTPL, and hence is accepted.

(c). Likewise, the definition of 'Hazardous Container' in the JNPT's own Scale of Rates is that 'Hazardous Container shall mean a container containing hazardous goods as classified under International Maritime Dangerous Goods (IMDG) Code. The JNPT has now proposed the definition of Hazardous Container as that it shall mean a Container containing hazardous goods as classified under IMO. This definition is seen to be as per the Scale of Rates of NSIGTPL, NSICTPL and BMCTPL, and hence is accepted.

(d). The conditionalities governing levy of concessional coastal rates as proposed by the JNPT are not seen to be as per the JNPT Scale of Rates. The said conditionalities have been modified, in line with the conditionalities prescribed in the SOR of JNPT.

(e). The JNPT has proposed other conditionalities from its Scale of Rates, which are relevant for the levy of container related charges.

(f). The existing JNPT Scale of Rates prescribes rates for handling all types of Containers from ship to container yard or vice versa, from container yard to container freight station or vice versa, from container yard to railway flat or vice versa (ICD container rail only) and from container yard to truck or vice versa (direct delivery and export intake). However, the JNPT in its proposed SOR has not proposed charges for handling from container yard to container freight station or vice versa, in all types of Containers. The rates for handling containers from container yard to container freight station or vice versa, are also not prescribed in the Scale of Rates of NSIGTPL and BMCTPL. Hence, the exclusion of rates for movement of container from container yard to CFS or vice versa is accepted as it is in line with the position obtaining at NSIGTPL and BMCTPL.

(g). For the reasons as brought out earlier, the rate for transhipment containers in the 1st slab for the proposed Project, is prescribed as proposed by the port.

(h). The sliding volume discount for Transhipment containers on incremental traffic moved between Cochin Port/ Tuticorin port and JNPT as well as the Rebate Schedule, as prevailing in the existing SOR of JNPT has not been proposed by JNPT in the SOR for the proposed Project. This position is relied upon.

(i). The dwell time charges, rates for shut out containers, charges for Reefer monitoring and Connection, charges for opening of hatch cover and replacing it, shifting of hatch cover, which are prescribed in US dollar terms in the existing SOR of JNPT has been converted by the JNPT by considering the prevailing exchange rate of ₹ 73.02 per US$. It is noteworthy that considering the long horizon of the levy of Upfront/ Reference Tariff, this Authority has in the past decided not to prescribe any upfront/ reference tariff charges in US$.

(j). The provisions relating to procedure and charges for inter terminal transfer of transhipment containers between the JNPT and other terminals, levy of Inter Terminal Rail Handling Charges (ITRHO), levy of Mandatory User Charge (MUC) and the charges to be levied on DPD containers, as prevailing in the existing SOR of JNPT has been proposed by the port in the SOR for the proposed facility.

(k). This Authority vide its Order no. TAMP/28/2016-JNPT dated 15 September 2017 had prescribed levy of Toll Charges on Containers and other general cargo going in and out of all Gate complexes (at JNPT, NSICTPL, GTIPL, NSIGTPL, BPCL & BMCTPL) from Shipping Lines/ Agents/ Tank Farm operators (delivered by road)/ Consignee etc.). In this connection, the JNPT in its proposed SOR has prescribed a note to the effect that the Port will collect Toll charges on behalf of M/s. Mumbai JNPT Port Road Company Limited (MJPRCL) at ₹ 267/- per TEU. In this regard, it is to state that the provision for levy of Toll charges has been prescribed in the SOR of JNPT and JNPT is entitled to levy the Toll charges, irrespective of whether the container handling facility is being operated by JNPT or not. As such, it is not felt necessary to prescribe the said note in the SOR of the proposed facility. It is noteworthy that no such note is prescribed in the SOR of NSIGTPL and BMCTPL.

(vii). The Reference Tariff Schedule for the Proposed Project of JNPT is based on the JNPT's own container related tariff fixed in the year 2020. In this regard, it is to state that while determining the ARR in the General Revision Order of JNPT in the June 2020 Order, the ARR was indexed upto the year 2019-20. That being so, the tariff caps (to be) approved for the proposed project will be indexed to inflation but only to an extent of 60% of the variation in Wholesale Price Index (WPI) occurring between 1 January 2020 and 1 January of the relevant year. Such automatic adjustment of tariff caps will be made every year and the adjusted tariff caps will come into force from 1st April of the relevant year to 31st March of the following year. A note in this regard has been proposed in the SOR of the proposed Project, which is approved.

(viii). With regard to the performance standards relating to the containers in the SOR for the proposed Project, the JNPT is seen to have proposed performance norms in variance to the existing SOR of JNPT. As against an average of 18.5 moves per hour in the existing SOR of JNPT, the JNPT has proposed 25 moves per hour incase of Mainline Vessels and 17 moves per hour incase of Feeder Vessels. In addition, the JNPT has also proposed performance norms regarding transit storage dwell time and turnaround time for receipt/ delivery operation.

Clause 2.5 of the 2013 Reference tariff guidelines stipulates that the Reference Tariff and Performance Standards notified by this Authority would be mentioned in the bid document and subsequently in the Concession Agreement in respect of PPP Projects. As per the said guidelines, on the achievement of the Performance Standards at the level incorporated in the Concession Agreement, the operator is eligible to seek upward revision upto 15% over the indexed reference tariff. The judgement of JNPT in proposing the Performance Standards is relied upon.

(ix). Since the Reference tariff sought by JNPT for the proposed Project is an adoption of the existing container related tariff being levied at JNPT container terminal, which was approved after following the due consultation process, no further consultation is done.

(x). If there is any error apparent on the face of records considered or for any other justifiable reasons, the JNPT is approach this Authority for review of the reference tariff fixed, prior to completion of bidding process of the project giving adequate justification / reasoning within 30 days from the date of notification of the Order in the Gazette of India.

5.1. Based on the justification given by JNPT to adopt its own SOR as the Reference Tariff for bidding and the container terminal on "as is where is" basis, this Authority approves the SOR and the Performance Standards as proposed by JNPT and attached as **Annex – II** and **III**.

5.2. The Reference Tariff Schedule for the Project of conversion of the existing container terminal (JNPCT) operated by JNPT into PPP model at JNPT is notified along with the Performance Standards.

5.3. As per clause 2.5 of the Reference Tariff Guidelines 2013, the Reference Tariff and Performance Standards notified by this Authority shall be mentioned in the bid document and subsequently in the Concession Agreement in respect of PPP Projects. Accordingly, the JNPT is advised to incorporate the Reference Tariff and Performance Standards, in the bid document and subsequently in the Concession Agreement in respect of PPP Project.

6.1. From the date of Commercial Operation (CoD) till 31st March of the same financial year, the tariff would be limited to the indexed Reference Tariff relevant to that year, which would be the ceiling. The aforesaid Reference Tariff shall be automatically revised every year based on an indexation as provided in para 2.2 of the Reference tariff guidelines of 2013 which will be applicable for the entire concession period.

However, the PPP operator would be free to propose a tariff along with Performance Standards (the "Performance Linked Tariff") from the second year of operation onwards, over and above the indexed

Reference Tariff for the relevant financial year, at least 90 days before the 1st April of the ensuing financial year. Such Performance Linked Tariff shall not be higher than 15% over and above the indexed Reference Tariff for that relevant financial year (and this will be the Tariff Cap). The Performance Linked Tariff would come into force from the first day of the following financial year and would be applicable for the entire financial year.

6.2. The proposal shall be submitted to this Authority along with a certificate from the independent engineer appointed under the Concession Agreement of the Project indicating the achievement of Performance Standards in the previous 12 months as incorporated in the Concession Agreement or for the actual number of months of operation in the first year of operation as the case may be.

6.3. On receipt of the proposal, this Authority shall seek the views of the Major Port Trust on the achievement of Performance Standards as outlined in para 5 of the tariff guidelines of 2013, within 7 days of receipt.

6.4. In the event of Operator not achieving the Performance Standards as incorporated in the Concession Agreement in previous 12 months, this Authority will not consider the proposal for notifying the Performance Linked Tariff for the ensuing financial year and the Operator shall be entitled to only the indexed Reference Tariff applicable for the ensuing financial year.

6.5. After considering the views of the Major Port Trust, if this Authority is satisfied that the Performance Standards as incorporated in the Concession Agreement have been achieved, it shall notify the performance linked tariff by 15th of March to be effective from 1st of April of the ensuing financial year.

6.6. While considering the proposal for Performance Linked Tariff, this Authority will look into the Performance Standards and its adherence by the Operator. This Authority will decide on the acceptance or rejection of the Performance Linked Tariff proposal based on the achievement or otherwise of the Performance Standards by the operator. Determination of indexed Reference Tariff and Performance Linked Tariff will follow the illustration shown in the Appendix attached to the tariff guidelines of 2013.

6.7. From the third year of operation, the Performance Linked Tariff proposal from the PPP operator shall be automatically notified by this Authority subject to the achievement of Performance Standards in the previous 12 months period as certified by the Independent Engineer. The PPP operator, for the Performance Linked Tariff from the third year onwards, will submit the Performance Linked Tariff proposal along with the achievement certificate from the independent engineer by 1st March and this Authority shall notify by 20th March, the Performance Linked Tariff to be effective from the ensuing financial year.

6.8. In the event any user has any grievance regarding non-achievement by the PPP operator of the Performance Standards as notified by this Authority, he may prefer a representation to this Authority which, thereafter, shall conduct an inquiry into the representation and give its finding to the concerned Major Port Trust. The Major Port Trust will be bound to take necessary action on the findings as per the provisions of the respective Concession Agreement.

6.9. Within 15 (fifteen) days of the signing of the Concession Agreement, the concerned operator will forward the Concession Agreement to this Authority which will host it on its website.

6.10. The PPP operator shall furnish to this Authority quarterly reports on cargo traffic, ship berth day output, average turnaround time of ships, average pre-berthing waiting time as well as the tariff realized for each berth. The quarterly reports shall be submitted by the PPP operator within a month following the end of each quarter. Any other information which is required by this Authority shall also be furnished to them from time to time.

6.11. This Authority shall publish on its website all such information received from PPP operator. However, this Authority shall consider a request from any PPP operator about not publishing certain data/ information furnished which is commercially sensitive. Such requests should be accompanied by detailed justification regarding the commercial sensitiveness of the data/information in question and the likely adverse impact on their revenue/ operation of upon publication. This Authority's decision in this regard would be final.

(T.S. Balasubramanian)
Member (Finance)

Annex- I

Revenue Estimation at the proposed Scale of Rates

Sl. No.	Description	Unit of levy	Actual Traffic exclusively handled by the port during the year 2018-19	Revenue estimation at the proposed tariff (Rs.)
(1)	(2)	(6)	(8)	(9)=5*8
1	**VESSEL RELATED CHARGES**			
A	PORT DUES	GRT	Refer Annexure - A	1,406,232,686
B	PILOTAGE-CUM-TOWAGE FEE			
(a)	PILOTAGE	GRT	Refer Annexure - A	2,683,988,602
(b)	SHIFTING CHARGES	GRT	Refer Annexure - B	4,306,860
(c)	SCHEDULE OF SHIFTING CHARGES FOR SHIFTING FROM ONE TERMINAL TO ANOTHER, ANCHORAGE OR ANYWHERE WITHIN THE JNPT LIMITS (OTHER THAN ABOVE)	GRT	Refer Annexure - B	1,053,655
(d)	COLD MOVE CHARGES		Refer Annexure - B	0
(e)	CANCELLATION CHARGES AND DETENTION CHARGES FOR PILOTS	HOUR	Refer Annexure - C	993,246
(f)	PILOTAGE FEE FOR VESSELS NOT REQUIRING TUG ASSISTANCE	GRT	Refer Annexure - C	-
C	BERTH HIRE CHARGES	GRT/HR	Refer Annexure - D	1,165,520,736
D	FRESH WATER CHARGES	METRIC TON	Refer Annexure - D	0
E	GARBAGE COLLECTION CHARGES	SHIP	Refer Annexure - D	152,519
F	MOBILE FIRE TENDER SERVICE CHARGES	HOUR	Refer Annexure - D	110,157
G	PENAL BERTH HIRE CHARGES	GRT/HR	Refer Annexure - D	12,145,864
H	MISCELLANEOUS CHARGES	NA	Refer Annexure - D	2,348,493
2	**CHARGES FOR SERVICES RENDERED TO CONTAINERS AND CONTAINERIZED CARGO**			
A	CHARGES FOR HANDLING AND MOVEMENT OF CONTAINERS			
(a)	NORMAL CONTAINERS - IMPORT	TEU	Refer Annexure - E	2,552,765,377
(b)	NORMAL CONTAINERS - EXPORT	TEU	Refer Annexure - E	2,429,324,260
(c)	REEFER CONTAINERS - IMPORT	TEU	Refer Annexure - F	262,918,609
(d)	REEFER CONTAINERS - EXPORT	TEU	Refer Annexure - F	250,372,461
(e)	HAZARDOUS CONTAINERS - IMPORT	TEU	Refer Annexure - G	226,137,139
(f)	HAZARDOUS CONTAINERS - EXPORT	TEU	Refer Annexure - G	138,805,002
(g)	TRANSHIPMENT CONTAINERS	TEU	Refer Annexure - H	69,264,144
(h)	OVER DIMENSIONAL CARGO CONTAINERS - IMPORT	TEU	Refer Annexure - H	30,018,908
(i)	OVER DIMENSIONAL CARGO CONTAINERS - EXPORT	TEU	Refer Annexure - H	18,824,470
(j)	SHUTOUT CONTAINERS	TEU	Refer Annexure - I	86,334,535
(k	REEFER MONITORING AND CONNECTION	TEU	Refer Annexure - I	456,544,220
(l)	CONTAINER HANDLING CHARGES -SHALLOWATER BERTH	TEU	NA	232,458,851
(m)	WHARFAGE ON NON STD CARGO		NA	16,417,129
(n)	MISC. INCOME			14,332,447
B	REBATES	TEU	Refer Annexure - J	-575,199,670
C	DWELL TIME CHARGES FOR CONTAINER STORED IN THE PORT PREMISES AND SHALLOW WATER BERTH	CONTAINER/DAY	Refer Annexure - K	217,681,528
D	CHARGES FOR MISCELLANEOUS SERVICES RENDERED TO THE CONTAINER VESSELS	HATCHCOVER	Refer Annexure - L	83,175,767
3	**CHARGES FOR DRY BULK AND GENERAL CARGO**			
A	WHARFAGE:			
(a	WHARFAGE - LIQUID	METRIC TON	Refer Annexure - M	70,092,316
(b	WHARFAGE - NON LIQUID	METRIC TON	Refer Annexure - N	29,924,549
B	DWELL TIME CHARGES	METRIC TON	Refer Annexure - O	1,151,032
C	WHARFAGE ON BUNKERING OIL SUPPLIED TO VESSELS	METRIC TON	Refer Annexure - O	355,337
D	OTHER GENERAL INCOME		Refer Annexure - O	1,290,817
	Total estimated Revenue at the proposed tariff (1+2+3)			11,889,842,048

Annex - II

REFERENCE TARIFF SCHEDULE FOR JAWAHARLAL NEHRU PORT CONTAINER TERMINAL

CHAPTER 1 – DEFINITIONS & GENERAL TERMS & CONDITIONS

1.1. DEFINITIONS – GENERAL

(i). "Coastal vessel" shall mean any vessel exclusively employed in trading between any port or place in India to any other port or place in India having a valid coastal licence issued by the Director General of Shipping/ competent authority.

(ii). "Foreign-going vessel" shall mean any vessel other than Coastal vessel.

(iii). "FCL" means Containers said to contain Full Container Load.

(iv). "LCL" means Containers said to contain Less than full Container Load (Container having cargo of more than one importer/exporter).

(v). "Hazardous container" means a Container containing hazardous goods as classified under IMO.

(vi). "Import container" means a container discharged from one vessel, stored in container yard and transported out through Road or Train.

(vii). "Export container" means a container arrived by road or Train, stored in container yard and loaded on the assigned vessel.

(viii). "Port area" means the custom bound area / Port operational Area of the Port.

(ix). "Normal Container" shall mean general type containers, not falling under special categories mentioned subsequently.

(x). "Reefer Container" shall mean a refrigerated container used for carriage of perishable goods with provision for electrical supply to maintain the desired temperature.

(xi). "Transhipment Container" shall mean a container, which is discharged from one vessel, stored in the yard and transported through other vessel.

(xii). "Over dimensional Container" shall mean a container carrying over dimensional cargo beyond the normal size of standard container and needing special devices like slings, shackles, lifting beam etc. They also include damaged containers and other types which require special devices.

(xiii). "Shut out Container" shall mean a container which enters into the port as an export intake for a particular vessel (as indicated by the Vessel Identification Advice Number, i.e. VIA No.) and is not connected to the particular vessel for reasons whatsoever, then the container is termed to be a shutout container.

(xiv). "Back To Town Container" shall mean a container entering the port for export but unable to be exported for whatever reason and taken back to town.

(xv). "VIAN" means Vessel Identification Advise Number.

1.2. GENERAL TERMS & CONDITIONS

(i). The status of the vessel, as borne out by its certification by the Customs or the Director General of Shipping, shall be the deciding factor for its classification as 'coastal' or 'foreign-going' for the purpose of levying vessel related charges; and, the nature of cargo or its origin will not be of any relevance for this purpose.

(ii). System of classification of vessel for levy of Vessel Related Charges (VRC) (a). A foreign going vessel of Indian flag having a General Trading Licence can convert to coastal run on the basis of a Customs Conversion Order. Such vessel that converts into coastal run based on the Customs Conversion Order at her first port of call in Indian Port, no further custom conversion is required, so long as it moves on the Indian Coast.

(b). A Foreign going vessel of foreign flag can convert to coastal run on the basis of a Licence for Specified Period or Voyage issued by the Director General of Shipping and a custom conversion order.

(iii). Criteria for levy of Vessel Related Charges (VRC) at Concessional Coastal rate and foreign rate:

(a). In cases of such conversion, coastal rates shall be chargeable by the load port from the time the vessel starts loading coastal goods.

(b). In cases of such conversion coastal rates shall be chargeable till the vessel completes discharging operations at the last call of Indian Port; immediately thereafter, foreign going rates shall be chargeable by the discharge ports.

(c). For dedicated Indian coastal vessels having a Coastal licence from the Director General of Shipping, no other document will be required to be entitled to coastal rates.

(iv). Criteria for levy of Cargo Related Charges (CRC) at Concessional Coastal rate

(a). Foreign going Indian Vessel having General Trading License issued for 'worldwide and coastal' operation should be accorded applicable coastal rates with respect to Handling Charges (HC) i.e. ship to shore transfer and transfer from/ to quay to/ from storage yard including wharfage in the following scenario:

(i). Converted to coastal run and carrying coastal cargo from any Indian Port and destined for any other Indian Port.

(ii). Not converted* to coastal run but carrying coastal cargo from any Indian Port and destined for any other Indian Port.

* The Central Board of Excise and Customs Circular no.15/2002-Cus. dated 25 February 2002 allows carriage of coastal cargo from one Indian port to another port in India, in Indian flag foreign going vessels without any custom conversion.

(b). In case of a Foreign flag vessel converted to coastal run on the basis of a Licence for Specified Period or Voyage issued by the Director General of Shipping, and a Custom Conversion Order, the coastal cargo/ container loaded from any Indian Port and destined for any other Indian Port should be levied at the rate applicable for coastal cargo/ container.

(v). (a). The container related charges for all Coastal should not exceed 60% of the normal container related charges.

(b). In case of container related charges, the concession is applicable on composite box rate. Where itemized charges are levied, the concession will be on all the relevant charges for shipshore transfer, and transfer from / to quay to / from storage yard as well as wharfage on cargo and containers.

(c). For the purpose of this concession, container from a foreign port which reaches an Indian Port 'A' for subsequent transhipment to Indian Port 'B' will also qualify insofar as the charges relevant for its coastal voyage. In other words, cargo/containers from/to Indian Ports carried by vessels permitted to undertake coastal voyage will qualify for the concession.

(d). The charges for coastal containers shall be denominated and collected in Indian Rupee.

(vi). Interest on delayed payments / refunds:

(a). The user shall pay penal interest on delayed payments under this Scale of Rates. Likewise, the operator shall pay penal interest on delayed refunds.

(b). The rate of penal interest will be 2% above the Prime Lending Rate of State Bank of India (SBI). The penal interest rate will apply to both the operator and the port users equally.

(c). The delay in refunds will be counted only 20 days from the date of completion of services or on production of all the documents required from the users, whichever is later.

(d). The delay in payments by the users will be counted only 10 days after the date of raising the bills by the operator. This provision shall, however, not apply to the cases where payment is to be made before availing the services/ use of Port Trust's properties as stipulated in the Major Port Trust Act and/ or where payment of charges in advance is prescribed as a condition in this Scale of Rates.

(vii). All charges worked out shall be rounded off to the next higher rupee on the grand total of each bill.

(viii). (a). The rates prescribed in this Scale of Rates are ceiling levels; likewise, rebates and discounts are floor levels. The operator may, if he so desires, charge lower rates and / or allow higher rebates and discounts.

(b). The Operator may also, if he so desires, rationalize the prescribed conditionalities governing the application of rates prescribed in the Scale of Rates if such rationalization gives relief to the user in rate per unit and the unit rates prescribed in the Scale of Rates do not exceed the ceiling levels. Provided that the operator should notify the public such lower rates and / or rationalization of the conditionalities governing the application of such rates and continue to notify the public any further changes in such lower rates and / or in the conditionalities governing the application of such rates provided the new rates fixed shall not exceed the rates notified by the TAMP.

(ix). The users will not be required to pay charges for delays beyond a reasonable level attributable to the operator.

CHAPTER 2 – CHARGES FOR SERVICES RENDERED TO CONTAINERS AND CONTAINERIZED CARGO

2.1. GENERAL TERMS AND CONDITIONS:

(i). Containers less than and up to 20' will be reckoned as one TEU (Twenty Equivalent Unit) and more then 20' and up to 40' will be reckoned as one FEU (Forty Equivalent Unit) for the purpose of tariff.

(ii). All charges for containers more than 20' in length and upto 40' in length will be 150 per cent of the applicable charges prescribed.

(iii). Containers other than that of standard size requiring special devices/ slings/ handling will be charged twice the applicable rates. Such containers will also include damaged containers and any other type requiring special devices.

2.2. CHARGES FOR HANDLING AND MOVEMENT OF CONTAINERS:

The following consolidated charges for handling and movement of container shall be payable by the Shipping Lines or Agents of vessels or cargo agents for services rendered in respect of containers and containerised cargo passing through the port.

A. **Normal Containers**

Sr No.	Description	Rate per TEU (in ₹)			
		Foreign Container		Coastal Container	
		Loaded	Empty	Loaded	Empty
01	From Ship to container yard or vice versa	3792.11	3062.86	2274.77	1837.22
02	From container yard to Railway flat or vice versa (ICD Container Rail only)	1034.43	1034.43	1034.43	1034.43
03	From Container yard to Truck or vice versa (direct delivery and export intake)	1034.43	1034.43	1034.43	1034.43

B. **Reefer Containers**

Sr No.	Description	Rate per TEU (in ₹)			
		Foreign Container		Coastal Container	
		Loaded	Empty	Loaded	Empty
01	From Ship to container yard or vice versa	3792.11	3062.86	2274.77	1837.22
02	From container yard to Railway flat or vice versa (ICD Container Rail only)	1034.43	1034.43	1034.43	1034.43
03	From Container yard to Truck or vice versa (direct delivery and export intake)	1034.43	1034.43	1034.43	1034.43

C. **Hazardous Containers**

Sr No.	Description	Rate per TEU (in ₹)	
		Foreign Container	Coastal Container
		Loaded	Loaded
01	From Ship to container yard or vice versa	4740.14	2843.47
02	From container yard to Railway flat or vice versa (ICD Container Rail only)	1293.04	1293.04
03	From Container yard to Truck or vice versa (direct delivery and export intake)	1293.04	1293.04

D. **Transhipment Containers**

Sr No.	Description	Rate per TEU (in ₹)			
		Foreign Container		Coastal Container	
		Loaded	Empty	Loaded	Empty
01	1 – 3000 TEUs	4375.39	3792.01	2625.24	2275.20
02	3001 – 6000 TEUs	4083.81	3500.41	2450.04	2099.51
03	6001 – 9000 TEUs	3792.11	3208.71	2274.77	1924.24
04	Thereafter.	3500.41	2917.01	2099.51	1750.20

Notes

(1). Rate is based on total TEUs brought by the Shipping Lines or agents in the same financial year.

(2). A container originally declared as transhipment container, subsequently moved by rail or road will lose its identity as a transhipment container and shall be treated as a normal import container and prescribed charges as applicable shall be payable.

E. Over Dimensional Cargo Containers

Sr No.	Description	Rate per TEU (in ₹)			
		Foreign Container		Coastal Container	
		Loaded	Empty	Loaded	Empty
01	From Ship to container yard or vice versa	7584.22	6125.71	4549.55	3674.45

02	From container yard to Railway flat or vice versa (ICD Container Rail only)	2068.81	2068.81	2068.81	2068.81
03	From Container yard to Truck or vice versa (direct delivery and export intake)	2068.81	2068.81	2068.81	2068.81

Note:
The consolidated charges as above include the following elements, viz. stevedoring, use of Gantry crane, use of transfer crane, wharfage on tare weight of containers, wharfage on containerized cargo, transportation and contribution towards railway infrastructure.

F. SHUTOUT CONTAINERS

Sr No.	Description	Rate per TEU	
		Foreign-going vessel (₹)	Coastal vessels (₹)
01	Shutout charges	4372.65	2623.59
02	Transportation of shutout container from any place in the port to quay and back to the designated area irrespective of location inside the terminal. (₹)	2187.75	2187.75

Note: Foreign going Vessel rate is calculated in INR based on coastal rates (coastal tariff are considered as 60% of foreign tariff).
Shut out charges are not to be levied on the following instances

1. When a vessel is required to sail with shut outs for accommodating another vessel on port request.
2. a. The vessel has to sail at the first available tide if the terminal cannot complete the operations.
   b. The vessel alongside is forced to sail so as to accommodate the incoming vessel due to tidal restrictions.
3. When containers could not be loaded on board by port due to break down of cranes.
4. When containers could not be loaded on board due to bad weather conditions.

2.3. DWELL TIME CHARGES FOR CONTAINER, STORED IN THE PORT PREMISES:

Sr No.	Particulars	Rate per TEU Rate per container per day or part thereof (in ₹)	
		Upto 20' in length	Over 20' to upto 40' in length
01	Non-ICD import & export – loaded		
	First 3 days	Free	Free
	4-15 days	346.14	692.29
	16-30 days	692.29	1,384.58
	Thereafter	1,384.58	2,769.16
02	Non-ICD import & export – empty		
	First 3 days	Free	Free
	4-15 days	346.14	692.29
	16-30 days	692.29	1,384.58
	Thereafter	1,384.58	2,769.16
03	ICD Import & Export –Loaded moved by Road		
	First 3 days	Free	Free
	4-7 days	287.29	574.58
	8-15 days	346.14	692.29
	16-30 days	692.29	1,384.58

	Thereafter	1,384.58	2,769.16
04	ICD Import & Export – Empty moved by Road		
	First 3 days	Free	Free
	4-15 days	346.14	692.29
	16-30 days	692.29	1,384.58
	Thereafter	1,384.58	2,769.16
05	ICD Import & Export – Loaded or Empty moved by Rail		
	First 7 days	Free	Free
	8-15 days	252.84	505.68
	16-30 days	304.61	609.21
	31-45 days	609.21	1,218.43
	Thereafter	1,218.43	2,436.86
06	Transhipment - Loaded		
	First 10 days	Free	Free
	11-45 days	346.14	692.29
	Thereafter	692.29	1,384.58
07	Transhipment - Empty		
	First 10 days	Free	Free
	11-30 days	346.14	692.29
	31-45 days	692.29	1,384.58
	Thereafter	1,384.58	2,769.16
08	Shutout – Loaded & Empty		
	1-15 days	346.14	692.29
	16-30 days	692.29	1,384.58
	Thereafter	1,384.58	2,769.16
09	Back to Town – Loaded & Empty		
	First 3 days	Free	Free
	4-15 days	346.14	692.29
	16-30 days	692.29	1,384.58
	Thereafter	1,384.58	2,769.16

Notes:

1. The total storage period for a container shall be reckoned from the day following the day of landing upto the day of shipment/delivery/date of removal of the container and includes Sundays and Holidays but excludes Custom notified holidays and port non-working days.

2. Transhipment containers subsequently changing the mode of dispatch locally or to the container freight station for destuffing/stuffing shall lose the concessional dwell time as prescribed in Item (4) above. Dwell time charges for such containers shall be recovered at par with import containers as prescribed in item no. 1 or 2 as applicable.

3. Transhipment containers subsequently changing the mode of dispatch by rail to ICD shall be treated as other ICD containers for the purpose of levy of Dwell time charges fees and shall be charged at the rates in item (4) above. In such cases additional shifting charge will be applicable for movement of container to container yard to ICD yard.

4. A container from foreign port landing at the container terminal for subsequent transhipment to an Indian Port on a coastal voyage or vice versa would be charged at 50% of the transhipment charges prescribed for foreign going vessels and 50% of that prescribed for coastal category.

5. Normal import containers subsequently changing the mode of dispatch by rail to ICD will enjoy the free period applicable to normal import container only. In such cases additional shifting charges will be applicable for movement of container from container yard to ICD yard.

6. The total storage period for a shutout container shall be calculated from the day following the day when the container has become shutout till the day of Shipment/ delivery.

7. Over high and over dimensional containers shall attract thrice the normal applicable charges.

8. Hazardous containers shall attract 1.25 times the normal applicable charges.

9. In case of stuffing the containers inside the port, the dwell time charges will be applicable as follows:

   (i). Prior to stuffing, dwell time charges as applicable to empty containers will be charged.

   (ii). Free period and dwell time charges as applicable to loaded export/ import containers will be charged from the day following the day of completion of stuffing/ destuffing and intimation to Port.

10. In the case of auction containers, after the auction is over, the empty containers will attract the dwell time charges as empty containers from the following day the destuffing is completed.

11. The storage charges shall not accrue for the period during which the Terminal is not in a position to deliver containers for reasons attributable to it when requested by the user.

12. The storage charges on abandoned FCL containers/shipper owned containers shall be levied upto the date of receipt of intimation of abandonment in writing or 75 days from the day of landing of the container, whichever is earlier subject to the following:

   (i). The consignee/ consignor can issue a letter of abandonment at any time.

   (II). If the consignee/ consignor chooses not to issue such letter of abandonment, the container Agent/MLO can also issue abandonment letter subject to the condition that,

      (a). The Line shall resume custody of container along with cargo and either take back it or remove it from the port premises; and

      (b). the line shall pay all port charges accrued on the cargo and container before resuming custody of the container.

   (iii). The container Agent / MLO shall observe the necessary formalities and bear the cost of transportation and destuffing. In case of their failure to take such action within the stipulated period, the storage charge on container shall be continued to be levied till such time all the necessary actions are taken by the shipping lines for destuffing of cargo.

   (iv). Where the container is seized/confiscated by the Custom Authorities and the same cannot be destuffed within the prescribed time limit of 75 days, the storage charges will cease to apply from the day the Custom order release of the cargo subject to lines observing the necessary formalities and bearing the cost of transportation and de-stuffing. Otherwise, seized/confiscated containers should be removed by the line/consignee from the port premises to the Customs bonded area and in that case the storage charge shall cease to apply from the day of such removal.

2.4 CHARGES FOR MISCELLANEOUS SERVICES RENDERED TO THE CONTAINER VESSELS:

A. Reefer Monitoring and Connection

Sr No.	Description	Rate per TEU (in ₹)			
		Foreign Container		Coastal Container	
		Loaded	Empty	Loaded	Empty
01	Additional charges per 4 hours or part thereof for electricity consumption and monitoring of reefer containers	438.80	438.80	262.53	262.53

Note:

Additional electricity charge at the prescribed rates will be applicable in case of Reefer Containers also.

B. Other Services Rendered

Sr No.	Description	Rate per TEU (in ₹)			
		Foreign Container		Coastal Container	
		Loaded	Empty	Loaded	Empty
01	Shifting of containers from one yard to another yard within the terminal for customs inspection or any other purpose and subsequent loading of containers for delivery.	2479.39	2479.39	2479.39	2479.39
02	Additional service charges for stacking containers in designated yard for custom examination or for any other purpose by prior arrangement.	291.69	291.69	291.69	291.69

C. Opening of Hatch Cover and replacing it

Sr No.	Description	Rate per Hatch Cover (in ₹)	
		Foreign Going Vessels	Coastal Vessels
1	When placing it on the Quay	6,580.22	2361.06
2	Without placing it on the Quay	2,631.07	945.45

Note: If only one operation is carried out, half of the hatch cover handling charges as above shall be levied.

D. One Hatch to another Hatch or within the Same Hatch

Sr No.	Description	Rate per TEU (in ₹)			
		Foreign Going Vessels		Coastal Vessels	
		Loaded	Empty	Loaded	Empty
(a)	Hatch to hatch shifting (involving 1 move only)	2,192.96	2,192.96	787.57	787.57
(b)	Other than (a) mentioned above	8,772.74	8,772.74	3153.71	3153.71

CHAPTER 3 – PROCEDURE AND CHARGES FOR INTER TERMINAL TRANSFER OF TRANSHIPMENT OF CONTAINERS BETWEEN THE PPP OPERATOR AND OTHER TERMINAL

3.1. **Procedure for handling transshipment (TP) containers:**

(i). TP Containers discharged at PPP Operator and bound to be loaded at other BOT terminal, will be Offloaded by PPP Operator in the designated export yard directly.

(ii). Similarly, TP Containers discharged at the other BOT terminals, the same will be offloaded at PPP Operator in the respective yard when it is arrived by a trailer from BOT terminals.

3.2. **Charges for handling TP Containers between PPP Operator and BOT Terminals:**

If a container is discharged by the PPP operator and loaded by the BOT terminals and vice versa, the charges will be as under:

50% of transshipment container handling charges and LIFTOFF /LIFT ON charges as per the Port Scale of Rates will be charged to the Line by the Port. For the same container.

The BOT terminal will charge 50% of the transshipment container handling charges as per its Scale of Rates and, in addition, also levy a charge of towards inter-terminal transfer as per its Scale of Rate.

3.3. Inter Terminal rail handling charges is Rs. 400/- for 20’ Container and Rs. 800/- for 40’container at all the PPP Terminals.

3.4. Port levies Mandatory Usage charges of Rs. 165/- per container on all containers (Except Transshipment and coastal container)

3.5. **Port will collect DPD charges from importers as mentioned below:-**

Sr. No.	Category	Bill charges applicable
1	Containers declared in as DPD in 1st code in IAL and clears directly from the Terminal under DPD (1st code <group code> DPD and 2nd code DPD in IAL)	One DPD charge i.e. Rs. 2069 +GST for 20'container and Rs.3103/- +GST for 40'container.
2	Container/s declared as DPD in 1st code of IAL but not cleared by importer under DPD and shifted/transferred to CFS after 48 hrs. as nominated by concerned Shipping Agency in Import Advance List (IAL) (1st code <group code> DPD and 2nd code DPD in IAL)	One DPD charge i.e. Rs.2069 +GST for 20'container and Rs. 3103/- + GST for 40'container Plus One Shifting charge i.e. Rs 2480/- +GST for 20' container and Rs. 3720/- +GST for 40' container.
3	Container/s declared as Preferred CFS in 1st code in IAL and nominated to a CFS (with out of charge)(1st code <group code>CFS and 2nd code DPD in IAL)	NIL
4	Container/s declared as DPD in 1st code of IAL but changed to CFS before 48 hrs. (1st code <group code> DPD and 2nd code DPD in IAL). Latter on Changed to CFS after discharge as per shipping line request and moved to CFS.	One DPD charge i.e. Rs.2069 +GST for 20'container and Rs. 3103/- + GST for 40'container Plus One Shifting charge i.e. Rs.2480/- +GST for 20' container and Rs.3720/- +GST for 40' container.

3.7. Dwell time charges will be applicable for DPD containers, as per clause no. 2.3 in this SOR.

CHAPTER 4 – GENERAL NOTE TO CHAPTER- 2 AND 3:

The tariff caps will be indexed to inflation but only to an extent of 60% of the variation in Wholesale Price Index (WPI) occurring between 1 January 2020 and 1 January of the relevant year. Such automatic adjustment of tariff caps will be made every year and the adjusted tariff caps will come into force from 1 April of the relevant year to 31 March of the following year.

Annex - III

PERFORMANCE STANDARDS

1. **Gross Berth Output**

The parameter deals with the productivity of the terminal (Gross Berth Output) for Container cargo. The capabilities of the terminal and parcel size will determine the Gross Berth Output. Higher terminal capability and greater parcel size will lead· to high productivity. The berth day output measured in terms of TEUs per day depends on the number of cranes used which is dependent on the size of the vessel. Productivity norm of the crane is 25· moves per hour.

The Gross Berth Output shall be calculated as the total cargo in terms of TE Us handled (either loaded / unloaded) from the ship during a month divided by the time spent by the ship at the terminal i.e. number of working days at the berth. While determining the number of working days from the ship hours, the berth allowance of 4 hours sh al I be subtracted from the total hours.

The indicative norms for Gross Berth Output for different categories of cargo are as follows:

The norms for Gross Berth Output for different categories of cargo are as follows:

Cargo Category (Container)	Norms
(Main line vessel)	25 moves per hour
(Feeder vessel)	17 moves per hour

Weightage in case of a shortfall in meeting the prescribed performance standard – 0.6

2. **Transit Storage Dwell Time:**

The Transit Storage Dwell Time for a container shall mean the total time for which the container remains in the terminal. The Transit Storage Dwell Time for containers shall be calculated as an average and shall be the sum of the transit storage of each container handled during the month at that terminal divided by the number of containers. To further clarify, the date and time a container is discharged from the vessel till the said container leaves the out - gate of the Terminal, is the total transit storage time for import box. In case of export the time and date from which the container enters the terminal till the time and date it is loaded on to a vessel will be the storage time. The details of time of discharge, gate-in, gate out and loading need to be maintained in respect of each container including ICD containers.

Unclaimed cargo or any cargo that has been detained by the customs or any Government Authority shall be excluded.

Transit Storage Dwell Time-		
Import	Container (at terminal)	3 days by road, 7 days by rail
Export	Container (at terminal)	5 days by road, 7 days by rail

Weightage in case of a shortfall in meeting the prescribed performance standard – 0.3

Note: Performance standards indicated at 1 and 2 above shall be considered for indexation.

3. **Turnaround Time for receipt/ delivery operation:**

The Turnaround Time for receipt/ delivery operation shall be the sum of time taken for loading/ unloading of cargo divided by the number of trucks/ trailers/ rakes deployed, as the case may be, in a month. Further, in case the truck/ trailer/ rake does both unloading and loading operations on a single entry into the terminal, the time allocated shall be doubled for those trucks/ trailers/ rakes.

(i) Trailer for container (Single operation)	2 hours
(ii)Trailer for container(Double operation)	4 hours
(i) Rake for ICD container(Single operation)	6 hours
(ii) Rake for ICD container (Double operation)	12 hours

Weightage in case of a shortfall in meeting the prescribed performance standard – 0.1