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TARIFF AUTHORITY FOR MAJOR PORTS

GNo.206 **New Delhi,** **19 December 2008**

NOTIFICATION

In exercise of the powers conferred under Section 48 of the Major Port Trust Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby accords approval to the proposal of the Indira Container Terminal Private Limited to levy tariff for the services rendered at the container terminal operated by it at Mumbai Port as in the order appended hereto.

(Brahm Dutt)
Chairman

Tariff Authority for Major Ports

Case No. TAMP/27/2008- ICTPL

The Indira Container Terminal Private Limited --- Applicant

O R D E R

(Passed on this 25th day of November 2008)

This case relates to a proposal from Indira Container Terminal Private Limited (ICTPL) for approval of tariff for the services rendered at the container terminal operated by it at Mumbai Port.

2.1. The Indira Container Terminal Private Ltd (ICTPL) vide its letter dated 14 May 2008 filed a proposal with this Authority for interim tariff arrangement for the services to be rendered by it at the Mumbai Port Trust's (MBPT) Ballard Pier Station (BPS) Container Terminal.

2.2. The main points made by ICTPL in its letter are summarized below:

(i). ICTPL has signed a License Agreement with the MBPT on 3 December 2007 for operation and management including necessary development of facilities of BPS container terminal and construction and management of an off-shore container terminal (OCT) at Mumbai Port.

(ii). ICTPL is required to operate the BPS berth for a period upto 5 years from the date of award of the license or 2 years from the date of commissioning of OCT whichever is earlier.

(iii). BPS container terminal operation would commence from 2 June 2008. Since 3 to 6 months time is required for formulation of its own Scale of Rates. ICTPL may be allowed to levy the container handling charges prescribed by this Authority in the MBPT tariff.

2.3. By letter dated 16 May 2008, ICTPL was requested to furnish a copy of the License Agreement entered with MBPT and justify its proposal with cost details for adoption of the rates approved for relevant services in the Scale of Rates of MBPT.

2.4. ICTPL submitted a copy of the License Agreement alongwith a draft Scale of Rates vide its letter dated 31 May 2008. ICTPL also informed that the operation will commence from 16 June 2008 instead of 2 June 2008 as intimated earlier and it sought approval to the proposed tariff valid till 31 March 2009.

2.5. A copy of the proposal received from ICTPL was forwarded to MBPT for comments. The remarks thereon received from MBPT were communicated to ICTPL as feedback information. ICTPL offered its views on the MBPT's remarks.

3. Based on the preliminary scrutiny of the proposal ICTPL was requested to furnish some additional information / clarifications under this Authority's letter dated 5 June 2008 and it was complied with by ICTPL by letter dated 9 June 2008.

4.1. On 8 July 2008 seventeen user organisations were addressed to offer their comments on the proposal of ICTPL. ICTPL was also addressed to explain the reasons why it could not submit its proposal within the stipulated time of 3 months prior to the expected date of commissioning as laid down in Clause 3.1.7 of the revised tariff guidelines. In its reply, ICTPL has stated that since the existing container operation at BPS is not a new facility created by it and due to some misunderstanding it could not adhere to the compliance of submission of the proposal within the prescribed time. It has however, assured that in future all its tariff proposals will be submitted in advance as per the guidelines.

4.2. Of the seventeen user organizations which were addressed to offer their comments on the ICTPL proposal only three responded. The Indian Bargeowners' Association informed that it has no comments to offer as the proposal mainly pertains to container operation. According to the Shipping Corporation of India it has no objection in ICTPL charging tariffs as per existing MBPT's Scale of Rates till such time it formulates its own tariff. Mumbai And Nhava-Sheva Ship-Agents Association (MANSA) informed that it has no comments to offer. MBPT who was also requested afresh to offer its comments informed that it has no further comments to offer.

5. A cost analysis was carried out, based on the revised guidelines for tariff fixation, with the details provided by the ICTPL and MBPT which showed that ICTPL may generate some surplus during 2008 – 2009 i.e. in its initial operation of 9 months and 15 days at the existing MBPT tariff levels. However, as the cost analysis carried out is not based on the actual working of ICTPL, but based on many assumptions, some margin has to be allowed for possible error in the estimates. This Authority also recognizes the fact that ICTPL has only sought continuation of the levy of the existing tariff of MBPT for a limited period upto 31 March 2009 i.e. till it formulates its own tariff. Further, it is noteworthy in this case that no user organization has raised any objection to the proposal of ICTPL to levy charges approved by this Authority in the Scale of Rates of MBPT as an interim arrangement. Since no objection has been received from any quarters, the Authority accords approval to the levy of charges as per the existing Scale of Rates of MBPT till 31 March 2009 subject to review of the actual position at the time of the next tariff review. If such review reveals that ICTPL has earned return in excess of the permissible level of 16% after accounting the admissible costs as per the tariff guidelines, then such additional return will be fully adjusted in the tariff to be fixed for the period commencing from 1 April 2009.

6. Since the ICTPL would not be handling any ICD containers, the rates therefor presently prescribed in the MBPT tariff, have not been provided in the SOR of ICTPL. Likewise, the clauses contained in the SOR of MBPT relating to lodging of log entries to obtain remission in demurrage charges have not been provided in the SOR of ICTPL. The SOR has been framed taking into consideration of the revised tariff guidelines and based on the existing tariff of MBPT for the relevant services currently being provided by ICTPL.

7.1. Since the operation is reported to have commenced from 23 June 2008, the Authority approves for adoption of the existing Scale of Rates of MBPT for container handling operation by ICTPL for its relevant operations as an interim measure till 31 March 2009.

7.2. ICTPL is directed to submit to this Authority, at the end of every quarter, a report containing its physical and financial performance during the preceding three months.

7.3. Since the interim tariff arrangement will be valid only upto 31 March 2009, ICTPL is advised to formulate and submit its proposal for fixing tariff for the BPS container terminal by 31 December 2008.

8. In the result, and for the reasons given above, this Authority approves the Scale of Rates of the Indira Container Terminal Private Limited attached as **Annex-I.**

(Brahm Dutt)
Chairman

Annex- I

INDIRA CONTAINER TERMINAL PRIVATE LTD

SCALE OF RATES

CHAPTER – I

1.1 DEFINITIONS

In this Scale of Rates, unless the context otherwise requires, the following definitions shall apply:

(i). ICTPL shall mean Indira Container Terminal Private Ltd

(ii). 'Vessel' includes any thing made for the conveyance mainly by water of human being or of goods and a caisson.

(iii). '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 valid coastal licence issued by the competent authority.

(iv). 'Foreign-going Vessel' shall mean any vessel other than Coastal vessel.

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

(vi). "Hazardous Container" shall mean a container containing hazardous goods as classified under IMO.

(vii). "Transhipment container" shall mean any container, which is discharged from one vessel, stored in the container yard and transported through another vessel.

(viii). "Free period" shall mean the period during which cargo/container shall be allowed storage free of demurrage charges and this period shall exclude Sunday(s), customs holidays and Port's Non-working days.

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

(x). "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.

(xi). "Demurrage" shall mean charges payable for storage of cargo within port premises beyond free period, as specified in the scale of rates.

(xii). "Full Container Load" (FCL) shall mean a container containing cargo belonging to one consignee in the vessel's manifest.

(xiii). "Less than a Container Load" (LCL) shall mean a container containing cargo belonging to more than one consignee in the vessel's manifest.

(xiv). "Month" shall be reckoned as 1st day (inclusive) of one month to the 1st day (exclusive) of the next month or from the 2nd day (inclusive) of one month to the 2nd day (exclusive) of the next month and so on. E.g. 14th of January (inclusive) to 14th of February (exclusive) (i.e. a period of 30 days).

(xv). "Day" means a calendar day i.e. the period from the midnight of a day to the midnight of the following day.

1.2. General Terms and 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). (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 or on filing of Coastal International General Manifest in Coastal Establishment Section of Customs Department.

(b). A foreign going vessel of Foreign Flag can convert to coastal run on the basis of a Coastal Voyage Licence issued by the Director General of Shipping.

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

(d). In cases of such conversion, coastal rates shall be chargeable only till the vessel completes coastal discharging operations; immediately thereafter, foreign-going rates shall be chargeable by the discharge ports.

(e). 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.

(iii). (a). All dollar denominated tariff will be recovered in Indian Rupees after conversion of charges in dollar terms into its equivalent Indian Rupees at the market buying rate notified by the Reserve Bank of India, State Bank of India or its associates or any other Public Sector banks as may be specified from time to time.

(b). The day of entry of the vessel into port limits shall be reckoned as the day for such conversion. In respect of charges on containers, the day of entry of the vessel in the case of import containers and the day of arrival of containers into the port in the case of export containers shall be reckoned as the day for such conversion.

(c). A regular review of exchange rate shall be made once in 30 days from the date of arrival in the cases of vessels staying in the port for longer period. The basis of billing shall change prospectively with reference to the appropriate exchange rate prevailing at the time of review.

(iv). Interest on delayed payments/refunds:

(a). The user shall pay penal interest on delayed payments and ICTPL shall pay penal interest on delayed refunds at the rate of 14.75% per annum.

(b). The delay in payments by user will be counted beyond 10 days after the date of raising the bills. This provision will not apply to the case where payment is to be made before availing of the services/use of terminal properties as stipulated in the MPT Act, 1963 and/or prescribed as a condition in the tariff.

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

(v). (a). The rates prescribed in the Scale of Rates are ceiling levels; likewise, rebates and discounts are floor levels. The ICTPL may, if it so desires, charge lower rates and/or allow higher rebates and discounts.

(b). The ICTPL may, if it so desires, rationalise the prescribed conditionalities governing the application of rates prescribed in the Scale of Rates if such rationalisation gives relief to the user in rate per unit and the unit rates prescribed in the Scale of Rates do not exceed the ceiling level.

(c). The ICTPL should notify the public such lower rates and/or rationalisation 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.

(vi). (a). Wherever a specific tariff for a service/cargo is not available in the notified Scale of Rates, the ICTPL can submit a suitable proposal to the TAMP.

(b). Simultaneously with the submission of proposal, the proposed rate can be levied on an ad hoc basis till the rate is finally notified.

(c). The ad hoc rate to be operated in the interim period must be derived based on existing notified tariffs for comparable services/cargo; and, it must be mutually agreed upon by the ICTPL and the concerned user(s).

(d). The final rate fixed by the TAMP will ordinarily be effective only prospectively. The interim rate adopted in an ad hoc manner will be recognised as such unless it is found to be excessive requiring some moderation retrospectively.

(vii). The minimum charges recovered in any bill shall be Rupees Twenty (Rs.20/-) only.

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

(ix). In calculating the gross weight or measurement by volume or capacity of any individual item, fractions upto 0.5 shall be taken as 0.5 unit and fractions of 0.5 and above shall be treated as one unit, except where otherwise specified.

(x). (a). The cargo/container related charges for coastal cargo/containers, other than thermal coal and POL including crude oil iron ore and iron ore pellets will be 60% of the normal cargo/container related charges.

(b). In case of cargo related charges, the concessional rates shall be levied on all the relevant handling charges for ship-shore transfer and transfer from/to quay to/from storage yard including wharfage.

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

(d). The charges for coastal cargo/containers/vessels will be denominated and collected in Indian Rupees.

(xi). Users will not be required to pay charges for delays beyond a reasonable level attributable to ICTPL.

(xii). (a). Container from a foreign port which reaches an Indian Port ‘A’ for subsequent transshipment to Indian Port ‘B’ will be levied the concessional charges relevant for its coastal voyage. In other words, containers from/to Indian ports carried by vessels permitted to undertake coastal voyage will qualify for concession.

(b). A container from foreign port landing at ICTPL for subsequent transshipment to an Indian Port on a coastal voyage or vice versa would be charged at 50% of the transshipment charge prescribed for foreign-going vessel and 50% of that prescribed for the coastal category.

(xiii). In case a vessel idles due to non availability or breakdown of the shore based facilities of ICTPL or any other reasons attributable to the ICTPL, rebate equivalent to berth hire charges payable to MBPT accrued during the period of idling of vessel shall be allowed by ICTPL.

SCALE OF RATES
CHAPTER – II

1. Composite charges on Cargo containers handled with Quay Side Gantry Cranes

Description	Containers upto 20'				Containers Above 20' but upto 40'				Containers length above 40'			
	Rates for Foreign Containers (in Rs.)		Rates for Coastal Containers (in Rs.)		Rates for Foreign Containers (in Rs.)		Rates for Coastal Containers (in Rs.)		Rates for Foreign Containers (in Rs.)		Rates for Coastal Containers (in Rs.)	
	Loaded	Empty	Loaded	Empty	Loaded	Empty	Loaded	Empty	Loaded	Empty	Loaded	Empty
General Containers	2470	1970	1482	1182	3705	2955	2223	1773	4940	3940	2964	2364
Hazardous Containers*	3095	2470	1857	1482	4643	3705	2786	2223	6190	4940	3714	2964
Transhipment Containers	2940	2540	1764	1524	4410	3810	2646	2286	5880	5080	3528	3048
Same Bottom Containers	2940	2540	1764	1524	4410	3810	2646	2286	5880	5080	3528	3048
Export containers brought by Barges under Shipping Bills from other ports for shipment	2970	2570	1782	1542	4455	3855	2673	2313	5940	5140	3564	3084
Containers moved by barges between ICTPL & other ports	3000	2500	1800	1500	4500	3750	2700	2250	6000	5000	3600	3000

*** The composite charges for hazardous containers will be applicable in respect of permissible 'A' category containers as also 'B' & 'C' category containers.**

2. Composite charges on Cargo containers Handled with cranes other than Quayside Gantry Cranes.

Description	Containers upto 20'				Containers Above 20' but upto 40'				Containers length above 40'			
	Rates for Foreign Containers (in Rs.)		Rates for Coastal Containers (in Rs.)		Rates for Foreign Containers (in Rs.)		Rates for Coastal Containers (in Rs.)		Rates for Foreign Containers (in Rs.)		Rates for Coastal Containers (in Rs.)	
	Loaded	Empty	Loaded	Empty	Loaded	Empty	Loaded	Empty	Loaded	Empty	Loaded	Empty
General Containers	1870	1670	1122	1002	2805	2505	1683	1503	3740	3340	2244	2004
Hazardous Containers*	2345	2095	1407	1257	3518	3143	2111	1886	4690	4190	2814	2514
Transhipment Containers	2790	2490	1674	1494	4185	3735	2511	2241	5580	4980	3348	2988

Same Bottom Containers	2790	2490	1674	1494	4185	3735	2511	2241	5580	4980	3348	2988
Export containers brought by Barges under Shipping Bills from other ports for shipment	2820	2520	1692	1512	4230	3780	2538	2268	5640	5040	3384	3024
Containers moved by barges between ICTPL & other ports	2400	2200	1440	1320	3600	3300	2160	1980	4800	4400	2880	2640

*** The composite charges for hazardous containers will be applicable in respect of permissible 'A' category containers as also 'B' & 'C' category containers.**

Notes: Sections 1& 2

(i) The above composite rates include the following charges towards onboard stevedoring and inclusion of this element in THC levied by the Shipping Lines/ Agents shall be regulated in accordance with the Order of TAMP passed in case no: TAMP/47/2000-MBPT, dated 12 June 2001:

<u>Quayside Gantry Cranes:</u>

(a)	All general Containers.	Rs. 348.00
(b)	All Transhipment containers and all same bottom Containers.	Rs. 696.00
(c)	All export containers brought by barges under shipping bills from JNPT for shipment through ICTPL terminal	Rs. 610.50

<u>Non-Quayside Gantry Cranes:</u>

(a)	All general Containers.	Rs. 579.53
(b)	All Transhipment containers and all same bottom Containers.	Rs. 1159.06
(c)	All containers handled by barges to and fro JNPT	Rs. 262.50
(d)	All export containers brought by barges under shipping bills from JNPT for shipment through ICTPL	Rs. 842.03

(ii). Cargo container means specifically designed container of uniform size for consolidating goods within compact unit.

(iii). The above charges include wharfage, on board stevedoring charges, handling at shipside, lift on of export/lift off import containers at the pre-stack area, removal of container between shipside and pre-stack.

(iv). Additional services of loading/unloading of containers on to the Agents' trailers.

(v). Lashing and unlashing containers on board the vessel shall be the responsibility of the vessel agents. If lashing and unlashing service is provided by the ICTPL, Rs. 30/-, Rs. 45/- and Rs. 60/- extra per 20' unit, 40' unit and above 40' unit respectively shall be leviable.

(vi). When a transshipment container is unloaded by gantry crane and loaded by Non-Gantry crane or vice versa, 50% of the Box rate for Transshipment containers prescribed at Sections 1 & 2 respectively will be applicable.

3. With the prior permission of the ICTPL authorities, rebates shall be applicable to the port users for carrying out various container operations with their own arrangements. The rebates applicable along with the conditions are as follows:

(i). Stevedoring Charges
(a). When Gantry crane is used

Sr. No.	Particulars	Foreign-Going (in Rs.)			Coastal (in Rs.)		
		20'	40'	Over 40'	20'	40'	Over 40'
1.	**General containers**						
	Loaded	348	348	348	208.80	208.80	208.80
	Empty	348	348	348	208.80	208.80	208.80
Sr. No.	**Particulars**	**Foreign-Going (in Rs.)**			**Coastal (in Rs.)**		
		20'	**40'**	**Over 40'**	**20'**	**40'**	**Over 40'**
2.	**Transshipment and same bottom containers**						
	Loaded	696	696	696	417.60	417.60	417.60
	Empty	696	696	696	417.60	417.60	417.60
3.	**Export Containers brought by barges under shipping bills from other ports for shipment**						
	Loaded	610.50	610.50	610.50	366.30	366.30	366.30
	Empty	610.50	610.50	610.50	366.30	366.30	366.30

(b). When crane other than Gantry crane is used

Sr. No.	Particulars	Foreign-Going (in Rs.)			Coastal (in Rs.)		
		20'	40'	Over 40'	20'	40'	Over 40'
1.	**General containers**						
	Loaded	579.53	579.53	579.53	347.72	347.72	347.72
	Empty	579.53	579.53	579.53	347.72	347.72	347.72
2.	**Transshipment and same bottom containers**						
	Loaded	1159.06	1159.06	1159.06	694.54	694.54	694.54
	Empty	1159.06	1159.06	1159.06	694.54	694.54	694.54
3.	**Containers handled by barges to and fro other ports**						
	Loaded	262.50	262.50	262.50	157.50	157.50	157.50
	Empty	262.50	262.50	262.50	157.50	157.50	157.50
4.	**Export Containers brought by barges under shipping bills from other ports for shipment**						
	Loaded	842.03	842.03	842.03	505.22	505.22	505.22
	Empty	842.03	842.03	842.03	505.22	505.22	505.22

(ii). Transportation Charges

Sr. No.	Particulars	Foreign-Going (in Rs.)			Coastal (in Rs.)		
		20'	40'	Over 40'	20'	40'	Over 40'
1.	**General containers handled by barges to and fro other ports**						
	Loaded	565	847.50	1130	339	508.50	678
	Empty	460	690	920	276	414	552
2.	**Transshipment, Same bottom Containers and Export Containers brought by barges under shipping bills from other ports for shipment through ICTPL Terminal**						
	Loaded	1130	1695	2260	678	1017	1356
	Empty	920	1380	1840	552	828	1104

4. Charges on container handling equipment

(1) Charges will be leviable on container handling equipment per move as follows:

	Containers upto 20'		Containers Above 20' but upto 40'		Containers length above 40'	
	Foreign	Coastal	Foreign	Coastal	Foreign	Coastal
	US $	Rs.	US $	Rs.	US $	Rs.
(a). Quayside Gantry Crane	19	496.13	28.50	744.19	38	992.26
(b).Rubber Tyred Yard Gantry Crane/ Reach Stacker/ Top Lift Truck (TLT)	5	130.56	7.50	195.84	10	261.12
(c).Trailer	14.50	378.62	21.75	567.94	29	757.25

(2) Composite box rate for on board shifting operations of containers.

Description	Foreign (in Rs.)						Coastal (in Rs.)					
	20’		40’		Above 40’		20’		40’		Above 40’	
	Loaded	Empty	Loaded	Empty	Loaded	Empty	Loaded	Empty	Loaded	Empty	Loaded	Empty
Gantry Crane	1222	1222	2096	2096	2096	2096	733	733	1258	1258	1258	1258
Ship Crane	580	580	580	580	580	580	348	348	348	348	348	348

(3) Charges for miscellaneous handling by Quayside Gantry Cranes:

(a)	**For opening hatch cover / pontoon and placing it -**		
		Foreign	**Coastal**
	(i) by placing it on the quay (full cycle)	US $ 76	Rs. 1984.51
	(ii) without placing it on the quay	US $ 38	Rs. 992.26
(b)	For discharging/loading packages, units vehicles and / or any other material except containers individually weighing 20 Tonnes and above per operation/move.	US $ 152	Rs. 3969.02
(c)	For discharging/loading packages, units vehicles and / or any other material except containers individually weighing less than 20 Tonnes per operation/move.	US $ 76	Rs. 1984.51

5. Licence (storage) fees on containers:

Sr. No.	Place of Storage	Rate per day or Part thereof		
		Container having length upto 20'	**Container having length over 20' but upto 40'**	**Container having length above 40'**
1	Loaded/Empty container landed and stored or brought for export and stored inside the Terminal	U.S $ 2.5	U.S. $ 5.0	U.S $ 7.5
2	Empty Container stored inside the Terminal	U.S $ 0.5	U.S $ 1.0	U.S $ 1.5

(a). In case of import containers above charges are leviable from the date following the date of completion of vessel's import operations.

(b). In case of export containers above charges are leviable from date of bringing in of fully loaded container till the date prior to the date of shipment (i.e. excluding the date of shipment)/the date of removal in case of Empty Container.

(c). In case a container is not removed/shipped within 10 days from the date following the date of completion of import operations in case of import or from the date of receipt in case of export, the Licence (storage) Fees will be levied at double the rate prescribed at 5. 1 above from 11th day.

(d). Hazardous container will be charged at 25% premium.

(e). Demurrage charge on both cargo and container shall not accrue for the period when ICTPL is not in a position to deliver cargo/container when requested by the users.

(f). The storage charge shall not accrue for the period during which the ICTPL is not in a position to deliver/shift the containers when requested by the users.

Notes:

(1) Import loaded containers removed out of terminal area for destuffing shall be charged license (storage) fees from the date following the date of completion of vessel's import operations till the date of removal including the date of removal. Similarly, export loaded/empty containers received from the areas other than the terminal premises shall be charged license (storage) fees from the date of receipt till the day prior to the date of shipment (i.e. excluding the date of shipment).

(2) If a container has already been charged license (storage) fees on a particular day under Section 4 above, the same unit will not be charged once again on the same day even if it is moved between the areas referred to above.

(3) The charges on a container shall be levied irrespective of whether the container is stored on chassis or on ground or stacked high.

(4) License (storage) fees on Containers brought under Shipping Bill for export shall be charged in terms of provisions of Section 5 above from the date of receipt of the container in the port premises.

(5) The combined Transport Operators/Masters, Owners or Agents of vessels shall remove the containers to the respective site/yard/de-stuffing point, within a period of 4 calendar days following the date of the vessels completion of import operation. If the combined Transport Operators/Masters, Owners or Agents of vessels fail to remove such containers to the nominated areas within the prescribed period of 4 calendar days, ICTPL shall have the authority to remove

such containers to the nominated areas at the risk and cost of combined Transport Operators/Masters, Owners or Agents of vessels. Removal charges as notified from time to time will be levied on such containers.

(6). Container stuffed in the terminal premises/container received in terminal duly stuffed in the areas other than terminal premises and removed for shipment through Ports / terminal other than ICTPL shall be charged License fees as per section 5 above from the day following the date of stuffing/from the date of receipt till the date of removal of container. In the case of containers stuffed in the terminal premises/containers received duly stuffed in the areas other than terminal premises and removed to town shall be charged License fees of US$ 2.5 (Coastal – Rs. 108.80) for a container having length up to 20 feet, US$ 5 (Coastal – Rs.217.60 for a container having length above 20 feet but up to 40 feet and US$ 7.5 (Coastal – Rs.326.40) for a container having length above 40 feet per day or part thereof from the day following the date of stuffing/from the date of receipt till the date of removal of the containers. The cargo inside the container shall be charged demurrage at the rate of Rs.500/- per TEU per day or part thereof for the period of its stay in the terminal. [No separate wharfage shall be recovered either on such container or on cargo inside the container].

(7). Storage charges on abandoned FCL containers/Shipper owned containers shall be levied up to the date of receipt of intimation of abandonment in writing or 75 days from the date of landing of container whichever is earlier subject to the following conditions.

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

(ii). If the consignee 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 terminal premises; and

(b). the line shall pay all terminal 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 de-stuffing. In case of their failure to take such action within the stipulated period, the storage charge of container shall be continued to be levied till such time all necessary actions are taken by the shipping lines for de-stuffing the cargo.

(iv). Where the container is seized/confiscated by the Custom Authorities and the same cannot be de-stuffed within the prescribed time limit of 75 days, the storage charges will cease to apply from the day the Customs orders 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 terminal premises to the Customs bonded area and in that case the storage charge shall cease to apply from the day of such removal.

(8). The container other than ‘shipper owned container’ shall be removed from the regular storage area and moved to Sales Warehouse/Overflow Sheds by ICTPL at the cost and responsibility of the Main Line Operators (MLOs) and thereafter, the container can be de-stuffed before the empty containers are removed from the terminal premises by the MLOs.

6. Charges payable for reefer points:

(1). For every reefer plug point allotted, a charge of US$ 6.5 (coastal – Rs. 282.90) per container per Unit of 4 hours or part thereof will be levied.

(2). Reefer points will be allotted on per container/per point basis.

(3). The combined Transport Operators/Masters, Owners or Agents of vessels shall provide their own cables from the sources of supply (plug points provided for the purpose) to the Reefer Container and shall employ their own qualified staff to connect the reefer container to this supply and attend on it when in use.

(4). ICTPL reserves the right to supply power to reefer containers and shall not be responsible for any loss whatsoever that the combined Transport Operators/Masters, Owners or Agents of vessels may incur in the event of the:

(a). failure of electric supply due to reasons beyond the control of the ICTPL,

(b). ICTPL's inability to supply power in time, and

(c). disconnect the supply without assigning any reason, should this become necessary for smooth operation in the Terminal

7. Charges in respect of labour supplied for stuffing or destuffing of cargo containers:

	Per Container	
	Foreign	**Coastal**
(i) container having length upto 20'	US $ 28.50	Rs. 1240.35
(ii) container having length over 20' but upto 40'	US $ 57.00	Rs. 2480.65
(iii) Container having length above 40'	US $ 85.50	Rs. 3721.00

GENERAL NOTES:

(i) Mafi's and imported chassis shall be treated on par with containers of equal sizes for levy of all charges under this Section and if the same are taken back on board the vessel from which they have been discharged, no charges shall be levied.

(ii) Transshipment and same bottom containers shall be treated on par with import containers for levy of license fees for storage.

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