(Published in Part - III Section 4 of the Gazette of India, Extraordinary)

TARIFF AUTHORITY FOR MAJOR PORTS

G.No.550 **New Delhi,** **16 December 2020**

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 V. O. Chidambaranar Port Trust (VOCPT) for amendments to its existing Scale of Rates (SOR) approved vide Order No.TAMP/15/2019-VOCPT dated 10 October 2019 as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports

Case No. TAMP/19/2020-VOCPT

V.O. Chidambaranar Port Trust **- - -** **Applicant**

QUORUM

(i). Shri. T.S. Balasubramanian, Member (Finance)
(ii). Shri. Rajat Sachar, Member (Economic)

O R D E R

(Passed on this 28th day of October 2020)

This case relates to a proposal dated 07 April 2020 received from the V. O. Chidambaranar Port Trust (VOCPT) for amendments to its existing Scale of Rates (SOR) approved vide Order No.TAMP/15/2019-VOCPT dated 10 October 2019.

2. The general SOR of VOCPT was last approved by this Authority vide Order No.TAMP/15/2019-VOCPT dated 10 October 2019 which was notified in the Gazette of India on 22 October 2019 vide Gazette No.363. Subsequently, a speaking Order was notified vide Gazette No.440 dated 02 December 2019. The revised SOR notified by this Authority came come into effect after expiry of 30 days from the date of notification of the SOR in the Gazette of India and shall be in force for a period of 3 years from the date the revised SOR came into effect i.e. till 21 November 2022.

3.1. In this backdrop, the VOCPT vide its e-mail dated 07 April 2020 under cover of its letter dated 07 April 2020 has made following submissions. Subsequently, the VOCPT vide emails dated 12 October 2020 and 16 October 2020 has made further submissions supplementing the reasons for the proposed amendment:

(i). After implementation of SOR, a number of representations are received from the port users and user associations and port experienced some practical difficulties to implement the revised SOR. In this connection, after conducting series of meeting with port users and with the approval of Board of VOCPT vide Board Resolution no.110 of the Board Meeting dated 27 February 2020 (copy furnished) modifications to the approved SOR have been proposed.

(ii). Existing SOR vis-à-vis amendment proposed by port in the existing SOR along with reasons for this proposed amendment given by VOCPT are tabulated below:

<table>
<tr><th>Reference to the SOR</th><th>Proposed by port and prescribed in existing SOR approved by this Authority vide Order No.TAMP/15/2019-VOCPT dated 10 October 2019</th><th>Amendment proposed by VOCPT vide its letter dated 7 April 2020</th><th>Reasons for amendment</th></tr>
<tr><td>2.2.1.</td><td>The rate specified below is for Zone A
<table>
<tr><th rowspan="3">Sl. No.</th><th rowspan="3">Size of vessel</th><th colspan="2">Rate per GRT</th></tr>
<tr><th>Coastal vessel</th><th>Foreign-going vessel</th></tr>
<tr><th>(in ₹)</th><th>(in US$)</th></tr>
<tr><td>1</td><td>0 to 20,000 GRT</td><td>13.47</td><td>0.5162</td></tr>
</table></td><td>
<table>
<tr><th rowspan="3">Sl. No.</th><th rowspan="3">Size of vessel</th><th colspan="2">Rate per GRT</th></tr>
<tr><th>Coastal vessel</th><th>Foreign-going vessel</th></tr>
<tr><th>(in ₹)</th><th>(in US$)</th></tr>
<tr><td>1</td><td>0 to 20,000 GRT</td><td>12.12</td><td>0.4646</td></tr>
</table></td><td>Port has proposed 10% reduction in the existing rate for the vessels in the slab 0-20,000 GRT.</td></tr>
<tr><td>2.2.3</td><td><u>Notes</u>:
One Shifting Charge is free. For more than one shifting charges, the above rates are applicable.</td><td><u>Notes</u>:
(i) One shifting is free during cargo operation i.e. after commencement and before completion of cargo operation.
(ii) More than one shifting is chargeable as per the above rates whenever the shifting is requested by the respective vessels Master/ Ship agent</td><td>To provide clarity that the free shifting is not applicable for the operations other than cargo handling like bunkering and ship repairing etc.,</td></tr>
<tr><td>2.2.3 note 3 (i).(e)</td><td>Shifting a vessel from deeper draft berth to lower draft berth in <u>VOC wharf</u> to accommodate the first waiting vessel requiring deeper draft berth provided no other vessel requiring lower draft berth waits, in the queue shall also be considered as “SHIFTING FOR PORT CONVENIENCE”.</td><td>Shifting a vessel from deeper draft berth to lower draft berth in <u>all berths</u> to accommodate the first waiting vessel requiring deeper draft berth provided no other vessel requiring lower draft berth waits, in the queue shall also be considered as “SHIFTING FOR PORT CONVENIENCE”.</td><td>To provide clarity that this condition is applicable to all berths and not to specific berths.</td></tr>
<tr><td>2.4.1.</td><td>
<table>
<tr><th rowspan="3">Sl. No.</th><th rowspan="3">Particulars</th><th colspan="2">Rate per GRT per hour or part thereof</th></tr>
<tr><th>Coastal vessel</th><th>Foreign-going vessel</th></tr>
<tr><th>(in ₹)</th><th>(in US$)</th></tr>
<tr><td>1</td><td>0 to 20,000 GRT</td><td>0.1932</td><td>0.0075</td></tr>
</table></td><td>
<table>
<tr><th rowspan="3">Sl. No.</th><th rowspan="3">Particulars</th><th colspan="2">Rate per GRT per hour or part thereof</th></tr>
<tr><th>Coastal vessel</th><th>Foreign-going vessel</th></tr>
<tr><th>(in ₹)</th><th>(in US$)</th></tr>
<tr><td>1</td><td>0 to 20,000 GRT</td><td>0.1739</td><td>0.0068</td></tr>
</table></td><td>Port has proposed 10% reduction in the existing rate for the vessels in the slab 0-20,000 GRT.</td></tr>
<tr><td>2.4.2</td><td>Note on Sl. No. 7: Any vessel which continues to occupy any berth after the expiry of the time given by the Deputy Conservator/Traffic Manager to vacate the berth shall pay additional berth hire charges at the following rates: -
(i). For the first two days – At four times the rate of berth hire charges for authorised occupation.
(ii). For third day and for subsequent days - At six times the rate of berth hire charges for authorised occupation.</td><td>Proposed to bring this note as common note for Schedule 2.4.1 (Schedule of berth hire charges) and 2.4.2 (Schedule of berth hire charges for other vessels).</td><td>As this condition is a general condition relating to berth hire charges and not applicable to fishing vessels only, it is proposed to bring it as a</td></tr>
</table>

<table>
<tr><td></td><td>(iii). The additional berth hire charges shall be in addition to normal berth hire charges payable under the schedule.</td><td></td><td>common note of berth hire schedule 2.4.</td></tr>
<tr><td>2.4 [Note 3 after 2.4.2.]</td><td>Output norms for NCB-1 Berth is not approved by TAMP stating NCB-I is a captive berth operated by M/s. NTPL</td><td>TAMP is requested to fix output norms for NCB-I for handling coal by TANGEDCO at 12,500 MT/per day.</td><td>Considering the TANGEDCO is handling coal by one shore unloader and one conveyor system, output norm of 12,500 MT per days is proposed. On the other hand for NTPL 25,000 MT per day was fixed for NCB-I wherein two shore unloaders and two conveyor system is being used. Hence, 50% of 25,000 MT per day is proposed.
Subsequently, VOCPT vide its email dated 12 October 2020 has further clarified that presently, the vessels of TANGEDCO are being handled at NCB-I which is a captive facility of M/s. NTPL (NCB-I). The vessels, if any, handled at NCB-I other than captive user, the output norms to be prescribed and accordingly, it is proposed to fix output norms for TANGEDCO's vessel at NCB-I, since the TANGEDCO is not the captive user and comes under the other user category of NCB-I only. Hence the port has proposed to approve the proposed amendment</td></tr>
<tr><td>2.4 [Note 3 after 2.4.2.]</td><td>Under output norms Sl. No-5 is mentioned in Ilmenite</td><td>The same may be as 'Ilmenite (Export)'.</td><td>Since norms for Ilmenite (Imp) is separately available in Sl. no.26.</td></tr>
<tr><td>2.5.1.(b) [Note 2(a)]</td><td>Example case:
(a). In case of vessel arrived at 6.00 hrs today and the berth is also vacant but the vessel is not ready till 18.00 hour (6.00 hrs + 12.00 hrs) there will be no penal anchorage charges since it is within the allowable 12.00 hours free period.</td><td>Example case:
(a). In case of vessel arrived at 6.00 hrs (01.12.2019) hours today and the berth is also vacant but the vessel is not ready till 6.00 (03.12.2019) hours (6 hrs +48.00 hrs) there will be no penal anchorage charges since it is within allowable 48.00 hours free period.</td><td rowspan="2">TAMP in the example case has cited 12.00 hours free Anchorage charges as in previous SOR instead of the revised free hours of 48 hours. Hence, the example requires correction. Accordingly, modification is proposed.
Subsequently, the VOCPT vide its email dated 12 October 2020 has categorically stated that as regards proposed clause (c). the clause inadvertently gives reference to 2.5.1(a) and the same may be read as 2.5.1(b)</td></tr>
<tr><td>2.5.1 Note (2)(a)</td><td>(b). In the same case, if the vessel is not ready till 20.00 hours but berth is still available, for the period of additional two hours after eligible free waiting period, the tariff as per clause 2.5.1(b) is applicable.
(c). In the same case, if the berth is ready only at 22.00 hours and the vessel is ready by 23.00 hours, then for the first four hours (18.00 hrs to 22.00 hrs) the tariff as per clause 2.5.1(a) is applicable and for remaining one hour (22.00 hrs to 23.00 hrs) the tariff as per clause 2.5.1(b) is applicable.</td><td>(b). In the same case, if the vessel is not ready till 50.00 hours but berth is still available, for the period of additional two hours after eligible free waiting period, the tariff as per clause 2.5.1(b) is applicable.
(c). In the same case, if the berth is ready only at 52.00 hours and the vessel is ready by 53.00 hours, then for the first four hours (48.00 hrs to 52.00 hrs) the tariff as per clause 2.5.1(a) is applicable and for remaining one hour (52.00 hrs to 53.00 hrs) the tariff as per clause 2.5.1(b) is applicable.</td></tr>
<tr><td>2.5.1</td><td>Anchorage fees Notes 1&2
(1). The above rates will apply after expiry of 48 hours from the anchorage time of the vessel and when a vacant suitable berth is available.
(2). The time for levy of Anchorage fee will count in such cases from the time the berth is available excluding the over lapping 48 hours time of the waiting vessels.</td><td>The above rates are applicable after 48 hrs. as per the following condition:
(i). Vessel Ready Berth not ready- Charges as per 2.5.1(a) is applicable
(ii). Vessel not ready berth ready-Charges as per 2.5.1(b) is applicable
(iii). Vessel not ready Berth not ready-Charges as per 2.5.1(b) is applicable.</td><td>Prior to incorporation of 2.5.1 (b) (newly incorporated with increased anchorage charges over and above the tariff vide 2.5.1(a)) the vessel has to pay anchorage charges as per table 2.5.1(a) irrespective of whether vessel allotted or occupied by the User. The remaining conditions are newly incorporated when the table 2.5.1(b) inserted and hence to provide clarity the notes are modified.</td></tr>
<tr><td>3.1.1.</td><td>
<table>
<tr><th rowspan="3">Sl. No</th><th rowspan="3" colspan="2">Cargo</th><th colspan="5">Rates (In Rupees)</th></tr>
<tr><th rowspan="2">Unit of charge</th><th colspan="2">Zone A</th><th colspan="2">Zone B</th></tr>
<tr><th>Foreign</th><th>Coastal</th><th>Foreign</th><th>Coastal</th></tr>
<tr><td>1.</td><td colspan="7">Liquid Bulk (POL)</td></tr>
<tr><td></td><td>(i)</td><td>Diesel Oil</td><td>1 KL</td><td>75.01</td><td>75.01</td><td>-</td><td>-</td></tr>
<tr><td></td><td>(ii)</td><td>Furnace Oil</td><td>1 KL</td><td>105.99</td><td>105.99</td><td>-</td><td>-</td></tr>
<tr><td></td><td>(iii)</td><td>LPG</td><td>1 Cum</td><td>192.42</td><td>115.45</td><td>-</td><td>-</td></tr>
<tr><td></td><td>(iv)</td><td>Naptha</td><td>1 KL</td><td>114.14</td><td>114.14</td><td>-</td><td>-</td></tr>
<tr><td></td><td>(v)</td><td>Petroleum Coke</td><td>1 MT</td><td>74.36</td><td>74.36</td><td>-</td><td>-</td></tr>
</table>
#</td><td>
<table>
<tr><th rowspan="3">Sl. No.</th><th rowspan="3" colspan="2">Cargo</th><th colspan="5">Rates (In Rupees)</th></tr>
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</table>
</td><td></td></tr>
</table>

	(vi)	Others – Not specified	1 KL	75.01	45.02	19.56	11.74	
2.	Liquid Cargo							
	(i)	Caustic Soda Lye	1 KL	63.59	38.15	-	-	
	(ii)	Liquid Ammonia	1 MT	138.60	83.17	-	-	
	(iii)	Palm Oil		75.01	45.02	19.56	11.74	^
	(iv)	Phosphoric Acid	1 MT	138.60	83.17	-	-	
	(v)	Sulphuric Acid	1 MT	81.53	48.92	-	-	
	(vi)	Vinyl Chlorides	1 MT	138.60	83.17	-	-	
	(vii)	Molasses	1 MT	66.86	40.10	-	-	
	(viii)	Sludge Oil	1 MT	76.81	46.09	38.40	23.03	
	(ix)	Others – Not specified	1 Cum	146.76	88.06	-	-	
3.	Dry Bulk – Coal							
	(i)	All Types of Coal						
	(a)	(a). Charcoal in bags/bulk.	1 MT	45.66	27.39	19.56	11.74	
	(b)	(b) Coal by whatever name described in Customs Document and used for Thermal Power Plants	1 MT	61.96	61.96	-	-	
	(c)	(c) Coal by whatever name described in Customs Document other than sl. no. 3(b) above.		61.96	37.17	37.17	22.30	
	(d)	Metallurgical Coke	1 MT	74.36	44.62	-	-	
4	Dry Bulk – Others							
	(i)	Clinkers	1 MT	45.66	27.39	22.84	13.70	
	(ii)	Cu. Concentrate	1 MT	89.69	53.80	-	-	
	(iii)	Garnet Sand	1 MT	30.98	18.59	19.56	11.74	
	(iv)	Gypsum Sand	1 MT	11.42	6.84	6.53	3.91	√
	(v)	Gypsum In Bulk	1 MT	11.42	6.84	6.53	3.91	
	(vi)	Ilmenite	1 MT	30.98	18.59	19.56	11.74	
	(vii)	Iron Ore	1 MT	30.98	30.98	19.56	19.56	
	(viii)	Lime In Bulk	1 MT	30.98	18.59	19.56	11.74	
	(ix)	Lime Stones	1 MT	30.98	18.59	19.56	11.74	
	(x)	Potassium Sulphate (MOP, SOP)	1 MT	66.86	40.10	30.98	18.59	
	(xi)	Rock Phosphate	1 MT	53.80	32.28	23.46	14.08	
	(xii)	Salt	1 MT	8.16	4.89	6.53	3.91	∞
	(xiii)	Sugar	1 MT	68.48	41.09	52.18	31.32	~
	(xiv)	Sulphur	1 MT	53.80	32.28	24.46	14.68	
	(xv)	Urea	1 MT	66.86	40.10	30.98	18.59	
	(xvi)	Wheat	1 MT	68.48	39.41	29.72	17.83	
	(xvii)	Others – Not specified	1 MT	68.48	41.09	19.56	11.74	
5.	Break Bulk							
	(i)	Cashew Kernal, Fruits and Nuts	1 MT	66.86	40.10	55.45	33.27	
	(ii)	Cement	1 MT	57.08	34.25	29.35	17.61	
	(iii)	Construction Materials	1 MT	29.35	17.61	19.56	11.74	@
	(iv)	Granite	1 MT	81.53	48.92	44.03	26.41	
	(v)	Iron and Steel Materials	1 MT	57.08	34.25	29.35	17.61	
	(vi)	Logs / Timber	1 Cum	50.56	30.33	29.35	17.61	

	(v)	Others – Not specified	1 KL	75.01	45.02	19.56	11.74	
2.	Liquid Cargo							
	(i)	Caustic Soda Lye	1 KL	63.59	38.15	63.59	38.15	
	(ii)	Liquid Ammonia	1 MT	138.60	83.17	138.60	83.17	
	(iii)	Palm Oil	CBM	75.01	45.02	19.56	11.74	^
	(iv)	Phosphoric Acid	1 MT	138.60	83.17	138.60	83.17	
	(v)	Sulphuric Acid	1 MT	81.53	48.92	81.53	48.92	
	(vi)	Vinyl Chlorides	1 MT	138.60	83.17	138.60	83.17	
	(vii)	Molasses	1 MT	66.86	40.10	66.86	40.10	
	(viii)	Sludge Oil	1 MT	76.81	46.09	38.40	23.03	
	(ix)	Others – Not specified	1 Cum	146.76	88.06	146.76	88.06	
3.	Dry Bulk – Coal							
	(i)	All Types of Coal						
	(a)	(a). Charcoal in bags/bulk.	1 MT	95.66	57.39	69.56	41.74	
	(b)	(b) Coal by whatever name described in Customs Document and used for Thermal Power Plants	1 MT	111.96	111.96	111.96	111.96	
	(c)	(c) Coal by whatever name described in Customs Document other than sl. no. 3(b) above.		111.96	67.17	87.17	52.30	
	(d)	Metallurgical Coke	1 MT	124.36	74.62	124.36	74.62	
	(e).	Petroleum coke	1 MT	124.36	124.36	124.36	124.36	
4.	Dry Bulk – Others							
	(i)	Clinkers	1 MT	95.66	57.39	72.84	43.70	
	(ii)	Cu. Concentrate	1 MT	139.69	83.80	139.69	83.80	
	(iii)	Garnet Sand	1 MT	80.98	48.59	69.56	41.74	
	(iv)	Gypsum Sand	1 MT	61.42	36.84	56.53	33.91	√
	(v)	Gypsum In Bulk	1 MT	61.42	36.84	56.53	33.91	
	(vi)	Ilmenite	1 MT	80.98	48.59	69.56	41.74	
	(vii)	Iron Ore	1 MT	80.98	80.98	69.56	69.56	
	(viii)	Lime In Bulk	1 MT	80.98	48.59	69.56	41.74	
	(ix)	Lime Stones	1 MT	80.98	48.59	69.56	41.74	
	(x)	Potassium Sulphate (MOP, SOP)	1 MT	116.86	70.10	80.98	48.59	
	(xi)	Rock Phosphate	1 MT	103.80	62.28	73.46	44.08	
	(xii)	Salt in bags / bulk	1 MT	58.16	34.89	56.53	33.91	∞
	(xiii)	Sugar in bags / bulk	1 MT	118.48	71.09	102.18	61.32	~
	(xiv)	Sulphur	1 MT	103.80	62.28	74.46	44.68	
	(xv)	Urea	1 MT	116.86	70.10	80.98	48.59	
	(xvi)	Wheat	1 MT	118.48	69.41	79.72	47.83	
	(xvii)	Construction materials	1 MT	79.35	47.61	69.56	41.74	
	(xviii)	Others – Not specified	1 MT	118.48	71.09	69.56	41.74	
5.	Break Bulk							
	(i)	Cashew Kernal, Fruits and Nuts	1 MT	116.86	70.10	105.45	63.27	
	(ii)	Cement	1 MT	107.08	64.25	79.35	47.61	
	(iii)	Construction Material / break bulk and dry bulk - others	1 MT	79.35	47.61	69.56	41.74	@
	(iv)	Granite	1 MT	131.53	78.92	94.03	56.41	
	(v)	Iron and Steel Materials	1 MT	107.08	64.25	79.35	47.61	
	(vi)	Logs / Timber	1 Cum	100.56	60.33	79.35	47.61	

	(vii)	Machineries	1 MT	191.54	114.93	95.77	57.46	
	(viii)	Wind Mill Blade	1 MT	260.00	156.00	-	-	*
	(ix)	Others – Not specified	1 MT	68.48	41.09	19.56	11.74	
6.	Container							
	(i)	20 feet (empty)	Each	138.60	83.17	-	-	
	(ii)	20 feet (loaded)	Each	693.02	415.81	-	-	
	(iii)	Above 20 feet (empty)	Each	201.76	121.05	-	-	
	(iv)	Above 20 feet (loaded)	Each	1,040.35	624.20	-	-	
7.	Ro Ro Vessel							●
	(i)	Automobiles through Ro Ro vessels for handling below 1,600 CC	Nos.	638.46	383.08	-	-	
	(ii)	Automobiles through Ro Ro vessels for handling above 1,600 CC	Nos.	1,276.92	766.15	-	-	

	(vii)	Machineries	1 MT	291.54	174.93	195.77	117.46	
	(viii)	Wind Mill Blade, Tower, accessories etc.	1 MT	360.00	216.00	-	-	*
	(ix)	Oil cake / cobra	1 MT	95.66	57.39	69.56	41.74	
	(x)	Cattle feed	1 MT	69.56	41.74	59.78	35.88	
	(xi)	Maize	1 MT	82.62	49.56	49.56	41.74	
	(xii)	Fly ash	1 MT	79.35	47.61	69.56	41.74	
	(xiii)	Others – Not specified	1 MT	118.48	71.09	69.56	41.74	
6.	Container							
	(i)	20 feet (empty)	Each	138.60	83.17	-	-	
	(ii)	20 feet (loaded)	Each	693.02	415.81	-	-	
	(iii)	Above 20 feet (empty)	Each	201.76	121.05	-	-	
	(iv)	Above 20 feet (loaded)	Each	1,040.35	624.20	-	-	
7.	Ro Ro Vessel							●
	(i)	Automobiles through Ro Ro vessels for handling below 1,600 CC	Nos.	638.46	383.08	638.46	383.08	
	(ii)	Automobiles through Ro Ro vessels for handling above 1,600 CC	Nos.	1,276.92	766.15	1,276.92	766.15	

Additional notes to the existing notes:
(i). The wharfage rate of coal applicable for cargo handled by consignee M/s.NTPL is ₹61.96 which is subject to WPI indexation.
(ii). A reduction of ₹15 per MT and ₹9 per MT will be applicable on the wharfage charges for the foreign vessels and coastal vessels of more than 11.5 draft respectively, if the cargo is being handled through HMC at IX th Berth.

3.1.1 [1(v)]	# The wharfage for petcoke has been approved under liquid bulk category in the existing SOR.	The wharfage for pet coke may be brought under dry bulk category	As the nature of pet coke is not liquid, the same is proposed to be brought under dry bulk category.
3.1.1 [(2)(iii)]	^ For palm oil, unit of charge not available.	^ The unit of charge in terms of CBM is proposed to be prescribed.	The unit of charge for palm oil is not available in SOR. Subsequently, the VOCPT vide its email dated 12 October 2020 has further clarified that earlier for the category of Oils- Vegetable and animal, CBM is the unit of charge. On the same line, for Palm oil also, CBM is proposed. Hence, requested the Authority to approve the same.
3.1.1 [4(iv)]	√ The description of Gypsum sand is available under Sl. No.4 (iv) and Gypsum in Bulk in 4(v).	√ Gypsum sand prescribed is 4(iv) is to be removed since a separate description of 'Gypsum in bulk' is also available under Sl. No.4 (v).	Duplication is removed.
3.1.1 [4 (xii)]	∞ Salt	∞ Salt in bags / bulk	To cover both salt in bulk as well as handled in bags.
3.1.1 [4(xiii)]	~ The description for cargo is Sugar under Sl.No.4(xiii).	~ The description may be modified as "Sugar in Bags/in Bulk".	To cover both Sugar in bulk as well as handled in bags.
3.1.1 [5 (iii)]	@ Construction materials / Break bulk	@ Construction material / break bulk and dry bulk - others	To cover both break bulk and dry bulk – others, this modification is required.
3.1.1 [5(viii)]	* The description of cargo has been prescribed as "Wind Mill Blade" in the existing SOR.	* The description proposed to be modified as "Wind mill blade, tower, accessories etc."	As the wind mill blade do not cover the components of wind mill i.e., tower and accessories etc. and hence now it is added.
3.1.1 [7]	● Wharfage rate for handling vehicle is not separately available other than Ro Ro operation.	● The Authority is requested to incorporate vehicles category under machineries.	Under RO RO operations as LO LO (Lift on-Lift Off) Since the handling by means of LOLO is different from RO RO operation, hence it is proposed under machineries category. Subsequently, the VOCPT vide its email dated 12 October 2020 has further clarified that at present in VOCPT, no Ro Ro operations facility is available. However, considering the only possible handling mechanism by means of

<table>
<tr><td></td><td></td><td></td><td>Lift On – Lift Off basis, for handling vehicles, the unit of charge in respect of “machineries category” is proposed for levy of wharfage. It is also clarified that as per the earlier SOR, the wharfage for vehicles of various types and accessories were prescribed and the unit of charge as MT also. The details of quantum of MT will be available in the IGM/EGM for levy of charges.</td></tr>
<tr><td>3.1.1</td><td>Note 7 in the case of hazardous cargo, (i.e.) cargo identified as such in International Maritime Dangerous Goods Code (IMDG), classified as “Goods not otherwise specified”, vide Sl.No.16 and 23 of the above schedule, 100 percent of the wharfage shall be recovered over and above the normal dues</td><td>Note 7 in the case of hazardous cargo, (i.e.) cargo identified as such in International Maritime Dangerous Goods Code (IMDG), classified as “Goods not otherwise specified”, vide Category 1 to 6 of the above schedule, 100 percent of the wharfage shall be recovered over and above the normal dues</td><td>Earlier the “other cargoes” category was available only under Sl. No.16 and 23. Now, in present SOR, it is available under all categories. Hence the Note is also proposed to be modified accordingly.</td></tr>
<tr><td>3.1.1</td><td>Notes no.14-Restow-Cargo of other ports landed from vessels and reshipped in the same vessel – wharfage shall be levied as applicable.</td><td>Restow – Cargo of other ports landed from vessels and reshipped in the same vessel – wharfage shall be levied double the wharfage under relevant cargo category.</td><td>To provide clarity regarding quantum of wharfage i.e., single time or double time, this note is proposed.
Subsequently, the VOCPT vide its email dated 12 October 2020 has further clarified that as the Restow operation involves double operations viz., one operation for unloading of the cargo from vessel to berth and another operation for loading of the cargo again from berth to vessel hatch, double wharfage is proposed. Hence requested, the same may be approved by the Authority.</td></tr>
<tr><td>3.1.1
[Note (8)]</td><td>The category of goods viz., Bonafide consumable / Non-consumable ship stores; is exempted from wharfage as per pre revised SOR. Now the exemption has been withdrawn but no wharfage rate is specified in existing SOR.</td><td>(i). For liquid items wharfage as per ‘Liquid Bulk’ (POL) category of schedule 3.1.1 (1) is proposed.

(ii). For other items wharfage as per ‘Others not specified’ under Break bulk category is proposed.</td><td>As the exemption has been withdrawn, the wharfage rate is required to be collected on Bonafide consumable/ non-consumable ship stores.</td></tr>
<tr><td>3.1.2
Note (b)</td><td>The cess for pollution mitigating measures under schedule 3.1.2 shall be applicable to the dusty cargoes discharged inside Green gate.</td><td>The cess for pollution mitigating measures under schedule 3.1.2 shall be applicable to the dusty cargoes discharged inside Custom Bound area.</td><td>Custom bound area not only covers the area inside green gate but also covers all the areas viz., red gate, blue gate and yellow gate. Hence, this modification is proposed.</td></tr>
<tr><td>3.2.1</td><td>Clause not available</td><td>Notes 3- point (iii) may be added as follows.

<i>"Demurrage shall be calculated till the date the vessel commences loading"</i></td><td>As per Note (2)(i) of demurrage schedule, for imports it is stated that free period starts with following the date of complete discharge of goods from vessel but in the case of export no clarity is available with regard to completion date of demurrage. Hence, this note is proposed.</td></tr>
<tr><td>3.3</td><td>New provision</td><td>For land allotted inside the custom bound area for storage of cargo, rental fee equivalent to one month rental fee will be collected as advance.</td><td>No provision is available in existing SOR for the collection of caution deposit. Collection of two weeks amount is in vogue.</td></tr>
<tr><td>5.11</td><td>Note-5 The Unit "Day" for Licence Fee the daily pass means 24 Hours from the time of entry.</td><td>Note-5 The Unit "Day" for Licence Fee the daily pass means 24 Hours from the time of obtaining Port entry permit.</td><td>To avoid delayed usage of pass taken, this modification is proposed.</td></tr>
<tr><td>5.02.2</td><td>5.02.2 CHARGES FOR HIRE OF GRAB TO MASTERS, OWNERS OR AGENTS OF VESSEL
<table>
<tr><th>Particulars</th><th>Rates per shift Foreign / Others</th><th>Rates per shift **** Coastal</th></tr>
<tr><td></td><td>(In Rs)</td><td>(In Rs)</td></tr>
<tr><td>For 10 CBM Grab</td><td>2,891.08</td><td>1,734.65</td></tr>
<tr><td>For 7 CBM Grab</td><td>2,168.90</td><td>1,301.34</td></tr>
<tr><td>For 5 CBM Grab</td><td>1,445.54</td><td>867.32</td></tr>
</table>
50% of the above respective rates is applicable for half shift basis.

***The rates prescribed shall be applicable for the Coastal Cargo and containers eligible for concessional tariff for ship-shore transfer, transfer from / to quay and to / from storage yard</td><td>5.02.2 CHARGES FOR HIRE OF GRAB TO MASTERS, OWNERS OR AGENTS OF VESSEL
<table>
<tr><th>Particulars</th><th>Rates per shift Foreign / Others</th><th>Rates per shift **** Coastal</th></tr>
<tr><td></td><td>(In Rs)</td><td>(In Rs)</td></tr>
<tr><td>For Providing Grab to wharf Crane</td><td>15,713</td><td>9,428</td></tr>
</table>
50% of the above respective rates is applicable for half shift basis.

***The rates prescribed shall be applicable for the Coastal Cargo and containers eligible for concessional tariff for ship-shore transfer, transfer from / to quay and to / from storage yard</td><td>As available earlier, single rate for Grab is proposed with the relevant increase is proposed as in the pre revised rates.

Subsequently, VOCPT vide its email dated 16 October 2020 has further clarified that at present, one number 6 Tonnes wharf crane and one number of 10 Tonnes crane are available at VOCPT berth No.I & II,</td></tr>
</table>

			and 3 nos. of 20 Tonnes wharf cranes are available at Berth No.III & IV. For operation of 6T and 10T wharf crane, provision of grabs is not required since the cranes are being used for handling cargo with hook only. In respect of 20T cranes, the provision of Grabs is required for handling bulk cargo. Considering the above, VOCPT proposed tariff for providing Grab to wharf crane meant for 20T cranes based on earlier pre revised rate (prior to 21.11.2019) with percentage of increase sought as a part of revision of SOR as detailed below: Rate for 20T wharf crane per shift (rate prior to 21.11.2019 with WPI indexation effective from 01.05.2019) is ₹13,272.30*1.1839=₹15,713/- per shift.
Chapter – VI	6.1. LEVY FOR SUPPLY OF LABOUR FROM V.O.CHIDAMBARANAR PORT TRUST CARO HANDLING DIVISON (VOCPT CHD) FOR CARGO HANDLING OPERATIONS	Deleted.	The VOCPT vide its email dated 12 October 2020 has clarified that since the relevant Labour Levy and the levy for C&F operations at Transit Shed are merged with relevant wharfage component, separate tariff schedule is not required Regarding container stuffing & destuffing operations, no such operations are being done in the last 3 years, it is also not required. Hence, it is requested that the entire Chapter-VI may be deleted by the Authority.
1.1	Month shall mean the period 1st to end of calendar month.	"Month shall mean a continuous period of 30 days" for the purpose of License fee schedule.	This definition is proposed as an additional note under Schedule-3.3 in line with week definition since one user takes the land middle of the month he has to pay two months License fee as per the definition. Hence, modification proposed.
1.2	New clause as per TAMP order dated 25.09.2018.	(i). Coastal good transported between an Indian port on east coast and another Indian port on west coast or vice versa, by a vessel through the territorial waters of Sri Lanka, whether or not calling any port in Sri Lanka in between and without change of vessel in terms Notification No.38/2018-Customs (N.T.) dated 11 May 2018 of Central Board of Indirect Taxes and Customs shall be eligible for concession in vessel related charges and cargo related charges. (ii). Coastal good transported between an Indian port on east coast and a river port in India or vice versa, by a vessel through a route passing through the Bangladeshi waters and without change of vessel in terms Notification No.38/2018-Customs (N.T.) dated 11 May 2018 of Central Board of Indirect Taxes and Customs shall be eligible for concession in vessel related charges and cargo related charges. The provisions prescribed above shall be subject to adherence to the provisions prescribed in the Order No.TAMP/53/2015-VOCPT dated 26 November 2015 and amendment Order No.TAMP/53/2015-VOCPT dated 10 June 2016.	As the new clause is not included by TAMP in the revised SOR, the same is proposed to be incorporated.

3.2. The port has stated that it has conducted series of meeting with port users and with the approval of Board of VOCPT vide Board Resolution no.110 of the Board Meeting dated 27 February 2020 proposed these corrections as port had experienced some practical difficulties in implementation of the notified SOR. The VOCPT has requested to consider to incorporate the corrections proposed in the SOR by means of a corrigendum.

4. It is relevant to state that Corrigendum is issued where there is apparent error on the face of the records considered to remove the error. The proposal of the VOCPT is not to rectify any apparent error as such. It can be seen here that the VOCPT has proposed many modifications/ amendments to the rates/ conditionalities prescribed in the existing SOR and has also proposed to

insert new conditions and new rates. That being so, the usual consultation process was followed with the concerned users on the proposed amendment in the existing SOR of the VOCPT.

5. The main amendment proposed by the VOCPT are summarized below:

(a). In Pilotage and berth hire charges for the vessels upto 20,000 GRT the port has proposed reduction of 10% with effect from 01 January 2020.

(b). Separate wharfage rate is proposed for few cargoes like oil cake, cattle feed, maize and fly ash as presently, the wharfage rate for these cargo items falls under “Other cargoes” in the respective category.

(c). Handling of vehicle by lift on/ lift off is different from RORO operation and it is proposed to charge wharfage rate of Machinery for handling of vehicle by lift on/ lift off.

(d). Existing labour levy proposed to be merged with the wharfage. Merger is proposed uniformly for all cargo except liquid cargo and containerized cargo. The proposed amendment is for transparency in billing and for ease of doing business.

(e). Single rate for grab is proposed in line with the pre-revised SOR as against the prescription for rate for three different sizes of grab.

(f). Modification proposed in notes on anchorage fees.

(g). Output norms for NCB-I is not prescribed in the existing SOR. Considering that the handling of coal by TANGEDCO is done with one shore unloader and one conveyor, output norm of 12500 MT per day is proposed i.e. 50% of the output of 25,000 per MT day for NCB- I which operates with two shore cranes and two conveyor systems.

(h). Few modifications are proposed in existing notes for transparency and for ease of business.

6. In accordance with the consultative procedure prescribed, the proposal of VOCPT dated 07 April 2020 was forwarded to the concerned users/ user organisations and BOT operators seeking their comments vide our letter dated 2 June 2020. We have received comments from few concerned users/ user organisations, copies each of comments were forwarded to VOCPT as feedback information. The VOCPT had furnished its response vide its emails dated 07 September 2020 and 29 September 2020.

7.1. A joint hearing in this case was held on 18 August 2020 through Video Conferencing. The VOCPT made a brief Power Point presentation of its proposal. At the joint hearing, the VOCPT and the concerned users/ user organizations have made their submissions.

7.2. At the joint hearing, the main concern of IMCOLA Crane Company Pvt. Ltd., Chennai Radha Engineering Works (P) Ltd. and Seaports Logistics Pvt. Ltd. was that with the merger of the labour levy with wharfage, the proposed wharfage rate becomes high. They have contended that this will discourage users to use the berths from where they operate the HMC and have requested the port may apply concessional rate. As agreed at the joint hearing, the VOCPT vide our letter dated 25 August 2020 was requested to examine their request and furnish its response within a week’s time.

7.3. As agreed at the joint hearing, Indian Oil Corporation Limited (IOCL) and Southern Petrochemical Industries Corporation (SPICL) vide our letter dated 25 August 2020 were requested to furnish their comments on power point presentation forwarded by us based on request of IOCL and SPICL by 29 August 2020. No comments are received from the IOCL and SPICL on the power point presentation made by the port.

8. With reference to the point of action referred above, the VOCPT has, vide its email dated 29 September 2020 clarified that the Port can’t force any importer to handle their cargo at a particular berth and in fact, the importers will select the options based on various factors viz., productivity, cost, Charter hire, etc. Further, with regard to merger of levy with wharfage charges, the proposal is only to merge the charges so that the billing is easy and transparent and will not have any extra financial implication on users.

9. Further, the VOCPT vide its email dated 22 September 2020 has made following submissions:

(i). Considering this Authority's Order No.TAMP/12/2009-Misc. dated 09 April 2020 communicating the annual escalation factor at 1.88% for indexation of SOR for the year 2020-21 by Major Port Trusts under Tariff Policy, 2018, the port has decided to implement the escalation factor of 1.88% with effect from 01 October 2020 only instead of 01 May 2020 due to COVID – 19 pandemic situation.

(ii). Port vide its letter dated 07 April 2020 submitted that the SOR modification proposal is without considering the said 1.88% escalation factor in the proposed tariff as the communication of indexation was received from TAMP after submission of Port's proposal for amendment. In view of the above, this Authority is requested to approve the tariff with the escalation factor of 1.88% on the proposed tariff while considering the approval of SOR modification proposal.

10. The proceedings relating to consultation in this case are available on records at the office of this Authority. An excerpt of the comments received and arguments made by the concerned parties will be sent separately to the relevant parties. These details will also be made available at our website http://tariffauthority.gov.in.

11. With reference to the totality of the information collected during the processing of the case, the following position emerges:

(i). This Authority has passed an Order No.TAMP/15/2019-VOCPT dated 10 October 2019, approving the revised Scale of Rates (SOR) and Performance Standards with reference to the proposal received from the V. O. Chidambaranar Port Trust (VOCPT) for general revision of its SOR. The revised SOR alongwith Performance Standards approved by this Authority were notified in the Gazette of India on 22 October 2019 vide Gazette No.363. Subsequently the detailed speaking Order was notified vide Gazette No.440 dated 02 December 2019. The validity of the said revised SOR approved is till 21 November 2022.

The current proposal of the VOCPT is for amendment to the revised SOR of the VOCPT approved by this Authority vide the said Order dated 10 October 2019.

(ii). The VOCPT has implemented the revised SOR approved by this Authority from 21 November 2019. The proposal for amendment filed by the port is in view of various representations received from port users. The port has stated that the amendment proposal is based on request of trade and most of amendments are mainly for reduction of rates prescribed in the existing SOR. The existing provision in the SOR and the amendment proposed along with reasons as brought out by VOCPT is tabulated in earlier paragraphs.

(iii). (a). IMCOLA Crane Company Pvt. Ltd. has stated that Labour levy of ₹50 per Metric Tonne on the volume handled by the HMCs over is still far away from the Re.1/- per Metric Tonne levied earlier and which was in force for a period exceeding one year. Imocla has contended that despite the proposed reduction of ₹15/- per Metric Tonne in the current amendment proposal, the Receivers of the cargo would still prefer to take the vessel to other berths of the port which handle the cargo by ship cranes. This will result their efficient cranes to idle. IMCOLA has furnished a cost comparison as to total amount when vessel discharged at the Berth No.9 operated by them and partly at Berth No.9 and partly at port Berth Nos.3 and 4. Apart from IMCOLA Crane Company Pvt. Ltd., the Chennai Radha Engineering Works (P) Ltd. and the Seaports Logistics Pvt. Ltd. have also objected the proposed merger of the labour levy with wharfage rate. The said BOT operators have stated that by the said merger the proposed wharfage rate becomes high and this will discourage users to use the berths from where they operate the HMC. The BOT operators have requested the port to apply concessional rate.

In view of the objection raised by IMCOLA Crane Company Pvt. Ltd., Chennai Radha Engineering Works (P) Ltd. and Seaports Logistics Pvt. Ltd., the port was requested to examine their request.

In this regard, the port has clarified that that in order to encourage the trade promotional measures to attract more cargo, Re.1 per tonne at 9th berth was levied with the approval of Board with effect from 08 May 2018 on test basis. However, no improvement was recorded in the Cargo handling operations at 9th Berth, even after extending the concession and levy at Re.1 per tonne. The VOCPT has averred that the statement of IMCOLA that the levy has been increased exorbitantly from Re.1 to ₹50 per Tonne is not correct as the concession given was on temporary basis to test the market, and there was no change in tariff approved by this Authority as such. The port has justified that infact the levy was ₹69 per Tonne in the pre-revised SOR which has been reduced to ₹50 per Tonne in the last tariff revision. Though, the Port has been putting efforts to increase the traffic, but BOT Operators, including IMCOLA, have not made any attempt to increase the traffic, including extending concession by reducing the tariff. The HMC operator also needs to look out for business options to attract cargo through their facility by putting efforts including offering suitable discounts, if required, so that the operations of HMC will be optimal. Neither the Port, nor the HMC Operator have guaranteed any cargo to each other and agreement entered by the port with IMCOLA is to provide for mechanized handling facility at the berth and user willing to avail the services can do as per their choice. There is no a compulsion to avail services from Berth No.9 or port operated berth.

As per the Tariff Policy Guidelines, the port can recover the average expenditure for the last three years prior to revision cycle plus return on capital employed. The proposal of levy of ₹50/- per tonne is to recover the expenditure incurred at cargo handling division and the same is being adopted as approved by TAMP only. As the Port also feels that the levy collected is in no way directly connected with the number of labourers deployed at each berth, the Port has proposed to merge the levy component with wharfage at a uniform rate of ₹50/- per M.T in consolidation manner and there was no change in tariff approved by the TAMP.

Thus, the proposal is only to merge the existing labour levy with the existing wharfage rate charges so that the billing is easy and transparent and will not have any extra financial implication on users. The port has further submitted that even in the current proposal, a note is proposed to apply another reduction of ₹15/- for foreign cargo and ₹6/- for coastal cargo for cargo being handled through HMC at berth no.9 for vessels more than 11.5 metre draft. So, effectively, the rate is reduced from ₹50/- PMT to ₹35/- PMT. As regards the point made by IMCOLA, that at the proposed merger the vessel will move to other berth, the port has clarified that the Port can not force any importer to handle their cargo at a particular berth and in fact, the importers will select the options based on various factors viz., productivity, cost, Charter hire, etc. As regards, the matter brought out by the IMCOLA Crane Company Ltd., about vessel would prefer to take the vessel to other berths of the port which handle the cargo by ship cranes and their crane would lie idle, it is an operational matter and it is for the port to look into it. The proposal of the port before this Authority is that the existing wharfage rate and labour levy for deployment of labour which are prescribed in two different schedule are proposed to be merged. The port has clarified that since the proposal is only for merger of the existing two rates i.e. labour levy with the wharfage rate, it does not envisage any financial implication. In fact, in the current proposal, the port has proposed a note giving concession of ₹15/- for foreign cargo and ₹6/- for coastal cargo for cargo being handled through HMC at berth no.9 for vessels more than 11.5 metre draft.

Based on the above clarification and also recognising that the proposal is approved by the Board of Trustees of the port, this Authority approves the proposal of the port for merger of wharfage rate with labour levy for all cargo except liquid and containerized cargo as proposed by the port.

(b). Another point made by the IMCOLA is that the port has not deployed any labour for its operations nor is any labour required, as highly sophisticated Mobile Harbour Cranes are used to discharge the cargo onto the conveyor belt via the hoppers. IMCOLA has complained that though it has agreed for deployment one port labour worker for each crane to witness their operations he is never present. The VOCPT in this regard has clarified that there is no notional posting and posting is made as per NIT Award. One Signal Man is posted for each HMC. The workers posted are attending for the duty and there has been no report on non-availability of Signal Man at the HMCs. It is reiterated that the port to ensure that as per clause 7.4 of the Tariff Policy 2018 no notional booking of labour and other similar notional charges is permitted.

(c). As regards, the point made by IMCOLA about the royalty received by the port from PPP Operator should be applied first to meet cost of surplus labour as per the tariff Guideline of 2005 and accordingly, revenue share earned from them shall be an automatic contribution made towards cargo handling labour pool, the VOCPT has clarified that the labour levy of ₹50/- per tonne is towards recovery of tariff as per the SOR to meet the operational expenditure plus return as per Tariff Policy Guidelines. The payment of Royalty /revenue share on the earnings of BOT operators is governed under the respective concession agreement.

(d). Another point made by IMCOLA is that port may add labour levy to vessel related charges; whereby ship agents will increase the freight and recover from user. Port will not be impacted. Labour levy is a charge related to cargo handling service. The contention of the IMCOLA is to shift this burden to the vessel side by adding to the vessel related charges does not merit consideration.

(e). With regard to the point made by M/s.IMCOLA that their third crane capex cost is not added in the Project Cost for calculating the TAMP tariff, it is relevant here to state that the upfront tariff approved by this Authority vide Order No.TAMP/16/2010-TPT dated 23 July 2020 is based on the proposal of the VOCPT for operation of mechanical handling equipment i.e. HMC crane at the port on PPP mode. The upfront tariff so determined is with reference to the optimal capacity, capital cost and operating cost of One HMC estimated by the port. Based on the approved tariff, the port would have invited bids for the project and the project is awarded to IMCOLA. The number of deployment of cranes falls under the domain of the port. As far as tariff is concerned, the upfront tariff approved in the original tariff Order shall apply based on which the project is awarded.

(f). Tuticorin Ship Agents Association (TSAA) has pleaded with VOCPT to extend 10% discount on port dues as well for the vessels below 20,000 GRT. It is relevant to state here that the port has proposed 10% reduction in the first slab in the pilotage and berth hire as during the last revision in view of merger of few slabs in the berth hire and the pilotage fee the impact on tariff for smaller GRT vessels was high. Hence based on the representation of the trade, the port has proposed 10% reduction in the pilotage and berth hire for the slab upto 20000 GRT. As stated by the VOCPT port dues is not in slab system. It is a single rate. Hence the context and reason for giving reduction in Pilotage and berth hire does not apply to port dues.

(iv). With reference to the revised SOR approved by this Authority, the VOCPT has requested to consider a few amendments / modifications in its existing SOR approved vide Order No.TAMP/15/2019-VOCPT dated 10 October 2019 based on request of trade. The points made by the VOCPT, the relevant extract from the tariff Order dated 10 October 2019 and our analysis thereon are dealt herein **Annex - I** in seriatim. Based on the detailed analysis, the amendments proposed by the VOCPT as recommended in the said Annex is approved.

(v). The current proposal of the VOCPT is for amendment in general SOR of the VOCPT. In the said proposal, the VOCPT has proposed to fix output norms for NCB-I for handling coal by TANGEDCO at 12,500 MT/per day stating that output norms for NCB-I is not approved by this Authority in the last general revision stating that it is a captive berth.

The VOCPT has stated that output norm for NTPL is fixed 25,000 MT per day for NCB-I wherein two shore unloaders and two conveyor system is being used. Presently, the vessels of TANGEDCO are being handled at NCB-I which is a captive facility of NLC Tamilnadu Power Ltd. (NTPL). The vessels, if any, handled at NCB-I other than captive user, the output norm is to be prescribed and accordingly, it is proposed to fix output norm for TANGEDCO vessel at NCB-I, since TANGEDCO is not the captive user and comes under the other user category of NCB-I only. Hence, the port has sought approval of this item. Considering that TANGEDCO is handling coal by one shore unloader and one conveyor system, output norm of 12,500 MT per day is proposed i.e. 50% of 25,000 MT per day.

Firstly, the point made by the VOCPT that the output norm for NTPL is fixed 25,000 MT per day for NCB-I is not factually correct. As brought out in para 10 (iv) (h), our Order No.TAMP/53/2018-VOCPT dated 18 January 2019, this Authority has for the reasons explained stated that it is not in a position to approve productivity norms separately proposed by the port for NCB I at 25,000 Tonnes as the said berth is given by the VOCPT to NTPL for which this Authority has approved reference tariff following the upfront tariff guidelines of 2008 vide Order No.TAMP/29/2014-VOCPT dated 15 January 2016 and the approved rate is subject to annual indexation at 60% of WPI. The concerned operator will be governed by the productivity level prescribed in the said relevant Order.

Now the VOCPT has sought approval of productivity norm for the cargo of TANGEDCO to be handled at NCB-I citing that it is not captive cargo but other cargo.

In this regard, it is relevant to state that this Authority in the Order No.TAMP/29/2014-VOCPT dated 15 January 2016 relating to fixation of upfront tariff for NCB- I berth has approved Berth Hire and cargo handling charges. As per para 15 (xvii) (c) of the said Order, the berth hire charges is applicable for other cargo. The services at the BOT/ captive berths are to be rendered by the said operator who is governed by the handling norm considered in fixation of upfront tariff of their respective berths, and that the upfront/ reference tariff is a ceiling rate. That being so, when berth hire is leviable as per the said upfront tariff Order by the operator, it remains unexplained as to how different output norms for levy of penal berth hire can be prescribed in the SOR of VOCPT at 12,500 MT/per day as the said berth is given by the VOCPT to NTPL for which this Authority has approved tariff following the upfront tariff guidelines of 2008 vide Order No.TAMP/29/2014-VOCPT dated 15 January 2016 and the approved rate is subject to annual indexation at 60% of WPI. In view of the above position, this Authority is not in a position to approve the said insertion proposed by the port in its SOR.

(vi). The Port has during the processing of the proposal submitted the amendment proposal filed by it is without considering the 1.88% escalation factor applicable for the year 2020-21 announced by this Authority which is implemented by it from 1 October 2020 in view of Covid 19. Hence, the VOCPT has requested this Authority to prescribe the rate in the current proposal after indexing the tariff by the applicable indexation factor of 1.88% for the year 2020-21.

In this regard it is relevant to state that note (xxi) under the general terms and conditions at 1.2 already prescribes the note for annual indexation. The port is governed by the relevant note in the SOR as regards indexation factor and hence it is not necessary for TAMP to prescribe the indexed rate. The port may apply the applicable indexation factor before applying the rates approved in this amendment proposal.

(vii). The rates approved by this Authority shall come into force after expiry of 30 days from the date of notification of the this Order in the Gazette of India. Since the amendments approved will form part of the existing SOR of VOCPT, the validity of the amendments approved shall be as per the validity of the existing SOR of VOCPT.

12.1. In the result, and for the reasons given above, and based on a collective application of mind, the amendments proposed by the VOCPT is approved with amendment/ insertion/ modification/ replacement in existing SOR of VOCPT as **Annex-II**.

12.2. The amendments approved by this Authority shall come into effect after expiry of 30 days from the date of notification of the Order in the Gazette of India. The amendments approved rate will remain valid till the validity of the existing SOR of the VOCPT.

12.3. The VOCPT is directed to amend the existing SOR accordingly.

(T.S. Balasubramanian)
Member (Finance)

Annex - I

A comparative position of the summary of modifications/ amendments made by the VOCPT, the relevant extract from the tariff Order No.TAMP/15/2019-VOCPT dated 10 October 2019 and our analysis thereon is given below:

<table>
<tr><th>Reference to the SOR</th><th>Proposed by port and prescribed in existing SOR approved by the Authority vide Order No.TAMP/15/2019-VOCPT dated 10 October 2019</th><th>Amendment proposed by VOCPT vide its letter dated 7 April 2020</th><th>Reasons / Justification/ comments given on users comments for amendments given by VOCPT</th><th>Remarks / Analysis of TAMP</th></tr>
<tr><td>2.2.1.</td><td>The pilotage fees specified below is for Zone A
<table>
<tr><th rowspan="3">Sl. No.</th><th rowspan="3">Size of vessel</th><th colspan="2">Rate per GRT</th></tr>
<tr><th>Coastal vessel</th><th>Foreign-going vessel</th></tr>
<tr><th>(in ₹)</th><th>(in US$)</th></tr>
<tr><td>1</td><td>0 to 20,000 GRT</td><td>13.47</td><td>0.5162</td></tr>
</table></td><td>
<table>
<tr><th rowspan="3">Sl. No.</th><th rowspan="3">Size of vessel</th><th colspan="2">Rate per GRT</th></tr>
<tr><th>Coastal vessel</th><th>Foreign-going vessel</th></tr>
<tr><th>(in ₹)</th><th>(in US$)</th></tr>
<tr><td>1</td><td>0 to 20,000 GRT</td><td>12.12</td><td>0.4646</td></tr>
</table></td><td rowspan="2">During the last revision, rationalization of slabs for pilotage and berth hire was proposed to fall in line with the TAMP working guideline, as against six slabs in the pre-revised SOR.

Initially five slabs upto 30,000 GRT were clubbed into one, and including two further slabs at the sliding scales were proposed in the last revision. Subsequently, after deliberation, one more slab i.e., upto 20,000 GRT was incorporated in the last SOR and as approved by the Authority.

Subsequent to implementation of SOR, the Trade has submitted representation to reduce the tariff on the grounds that due to reduction of no. of slabs in respect of pilotage and berth hire, the vessels having of GRT of less than 20,000 are mostly affected. To address the said issue, the Port has proposed 10% reduction in respect of slabs upto 20,000 GRT in the existing pilotage fee and berth hire charges.

The port has already implemented the reduced rate with effect from 01 January 2020 with the approval of its Board.</td><td rowspan="2">The SOR of the VOCPT last approved by the Authority in the Order dated 19 October 2019 under Tariff Policy, 2018 is a ceiling rate. Major Port Trusts already have flexibility to charge lower rate. A suitable note is already prescribed in the SOR to this effect.

The port has now proposed 10% reduction in the existing pilotage fee and berth hire in the first slab i.e.0-20.000 GRT in view of the request of the trade. Hence, the proposed rates are approved. The port has stated that annual indexation factor for the year 2020-21 effective from 1 May 2020 as per the SOR has been implemented by the VOCPT from 1 October 2020 in view of COVID 19. In view of that the port has requested to approve the indexed rate.

Instead of indexing the rates for each of the tariff items sought for amendment it may suffice, to state that the revised rate approved here shall be subject to annual indexation factor applicable as per the note prescribed in the existing SOR. The port is free to apply the indexation factor from 1 October 2020 for the stated reasons as the rates approved by this Authority are ceiling rates.

Further, the VOCPT has intimated that the port is collecting reduced tariff from 01 January 2020 with the approval of Board of VOCPT and hence sought approval from 01 January 2020.

As regards, the approval sought from 1 January 2020 for the proposed reduction, there is no approval required as such of this Authority as the port has the flexibility to do so.

During the last tariff revision, there was revenue gap of ₹32.04 crores which was left uncovered at the revenue level estimated by the port. The proposed reduction is likely to widen this gap. Since the proposal is to benefit the trade and has been approved by its Board, the same is approved prospectively.</td></tr>
<tr><td>2.4.1.</td><td>Berth Hire Charges:
<table>
<tr><th rowspan="3">Sl. No.</th><th rowspan="3">Particulars</th><th colspan="2">Rate per GRT per hour or part thereof</th></tr>
<tr><th>Coastal vessel</th><th>Foreign-going vessel</th></tr>
<tr><th>(in ₹)</th><th>(in US$)</th></tr>
<tr><td>1</td><td>0 to 20,000 GRT</td><td>0.1932</td><td>0.0075</td></tr>
</table></td><td>
<table>
<tr><th rowspan="3">Sl. No.</th><th rowspan="3">Particulars</th><th colspan="2">Rate per GRT per hour or part thereof</th></tr>
<tr><th>Coastal vessel</th><th>Foreign-going vessel</th></tr>
<tr><th>(in ₹)</th><th>(in US$)</th></tr>
<tr><td>1</td><td>0 to 20,000 GRT</td><td>0.1739</td><td>0.0068</td></tr>
</table></td></tr>
<tr><td>2.2.3</td><td><u>Notes</u>:

One Shifting Charge is free. For more than one shifting charges, the above rates are applicable.</td><td><u>Notes</u>:

(i) One shifting is free during cargo operation i.e. after commencement and before completion of cargo operation.

(ii) More than one shifting is chargeable as per the above rates whenever the shifting is requested by the respective vessels Master/ Ship agent</td><td>To provide clarity that the free shifting is not applicable for the operations other than cargo handling like bunkering and ship repairing etc.,</td><td>For the reasons stated by the Port and since the proposed amendment is clarificatory in nature and has been approved by the Board of Trustees of VOCPT proposed amendment is approved.</td></tr>
<tr><td>2.2.3 note 3 (i).(e)</td><td>Shifting a vessel from deeper draft berth to lower draft berth in <u>VOC wharf</u> to accommodate the first waiting vessel requiring deeper draft berth provided no other vessel requiring lower draft berth waits, in the queue shall also be considered as “SHIFTING FOR PORT CONVENIENCE”.</td><td>Shifting a vessel from deeper draft berth to lower draft berth in <u>all berths</u> to accommodate the first waiting vessel requiring deeper draft berth provided no other vessel requiring lower draft berth waits, in the queue shall also be considered as “SHIFTING FOR PORT CONVENIENCE”.</td><td>To provide clarity that this condition is applicable to all berths and not to specific berths.</td><td>The existing note for treating shifting of vessel as shifting for port convenience applicable for shifting from deeper draft berth to lower draft berth in VOC wharf is proposed to be applied to all berths to provide clarity that this condition is applicable to all berths and not to specific berths.</td></tr>
</table>

				In view of the above, and for the reasons stated, the proposed amendment / modification is approved.
2.4.2	Note on Sl. No. 7: Any vessel which continues to occupy any berth after the expiry of the time given by the Deputy Conservator/Traffic Manager to vacate the berth shall pay additional berth hire charges at the following rates: - (i). For the first two days – At four times the rate of berth hire charges for authorised occupation. (ii). For third day and for subsequent days - At six times the rate of berth hire charges for authorised occupation. (iii). The additional berth hire charges shall be in addition to normal berth hire charges payable under the schedule.	Proposed to bring this note as common note for Schedule 2.4.1 (Schedule of berth hire charges) and 2.4.2 (Schedule of berth hire charges for other vessels).	As this condition is a general condition relating to berth hire charges and not applicable to fishing vessels only, it is proposed to bring as a common note of berth hire schedule 2.4.	For reasons stated by the Port, the proposed modification to bring as a common note of berth hire schedule 2.4 is approved.
2.4 [Note 3 after 2.4.2.]	Output norms for NCB-1 Berth is not approved by TAMP stating NCB-I is a captive berth operated by M/s. NTPL	TAMP is requested to fix output norms for NCB-I for handling coal by TANGEDCO at 12,500 MT/per day.	Output norms for NCB-I is not approved by TAMP stating that it is a captive berth. Considering that TANGEDCO is handling coal by one shore unloader and one conveyor system, output norm of 12,500 MT per days is proposed. On the other hand for NTPL 25,000 MT per day was fixed for NCB-I wherein two shore unloaders and two conveyor system is being used. Hence, 50% of 25,000 MT per day is proposed. Subsequently, VOCPT vide its email dated 12 October 2020 has further clarified that presently, the vessels of TANGEDCO are being handled at NCB-I which is a captive facility of M/s. NTPL (NCB-I). The vessels, if any, handled at NCB-I other than captive user, the output norms to be prescribed and accordingly, it is proposed to fix output norms for TANGEDCO's vessel at NCB-I, since TANGEDCO is not the captive user and comes under the other user category of NCB-I only. Hence the port has proposed to approve the proposed amendment	For the reasons explained in the analysis in detail the proposal to fix output norms for NCB-I for handling coal by TANGEDCO at 12,500 MT/per day is not approved.
2.4 [Note 3 after 2.4.2.]	Under output norms Sl. No-5 is mentioned in Ilmenite	The same may be as 'Ilmenite (Export)'.	Since norms for Ilmenite (Imp) is separately available in Sl. no.26.	The port proposes to add the word "Export" to make it more explicit as output norms for Ilmenite (Import) is prescribed separately at Sl. no.26 under Note 3 after schedule 2.4.2. For reasons stated by the Port, the proposed modification is approved.
2.5.1.(b) [Note 2(a)] (b) and (c)	Example case: (a). In case of vessel arrived at 6.00 hrs today and the berth is also vacant but the vessel is not ready till 18.00 hour (6.00 hrs + 12.00 hrs) there will be no penal anchorage charges since it is within the allowable 12.00 hours free period. (b). In the same case, if the vessel is not ready till 20.00 hours but berth is still available, for the period of additional two hours after eligible free waiting period, the tariff as per clause 2.5.1(b) is applicable. (c). In the same case, if the berth is ready only at 22.00 hours and the vessel is ready by 23.00 hours, then for the first four hours (18.00 hrs to 22.00 hrs) the tariff as per clause 2.5.1(a) is applicable and for remaining one hour (22.00 hrs to 23.00 hrs) the tariff as per clause 2.5.1(b) is applicable.	Example case: (a). In case of vessel arrived at 6.00 hrs (01.12.2019) hours today and the berth is also vacant but the vessel is not ready till 6.00 (03.12.2019) hours (6 hrs +48.00 hrs) there will be no penal anchorage charges since it is within allowable 48.00 hours free period. (b). In the same case, if the vessel is not ready till 50.00 hours but berth is still available, for the period of additional two hours after eligible free waiting period, the tariff as per clause 2.5.1(b) is applicable. (c). In the same case, if the berth is ready only at 52.00 hours and the vessel is ready by 53.00 hours, then for the first four hours (48.00 hrs to 52.00 hrs) the tariff as per clause 2.5.1(a) is applicable and for remaining one hour (52.00 hrs to 53.00 hrs) the tariff as per clause 2.5.1(b) is applicable.	TAMP in the example case cited stated 12.00 hours free Anchorage charges as in previous SOR instead of the revised free hours of 48 hours. Hence, the example requires correction. Accordingly, modification is proposed. Certain modification in notes on anchorage fees are proposed for ease of business and for transparency. Subsequently, the VOCPT vide its email dated 12 October 2020 has categorically stated that as regards proposed clause (c). the clause inadvertently gives reference to 2.5.1(a) and the same may be read as 2.5.1(b)".	The existing SOR in Schedule 2.5.1 (a) prescribe Anchorage charges and at 2.5.1 (b) prescribed anchorage Charges in case Berth is ready but vessel is not ready. The said example prescribed in the SOR of the VOCPT is as proposed by the port during the last tariff revision. The note 1 under the schedule prescribes that the anchorage rates will apply after expiry of 48 hours from the anchorage time of the vessel and when a vacant suitable berth is available. However, the example cited thereunder is not in line with the said note 1. The VOCPT now proposes to modify the example prescribed in the SOR. This is so to fall in line with note 1 which is as per the Berthing Policy 2016 prescribing first 48 hours as free from levy of anchorage charge. That being so, the proposed amendments in the example are approved.

<table>
<tr>
<td>Note 2.5.1</td>
<td>Anchorage fees Notes 1 & 2

(1). The above rates will apply after expiry of 48 hours from the anchorage time of the vessel and when a vacant suitable berth is available.

(2). The time for levy of Anchorage fee will count in such cases from the time the berth is available excluding the over lapping 48 hours time of the waiting vessels.</td>
<td>The above rates are applicable after 48 hrs. as per the following condition:

(i). Vessel Ready Berth not ready- Charges as per 2.5.1(a) is applicable

(ii). Vessel not ready berth ready-Charges as per 2.5.1(b) is applicable

(iii). Vessel not ready Berth not ready-Charges as per 2.5.1(b) is applicable.</td>
<td>Prior to incorporation of 2.5.1 (b) (newly incorporated with increased anchorage charges over and above the tariff vide 2.5.1(a)) the vessel has to pay anchorage charges as per table 2.5.1(a) irrespective of whether vessel allotted or occupied by the User. The remaining conditions are newly incorporated when the table 2.5.1(b) inserted and hence to provide clarity the notes are modified for ease of business and transparency.</td>
<td>For the reasons cited by the port and as the proposed notes are to provide clarity and for ease of business and transparency, the same is approved.</td>
</tr>
<tr>
<td>3.1.1.</td>
<td>
<table>
<tr><th rowspan="3">Sl. No.</th><th rowspan="3" colspan="2">Cargo</th><th colspan="5">Rates (In Rupees)</th><th rowspan="3"></th></tr>
<tr><th rowspan="2">Unit of charge</th><th colspan="2">Zone A</th><th colspan="2">Zone B</th></tr>
<tr><th>Foreign</th><th>Coastal</th><th>Foreign</th><th>Coastal</th></tr>
<tr><td>1.</td><td colspan="8">Liquid Bulk (POL)</td></tr>
<tr><td></td><td>(i)</td><td>Diesel Oil</td><td>1 KL</td><td>75.01</td><td>75.01</td><td>-</td><td>-</td><td></td></tr>
<tr><td></td><td>(ii)</td><td>Furnace Oil</td><td>1 KL</td><td>105.99</td><td>105.99</td><td>-</td><td>-</td><td></td></tr>
<tr><td></td><td>(iii)</td><td>LPG</td><td>1 Cum</td><td>192.42</td><td>115.45</td><td>-</td><td>-</td><td></td></tr>
<tr><td></td><td>(iv)</td><td>Naptha</td><td>1 KL</td><td>114.14</td><td>114.14</td><td>-</td><td>-</td><td></td></tr>
<tr><td></td><td>(v)</td><td>Petroleum Coke</td><td>1 MT</td><td>74.36</td><td>74.36</td><td>-</td><td>-</td><td>#</td></tr>
<tr><td></td><td>(vi)</td><td>Others – Not specified</td><td>1 KL</td><td>75.01</td><td>45.02</td><td>19.56</td><td>11.74</td><td></td></tr>
<tr><td>2.</td><td colspan="8">Liquid Cargo</td></tr>
<tr><td></td><td>(i)</td><td>Caustic Soda Lye</td><td>1 KL</td><td>63.59</td><td>38.15</td><td>-</td><td>-</td><td></td></tr>
<tr><td></td><td>(ii)</td><td>Liquid Ammonia</td><td>1 MT</td><td>138.60</td><td>83.17</td><td>-</td><td>-</td><td></td></tr>
<tr><td></td><td>(iii)</td><td>Palm Oil</td><td></td><td>75.01</td><td>45.02</td><td>19.56</td><td>11.74</td><td>^</td></tr>
<tr><td></td><td>(iv)</td><td>Phosphoric Acid</td><td>1 MT</td><td>138.60</td><td>83.17</td><td>-</td><td>-</td><td></td></tr>
<tr><td></td><td>(v)</td><td>Sulphuric Acid</td><td>1 MT</td><td>81.53</td><td>48.92</td><td>-</td><td>-</td><td></td></tr>
<tr><td></td><td>(vi)</td><td>Vinyl Chlorides</td><td>1 MT</td><td>138.60</td><td>83.17</td><td>-</td><td>-</td><td></td></tr>
<tr><td></td><td>(vii)</td><td>Molasses</td><td>1 MT</td><td>66.86</td><td>40.10</td><td>-</td><td>-</td><td></td></tr>
<tr><td></td><td>(viii)</td><td>Sludge Oil</td><td>1 MT</td><td>76.81</td><td>46.09</td><td>38.40</td><td>23.03</td><td></td></tr>
<tr><td></td><td>(ix)</td><td>Others – Not specified</td><td>1 Cum</td><td>146.76</td><td>88.06</td><td>-</td><td>-</td><td></td></tr>
<tr><td>3.</td><td colspan="8">Dry Bulk – Coal</td></tr>
<tr><td></td><td>(i)</td><td>All Types of Coal</td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td></td><td>(a)</td><td>(a). Charcoal in bags/bulk.</td><td>1 MT</td><td>45.66</td><td>27.39</td><td>19.56</td><td>11.74</td><td></td></tr>
<tr><td></td><td>(b)</td><td>(b) Coal by whatever name described in Customs Document and used for Thermal Power Plants</td><td>1 MT</td><td>61.96</td><td>61.96</td><td>-</td><td>-</td><td></td></tr>
</table>
</td>
<td>
<table>
<tr><th rowspan="3">Sl. No.</th><th rowspan="3" colspan="2">Cargo</th><th colspan="5">Rates (In Rupees)</th><th rowspan="3"></th></tr>
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<tr><td></td><td>(ii)</td><td>Furnace Oil</td><td>1 KL</td><td>105.99</td><td>105.99</td><td>105.99</td><td>105.99</td><td></td></tr>
<tr><td></td><td>(iii)</td><td>LPG</td><td>1 Cum</td><td>192.42</td><td>115.45</td><td>192.42</td><td>115.45</td><td></td></tr>
<tr><td></td><td>(iv)</td><td>Naptha</td><td>1 KL</td><td>114.14</td><td>114.14</td><td>114.14</td><td>114.14</td><td></td></tr>
<tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td></td><td>(v)</td><td>Others – Not specified</td><td>1 KL</td><td>75.01</td><td>45.02</td><td>19.56</td><td>11.74</td><td></td></tr>
<tr><td>2.</td><td colspan="8">Liquid Cargo</td></tr>
<tr><td></td><td>(i)</td><td>Caustic Soda Lye</td><td>1 KL</td><td>63.59</td><td>38.15</td><td>63.59</td><td>38.15</td><td></td></tr>
<tr><td></td><td>(ii)</td><td>Liquid Ammonia</td><td>1 MT</td><td>138.60</td><td>83.17</td><td>138.60</td><td>83.17</td><td></td></tr>
<tr><td></td><td>(iii)</td><td>Palm Oil</td><td>CBM</td><td>75.01</td><td>45.02</td><td>19.56</td><td>11.74</td><td>^</td></tr>
<tr><td></td><td>(iv)</td><td>Phosphoric Acid</td><td>1 MT</td><td>138.60</td><td>83.17</td><td>138.60</td><td>83.17</td><td></td></tr>
<tr><td></td><td>(v)</td><td>Sulphuric Acid</td><td>1 MT</td><td>81.53</td><td>48.92</td><td>81.53</td><td>48.92</td><td></td></tr>
<tr><td></td><td>(vi)</td><td>Vinyl Chlorides</td><td>1 MT</td><td>138.60</td><td>83.17</td><td>138.60</td><td>83.17</td><td></td></tr>
<tr><td></td><td>(vii)</td><td>Molasses</td><td>1 MT</td><td>66.86</td><td>40.10</td><td>66.86</td><td>40.10</td><td></td></tr>
<tr><td></td><td>(viii)</td><td>Sludge Oil</td><td>1 MT</td><td>76.81</td><td>46.09</td><td>38.40</td><td>23.03</td><td></td></tr>
<tr><td></td><td>(ix)</td><td>Others – Not specified</td><td>1 Cum</td><td>146.76</td><td>88.06</td><td>146.76</td><td>88.06</td><td></td></tr>
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<tr><td></td><td>(a)</td><td>(a). Charcoal in bags/bulk.</td><td>1 MT</td><td>95.66</td><td>57.39</td><td>69.56</td><td>41.74</td><td></td></tr>
<tr><td></td><td>(b)</td><td>(b) Coal by whatever name described in Customs Document and used for Thermal Power Plants</td><td>1 MT</td><td>111.96</td><td>111.96</td><td>111.96</td><td>111.96</td><td></td></tr>
</table>
</td>
<td>The labour levy prescribed in Chapter-VI Section 6.1 to be merged with wharfage charges prescribed in Chapter-III Section 3.1.1).

Indicate separate wharfage rates for some cargoes viz., oil cake/ cobra, cattle feed, maize and fly ash</td>
<td>**I. Proposed Merger of Labour levy with the Wharfage rate:**

(a). Port has proposed to merge the existing labour levy prescribed in schedule 6.1 with the wharfage. Merger is proposed uniformly for all cargo except liquid cargo and containerized cargo.

(b). IMCOLA Crane Company Pvt. Ltd., Chennai Radha Engineering Works (P) Ltd. and Seaports Logistics Pvt. Ltd. have objected the proposed merger of the labour levy with wharfage citing that the proposed wharfage rate becomes high. They have contended that this will discourage users to use the berths from operated by them and hence have requested the port to apply concessional rate.

(d). When requested the port after the joint hearing to examine the request of the above users for concession in the proposed wharfage rate, the port has maintained its proposal and stated that the proposed merger of levy with wharfage charges is only to merge the charges so that the billing is easy and transparent and will not have any extra financial implication on users

(e). It is relevant to mention here that the ARR estimated by the port as regards CHD in the last revision was ₹97.64 crores and as against that the revenue estimated by the port at the proposed rate was ₹77.67 crores leaving uncovered revenue gap ₹19.97 crores from the CHD. Even the port as a whole including CHD, the revenue gap left uncovered is to the tune of ₹32.04 crores.

As per Clause 2.6 of Tariff Policy 2018, the Major Port Trusts have the flexibility to determine the rates draw the Scale of Rates within the ceiling of indexed ARR. The port has categorically stated that the proposed amendment of merging labour levy with the wharfage rate is for transparency in billing and for ease of doing business and will not have any extra financial implication on users

In view of the clarification furnished by the port and based on the analysis brought out in the agenda note and recognizing that the Board of Trustees of the port has approved the proposed merger, this Authority approves the proposal for merger of CHLD levy with the wharfage rate.

B. Separate wharfage rate proposed for few cargo items
(i). The port has stated that trade represented that consolidation of some cargoes in the wharfage schedule has led to higher rate. Hence, separate wharfage rate is proposed for oil cake, cattle feed, maize and fly ash. The</td>
</tr>
</table>

	(c)	(c) Coal by whatever name described in Customs Document other than sl. no. 3(b) above.		61.96	37.17	37.17	22.30	
	(d)	Metallurgical Coke	1 MT	74.36	44.62	-	-	
4	Dry Bulk – Others							
	(i)	Clinkers	1 MT	45.66	27.39	22.84	13.70	
	(ii)	Cu. Concentrate	1 MT	89.69	53.80	-	-	
	(iii)	Garnet Sand	1 MT	30.98	18.59	19.56	11.74	
	(iv)	Gypsum Sand	1 MT	11.42	6.84	6.53	3.91	√
	(v)	Gypsum In Bulk	1 MT	11.42	6.84	6.53	3.91	
	(vi)	Ilmenite	1 MT	30.98	18.59	19.56	11.74	
	(vii)	Iron Ore	1 MT	30.98	30.98	19.56	19.56	
	(viii)	Lime In Bulk	1 MT	30.98	18.59	19.56	11.74	
	(ix)	Lime Stones	1 MT	30.98	18.59	19.56	11.74	
	(x)	Potassium Sulphate (MOP, SOP)	1 MT	66.86	40.10	30.98	18.59	
	(xi)	Rock Phosphate	1 MT	53.80	32.28	23.46	14.08	
	(xii)	Salt	1 MT	8.16	4.89	6.53	3.91	∞
	(xiii)	Sugar	1 MT	68.48	41.09	52.18	31.32	~
	(xiv)	Sulphur	1 MT	53.80	32.28	24.46	14.68	
	(xv)	Urea	1 MT	66.86	40.10	30.98	18.59	
	(xvi)	Wheat	1 MT	68.48	39.41	29.72	17.83	
	(xvii)	Others – Not specified	1 MT	68.48	41.09	19.56	11.74	
5.	Break Bulk							
	(i)	Cashew Kernal, Fruits and Nuts	1 MT	66.86	40.10	55.45	33.27	
	(ii)	Cement	1 MT	57.08	34.25	29.35	17.61	
	(iii)	Construction Materials	1 MT	29.35	17.61	19.56	11.74	@
	(iv)	Granite	1 MT	81.53	48.92	44.03	26.41	
	(v)	Iron and Steel Materials	1 MT	57.08	34.25	29.35	17.61	
	(vi)	Logs / Timber	1 Cum	50.56	30.33	29.35	17.61	
	(vii)	Machineries	1 MT	191.54	114.93	95.77	57.46	
	(viii)	Wind Mill Blade	1 MT	260.00	156.00	-	-	*

	(c)	(c) Coal by whatever name described in Customs Document other than sl. no. 3(b) above.		111.96	67.17	87.17	52.30	
	(d)	Metallurgical Coke	1 MT	124.36	74.62	124.36	74.62	
	(e).	Petroleum coke	1 MT	124.36	124.36	124.36	124.36	
4.	Dry Bulk – Others							
	(i)	Clinkers	1 MT	95.66	57.39	72.84	43.70	
	(ii)	Cu. Concentrate	1 MT	139.69	83.80	139.69	83.80	
	(iii)	Garnet Sand	1 MT	80.98	48.59	69.56	41.74	
	(iv)	Gypsum Sand	1 MT	61.42	36.84	56.53	33.91	√
	(v)	Gypsum In Bulk	1 MT	61.42	36.84	56.53	33.91	
	(vi)	Ilmenite	1 MT	80.98	48.59	69.56	41.74	
	(vii)	Iron Ore	1 MT	80.98	80.98	69.56	69.56	
	(viii)	Lime In Bulk	1 MT	80.98	48.59	69.56	41.74	
	(ix)	Lime Stones	1 MT	80.98	48.59	69.56	41.74	
	(x)	Potassium Sulphate (MOP, SOP)	1 MT	116.86	70.10	80.98	48.59	
	(xi)	Rock Phosphate	1 MT	103.80	62.28	73.46	44.08	
	(xii)	Salt in bags / bulk	1 MT	58.16	34.89	56.53	33.91	∞
	(xiii)	Sugar in bags / bulk	1 MT	118.48	71.09	102.18	61.32	~
	(xiv)	Sulphur	1 MT	103.80	62.28	74.46	44.68	
	(xv)	Urea	1 MT	116.86	70.10	80.98	48.59	
	(xvi)	Wheat	1 MT	118.48	69.41	79.72	47.83	
	(xvii)	Construction materials	1 MT	79.35	47.61	69.56	41.74	
	(xviii)	Others – Not specified	1 MT	118.48	71.09	69.56	41.74	
5.	Break Bulk							
	(i)	Cashew Kernal, Fruits and Nuts	1 MT	116.86	70.10	105.45	63.27	
	(ii)	Cement	1 MT	107.08	64.25	79.35	47.61	
	(iii)	Construction Material / break bulk and dry bulk - others	1 MT	79.35	47.61	69.56	41.74	@
	(iv)	Granite	1 MT	131.53	78.92	94.03	56.41	
	(v)	Iron and Steel Materials	1 MT	107.08	64.25	79.35	47.61	
	(vi)	Logs / Timber	1 Cum	100.56	60.33	79.35	47.61	
	(vii)	Machineries	1 MT	291.54	174.93	195.77	117.46	

wharfage rate for these cargo items fall under "Other cargoes" in the respective category.

Further, the port has extended the scope of nomenclature of few cargo items and deleted duplication in few items.

The port has also confirmed that the proposed amendment is for transparency in billing and for ease of doing business.

For reasons stated by the Port the proposed modification in nomenclature of cargo and insertion of rates for a few cargo which were earlier categorised is approved.

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<tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td></td><td>(ix)</td><td>Others – Not specified</td><td>1 MT</td><td>68.48</td><td>41.09</td><td>19.56</td><td>11.74</td></tr>
<tr><td>6.</td><td colspan="7">Container</td></tr>
<tr><td></td><td>(i)</td><td>20 feet (empty)</td><td>Each</td><td>138.60</td><td>83.17</td><td>-</td><td>-</td></tr>
<tr><td></td><td>(ii)</td><td>20 feet (loaded)</td><td>Each</td><td>693.02</td><td>415.81</td><td>-</td><td>-</td></tr>
<tr><td></td><td>(iii)</td><td>Above 20 feet (empty)</td><td>Each</td><td>201.76</td><td>121.05</td><td>-</td><td>-</td></tr>
<tr><td></td><td>(iv)</td><td>Above 20 feet (loaded)</td><td>Each</td><td>1,040.35</td><td>624.20</td><td>-</td><td>-</td></tr>
<tr><td>7.</td><td colspan="7">Ro Ro Vessel ●</td></tr>
<tr><td></td><td>(i)</td><td>Automobiles through Ro Ro vessels for handling below 1,600 CC</td><td>Nos.</td><td>638.46</td><td>383.08</td><td>-</td><td>-</td></tr>
<tr><td></td><td>(ii)</td><td>Automobiles through Ro Ro vessels for handling above 1,600 CC</td><td>Nos.</td><td>1,276.92</td><td>766.15</td><td>-</td><td>-</td></tr>
</table>
</td>
<td>
<table>
<tr><td></td><td>(viii)</td><td>Wind Mill Blade, Tower, accessories etc.</td><td>1 MT</td><td>360.00</td><td>216.00</td><td>-</td><td>-</td><td>*</td></tr>
<tr><td></td><td>(ix)</td><td>Oil cake / cobra</td><td>1 MT</td><td>95.66</td><td>57.39</td><td>69.56</td><td>41.74</td><td></td></tr>
<tr><td></td><td>(x)</td><td>Cattle feed</td><td>1 MT</td><td>69.56</td><td>41.74</td><td>59.78</td><td>35.88</td><td></td></tr>
<tr><td></td><td>(xi)</td><td>Maize</td><td>1 MT</td><td>82.62</td><td>49.56</td><td>49.56</td><td>41.74</td><td></td></tr>
<tr><td></td><td>(xii)</td><td>Fly ash</td><td>1 MT</td><td>79.35</td><td>47.61</td><td>69.56</td><td>41.74</td><td></td></tr>
<tr><td></td><td>(xiii)</td><td>Others – Not specified</td><td>1 MT</td><td>118.48</td><td>71.09</td><td>69.56</td><td>41.74</td><td></td></tr>
<tr><td>6.</td><td colspan="8">Container</td></tr>
<tr><td></td><td>(i)</td><td>20 feet (empty)</td><td>Each</td><td>138.60</td><td>83.17</td><td>-</td><td>-</td><td></td></tr>
<tr><td></td><td>(ii)</td><td>20 feet (loaded)</td><td>Each</td><td>693.02</td><td>415.81</td><td>-</td><td>-</td><td></td></tr>
<tr><td></td><td>(iii)</td><td>Above 20 feet (empty)</td><td>Each</td><td>201.76</td><td>121.05</td><td>-</td><td>-</td><td></td></tr>
<tr><td></td><td>(iv)</td><td>Above 20 feet (loaded)</td><td>Each</td><td>1,040.35</td><td>624.20</td><td>-</td><td>-</td><td></td></tr>
<tr><td>7.</td><td colspan="7">Ro Ro Vessel</td><td>●</td></tr>
<tr><td></td><td>(i)</td><td>Automobiles through Ro Ro vessels for handling below 1,600 CC</td><td>Nos.</td><td>638.46</td><td>383.08</td><td>638.46</td><td>383.08</td><td></td></tr>
<tr><td></td><td>(ii)</td><td>Automobiles through Ro Ro vessels for handling above 1,600 CC</td><td>Nos.</td><td>1,276.92</td><td>766.15</td><td>1,276.92</td><td>766.15</td><td></td></tr>
</table>
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<tr>
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<td></td>
<td><u>Additional notes to the existing notes:</u>
(i). The wharfage rate of coal applicable for cargo handled by consignee M/s.NTPL is ₹61.96 which is subject to WPI indexation.</td>
<td>--</td>
<td>The port has not furnished any reasons for the proposed note. Note (xxi) under the general terms and conditions at 1.2 already prescribes the note for annual indexation. The reasons for specific note for M/s NTPL is not explained. Since general note on indexation in the rates prescribe in the SOR is in place, the said note is not prescribed.</td>
</tr>
<tr>
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<td></td>
<td>(ii). A reduction of ₹15 per MT and ₹9 per MT will be applicable on the wharfage charges for the foreign vessels and coastal vessels of more than 11.5 draft respectively, if the cargo is being handled through HMC at IX th Berth.</td>
<td>--</td>
<td>The proposed note is approved as it will provide some relief to users / trade who are objecting the proposed merger of wharfage rate with CHD levy.</td>
</tr>
<tr>
<td>3.1.1 [1(v)]</td>
<td># The wharfage for pet coke has been approved under liquid bulk category in the existing SOR.</td>
<td>The wharfage for pet coke may be brought under dry bulk category</td>
<td>As the nature of pet coke is not liquid, the same is proposed to be brought under dry bulk category.</td>
<td>The port has proposed to shift pet coke from liquid to dry bulk category citing that the cargo is dry bulk. While doing so, the proposed rates is after merging the existing wharfage rate for pet coke and the labour levy. For reasons stated by the Port, the proposed modification may be approved.</td>
</tr>
<tr>
<td>3.1.1 [(2)(iii)]</td>
<td>^ For palm oil, unit of charge not available.</td>
<td>^ The unit of charge in terms of CBM is proposed to be prescribed.</td>
<td>The unit of charge for palm oil is not available in SOR.
Subsequently, the VOCPT vide its email dated 12 October 2020 has further clarified that earlier for the category of Oils- Vegetable and animal, CBM is the unit of charge. On the same line, for Palm oil also, CBM is proposed. Hence, the Authority is requested to approve the same.</td>
<td>For reasons stated by the Port, the proposed modification is approved.</td>
</tr>
<tr>
<td>3.1.1 [4(iv)]</td>
<td>√ The description of Gypsum sand is available under Sl. No.4 (iv) and Gypsum in Bulk in 4(v).</td>
<td>√ Gypsum sand prescribed is 4(iv) is to be removed since a separate description of ‘Gypsum in bulk’ is also available under Sl. No.4 (v).</td>
<td>Duplication is removed.</td>
<td>(i). The rate is same under 4(iv) and (4(v) in the existing wharfage schedule for Gypsum Sand and Gypsum in Bulk.</td>
</tr>
</table>

				The proposed deletion of sr. no. 4(iv) to remove duplication is approved for the reasons cited by the port. (ii). Consequently, the sr. no. (vi) to (xvii) under category 4 Dry Bulk Others in the wharfage Schedule are renumbered as (v) to (xvi).
3.1.1 [4 (xii)]	∞ Salt	∞ Salt in bags / bulk	To cover both salt in bulk as well as handled in bags.	For reasons stated by the Port, the proposed modification is approved.
3.1.1 [4(xiii)]	~ The description for cargo is Sugar under Sl.No.4(xiii).	~ The description may be modified as "Sugar in Bags/in Bulk".	To cover both Sugar in bulk as well as handled in bags.	For reasons stated by the Port, the proposed modification is approved.
3.1.1 [5 (iii)]	@ Construction materials / Break bulk	@ Construction material / break bulk and dry bulk - others	To cover both break bulk and dry bulk – others, this modification is required.	For reasons stated by the Port, the proposed modification is approved.
3.1.1 [5(viii)]	***** The description of cargo has been prescribed as "Wind Mill Blade" in the existing SOR.	***** The description proposed to be modified as "Wind mill blade, tower, accessories etc."	As the wind mill blade do not cover the components of wind mill i.e., tower and accessories etc. and hence now it is added.	For reasons stated by the Port, the proposed modification is approved.
3.1.1 [7]	● Wharfage rate for handling vehicle is not separately available other than Ro Ro operation.	● The Authority is requested to incorporate vehicles category under machineries.	Under RO RO operations as LO LO (Lift on-Lift Off) Since the handling by means of lift on/ lift off is different from RO RO operation, it is proposed under wharfage rate of Machinery for handling of vehicle by lift on/ lift off. Subsequently, the VOCPT vide its email dated 12 October 2020 has further clarified that at present in VOCPT, no Ro Ro operations facility is available. However, considering the only possible handling mechanism by means of Lift On – Lift Off basis, for handling vehicles, the unit of charge in respect of "machineries category" is proposed for levy of wharfage. It is also informed that as per the earlier SOR, the wharfage for vehicles of various types and accessories were prescribed and the unit of charge as MT also. It is also informed that the details of quantum of MT will be available in the IGM/EGM for levy of charges.	The existing SOR prescribes rate for RORO operations. Citing that handling of vehicles other than RORO by lift on lift off, the operation is different from RORO, the port proposes to levy the wharfage rate for Machinery on Per MT basis. The port has confirmed that quantum of MT for vehicle will be available in the IGM/EGM for levy of charges. The proposal of the port is approved. The port has, however, not proposed separate entry in the schedule for vehicles. That being so, sl. No. (xiii) is inserted for Vehicles (other than RORO) prescribing the rate for Machinery as proposed by the port. Consequently, the existing sr. no. (xiii) is renumbered as (xiv) under Break bulk cargo.
3.1.1	Note 7 in the case of hazardous cargo, (i.e.) cargo identified as such in International Maritime Dangerous Goods Code (IMDG), classified as "Goods not otherwise specified", vide <u>Sl.No.16 and 23</u> of the above schedule, 100 percent of the wharfage shall be recovered over and above the normal dues	Note 7 in the case of hazardous cargo, (i.e.) cargo identified as such in International Maritime Dangerous Goods Code (IMDG), classified as "Goods not otherwise specified", vide <u>Category 1 to 6</u> of the above schedule, 100 percent of the wharfage shall be recovered over and above the normal dues	Earlier the "other cargoes" category was available only under Sl. No.16 and 23. Now, in present SOR, it is available under all categories hence the Note is also proposed to be modified accordingly.	For reasons stated by the Port, the proposed modification is approved subject to slight change. Since the other category is not prescribed in the wharfage schedule for category "Containers" at Sl. No. 6, the proposed modification is slightly modified to replace "6" with "5".
3.1.1	Notes no.14-Restow-Cargo of other ports landed from vessels and reshipped in the same vessel – <u>wharfage shall be levied as applicable</u>.	Restow – Cargo of other ports landed from vessels and reshipped in the same vessel – <u>wharfage shall be levied double the wharfage under relevant cargo category</u>.	To provide clarity regarding quantum of wharfage i.e., single time or double time, this note is proposed. Subsequently, the VOCPT vide its email dated 12 October 2020 has further clarified that as the Restow operation involves double operations viz., one operation for unloading of the cargo from vessel to berth and another operation for loading of the cargo again from berth to vessel hatch, double wharfage is proposed. Hence it is requested, the same may be approved by the Authority.	Based on the clarification furnished by the Port that the Restow operation involves double operations, the proposed note which appears to be more of clarificatory in nature is approved.

<table>
<tr>
<td>3.1.1 [Note (8)]</td>
<td>The category of goods viz., Bonafide consumable / Non-consumable ship stores; is exempted from wharfage as per pre revised SOR. Now the exemption has been withdrawn but no wharfage rate is specified in existing SOR.</td>
<td>(i). For liquid items wharfage as per ‘Liquid Bulk’ (POL) category of schedule 3.1.1 (1) is proposed.

(ii). For other items wharfage as per ‘Others not specified’ under Break bulk category is proposed.</td>
<td>As the exemption has been withdrawn, the wharfage rate is required to be collected on Bonafide consumable/ non-consumable ship stores.</td>
<td>For reasons stated by the Port nomenclature has been changed, the proposed modification is approved.</td>
</tr>
<tr>
<td>3.1.2 Note (b)</td>
<td>The cess for pollution mitigating measures under schedule 3.1.2 shall be applicable to the dusty cargoes discharged inside Green gate.</td>
<td>The cess for pollution mitigating measures under schedule 3.1.2 shall be applicable to the dusty cargoes discharged inside Custom Bound area.</td>
<td>Custom bound area not only covers the area inside green gate but also covers all the areas viz., red gate, blue gate and yellow gate. Hence, this modification is proposed.</td>
<td>For reasons stated by the Port, the proposed modification is approved.</td>
</tr>
<tr>
<td>3.2.1</td>
<td>Clause not available</td>
<td>Notes 3- point (iii) may be added as follows.

<i>"Demurrage shall be calculated till the date the vessel commences loading"</i></td>
<td>As per Note (2)(i) of demurrage schedule, for imports it is stated that free period starts with following the date of complete discharge of goods from vessel but in the case of export no clarity is available with regard to completion date of demurrage. Hence, this note is proposed.</td>
<td>Since the proposed amendment is to bring clarify in the existing SOR, the proposed new note is approved.</td>
</tr>
<tr>
<td>3.3</td>
<td>New provision</td>
<td>For land allotted inside the custom bound area for storage of cargo, rental fee equivalent to one month rental fee will be collected as advance.</td>
<td>No provision is available in existing SOR for the collection of caution deposit. Collection of two weeks amount is in vogue.</td>
<td>For reasons stated by the Port and since the system is already in vogue and also recognizing that none of the users have objected to the proposed note, new note proposed by the port is approved . The port has not prescribed the note no. This is inserted as last note no.(x) under Schedule 3.3.</td>
</tr>
<tr>
<td>5.11</td>
<td>Note-5 The Unit "Day" for Licence Fee the daily pass means 24 Hours from the time of entry.</td>
<td>Note-5 The Unit "Day" for Licence Fee the daily pass means 24 Hours from the time of obtaining Port entry permit.</td>
<td>To avoid delayed usage of pass taken, this modification is proposed.</td>
<td>For reasons stated by the Port, the proposed modification is approved.</td>
</tr>
<tr>
<td>5.02.2</td>
<td>5.02.2 CHARGES FOR HIRE OF GRAB TO MASTERS, OWNERS OR AGENTS OF VESSEL
Rates in ₹ per shift
<table>
<tr><th>Particulars</th><th>Foreign / Others</th><th>Coastal***</th></tr>
<tr><td>For 10 CBM Grab</td><td>2,891.08</td><td>1,734.65</td></tr>
<tr><td>For 7 CBM Grab</td><td>2,168.90</td><td>1,301.34</td></tr>
<tr><td>For 5 CBM Grab</td><td>1,445.54</td><td>867.32</td></tr>
</table>
50% of the above respective rates is applicable for half shift basis.

***The rates prescribed shall be applicable for the Coastal Cargo and containers eligible for concessional tariff for ship-shore transfer, transfer from / to quay and to / from storage yard</td>
<td>5.02.2 CHARGES FOR HIRE OF GRAB TO MASTERS, OWNERS OR AGENTS OF VESSEL
Rates in ₹ per shift
<table>
<tr><th>Particulars</th><th>Foreign / Others</th><th>Coastal ***</th></tr>
<tr><td>For Providing Grab to wharf Crane</td><td>15,713</td><td>9,428</td></tr>
</table>
50% of the above respective rates is applicable for half shift basis.

***The rates prescribed shall be applicable for the Coastal Cargo and containers eligible for concessional tariff for ship-shore transfer, transfer from / to quay and to / from storage yard</td>
<td>As available earlier, single rate for Grab is proposed with the relevant increase is proposed as in the pre revised rates.
Subsequently, VOCPT vide its email dated 16 October 2020 has further clarified that at present, one number 6 Tonnes wharf crane and one number of 10 Tonnes crane are available at VOCPT berth No.I & II, and 3 nos. of 20 Tonnes wharf cranes are available at Berth No.III & IV.

For operation of 6T and 10T wharf crane, provision of grabs is not required since the cranes are being used for handling cargo with hook only. In respect of 20T cranes, the provision of Grabs is required for handling bulk cargo. Considering the above, VOCPT proposed tariff for providing Grab to wharf crane meant for 20T cranes based on earlier pre revised rate (prior to 21.11.2019) with percentage of increase sought as a part of revision of SOR as detailed below:

Rate for 20T wharf crane per shift (rate prior to 21.11.2019 with WPI indexation effective from 01.05.2019) is ₹13,272.30 * 1.1839 = ₹15,713/- per shift.</td>
<td>In the pre-revised SOR, the rates for 2 sizes of grabs were prescribed viz. 20T and 10T.

During the last revision, the port has proposed rates for three grabs viz. 10, 7 and 5 CBM grabs,

Now in the amendment proposal, the port wants to prescribe 20T Grab for the reasons that at present, one number 6 T wharf crane and one number of 10 T crane are available at VOCPT berth No.I & II, and 3 nos. of 20 Tonnes wharf cranes are available at Berth No.III & IV. However, for operation of 6T and 10T wharf crane, provision of grabs is not required since the cranes are being used for handling cargo with hook only. In respect of 20T cranes, the provision of Grabs is required for handling bulk cargo.

The port has arrived at the proposed rate taking the pre-revised rate of ₹12,305 as the base and applying annual indexation factor for the years 2018-19 and 2019-20 and capturing 18.39% tariff hike which is within the increase approved in the last general revision Order.

This tariff item is not a mandatory tariff. Further, none of the users have objected the insertion of said rate proposed by the port. Further, the port has clarified that they have been levying this rate.

Based on the above, the proposal of the port is approved.</td>
</tr>
<tr>
<td>Chapter – VI</td>
<td>6.1. LEVY FOR SUPPLY OF LABOUR FROM V.O.CHIDAMBARANAR PORT TRUST CARGO HANDLING DIVISON (VOCPT CHD) FOR CARGO HANDLING OPERATIONS

(Rate in ₹ Per MT)</td>
<td>Deleted.</td>
<td>The VOCPT vide its email dated 12 October 2020 has clarified that since the relevant Labour Levy and the levy for C&F operations at Transit Shed are merged with relevant wharfage component, separate tariff schedule is not</td>
<td>The existing CHD levy is merged with the wharfage rate. As regards CHD levy on C&F operation and container stuffing, the port has clarified the position that no operations are done.

In view of the above position and relying on the clarification furnished by the port, the Schedule 6.1 under Chapter VI</td>
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<table>
<tr><th>Sl. No.</th><th>Description</th><th>Foreign vessel</th><th>Coastal Vessel</th></tr>
<tr><td>1</td><td>All cargoes other than Coal at Coal Jetty-II and Salt*</td><td>50.00</td><td>50.00 (FOR THERMAL Coal) 18.00*(Cargo other than thermal coal)</td></tr>
<tr><td>2</td><td>Coal at Jetty-II</td><td>50.00</td><td>50.00</td></tr>
<tr><td>3</td><td>Salt</td><td>50.00</td><td>18.00</td></tr>
<tr><td>4</td><td>For Containter stuffing and destuffing operations</td><td>50.00</td><td>50.00</td></tr>
<tr><td>5</td><td>C&F Operations at Transit Shed and Warehouse etc.,</td><td>50.00</td><td>50.00</td></tr>
<tr><td>6</td><td>For Zone-B*</td><td>50.00</td><td>18.00 *</td></tr>
</table>
* Concessional rate for coastal cargo prescribed at Sl. Nos.1 and 6 above will be applicable for coastal cargo other than coal used for thermal power plants, crude including POL, iron ore and iron ore pellets.
</td>
<td></td>
<td>required Regarding container stuffing & destuffing operations, no such operations are being done in the last 3 years, it is also not required. Hence, it has requested that the entire Chapter-VI may be deleted by the Authority.</td>
<td>of the existing SOR prescribing the rates for CHD levy appear to be redundant and hence the proposal for deletion of this Chapter from the existing SOR is approved.</td>
</tr>
<tr>
<td>1.1</td>
<td>Month shall mean the period 1st to end of calendar month.</td>
<td>“Month shall mean a continuous period of 30 days” for the purpose of License fee schedule.</td>
<td>This definition is proposed as an additional note under Schedule-3.3 in line with week definition since one user takes the land middle of the month he has to pay two months License fee as per the definition. Hence, modification proposed at the request of users to reduce hardship particularly to users who take land on license for short term.</td>
<td>The existing definition of month is prescribed under Schedule 1.1.

The term month is used in the SOR of the VOCPT for levy of storage charge under Section 3.3., rent for room etc. in schedule 5.05 to 5.08, license fee for entry of vehicle / equipment (schedule 5.11.)

The port has proposed the additional definition of month only for schedule 3.3.

For reasons cited by the port and since it is at the request of the trade, the proposed insertion is approved under Schedule 3.3 immediately after the schedule.</td>
</tr>
<tr>
<td>1.2</td>
<td>New clause as per TAMP Order dated 25.09.2018.</td>
<td>(i). Coastal good transported between an Indian port on east coast and another Indian port on west coast or vice versa, by a vessel through the territorial waters of Sri Lanka, whether or not calling any port in Sri Lanka in between and without change of vessel in terms Notification No.38/2018-Customs (N.T.) dated 11 May 2018 of Central Board of Indirect Taxes and Customs shall be eligible for concession in vessel related charges and cargo related charges.
(ii). Coastal good transported between an Indian port on east coast and a river port in India or vice versa, by a vessel through a route passing through the Bangladeshi waters and without change of vessel in terms Notification No.38/2018-Customs (N.T.) dated 11 May 2018 of Central Board of Indirect Taxes and Customs shall be eligible for concession in vessel related charges and cargo related charges.
The provisions prescribed above shall be subject to adherence to the provisions prescribed in the Order No.TAMP/53/2015-VOCPT dated 26 November 2015 and amendment Order No.TAMP/53/2015-VOCPT dated 10 June 2016.</td>
<td>As the new clause is not included by TAMP in the revised SOR, the same is proposed to be incorporated.</td>
<td>The VOCPT has, now, proposed the notes as approved in the common adoption Order dated 25 September 2018.

The prescription in the common adoption Order No.TAMP/53/2015-VOCPT dated 25 September 2018 is in pursuance of the Notification No.38/2018- Customs (N.T.) dated 11 May 2018 issued by the Central Board of Indirect Taxes and Customs, Department of Revenue, Ministry of Finance and is explicit. The notes proposed by the VOCPT are in line with the common Order approved by this Authority and hence prescribed as proposed by the port.</td>
</tr>
</table>

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<u>**Annex-II**</u>

AMENDMENT TO THE SCALE OF RATES APPROVED IN ORDER NO.TAMP/15/2019-VOCPT DATED 10 OCTOBER 2019, NOTIFIED IN THE GAZETTE OF INDIA EXTRAORDINARY (PART III SECTION 4) ON 22 OCTOBER 2019 VIDE GAZETTE NO.363.

<table>
<tr><th>Reference to the SOR</th><th>Proposed by port and prescribed in existing SOR approved by the Authority vide Order No.TAMP/15/2019-VOCPT dated 10 October 2019</th><th>To be read as follows</th></tr>
<tr><td>2.2.1.</td><td>The pilotage fees specified below is for Zone A
<table>
<tr><td rowspan="3">Sl. No.</td><td rowspan="3">Size of vessel</td><td colspan="2">Rate per GRT</td></tr>
<tr><td>Coastal vessel</td><td>Foreign-going vessel</td></tr>
<tr><td>(in ₹)</td><td>(in US$)</td></tr>
<tr><td>1</td><td>0 to 20,000 GRT</td><td>13.47</td><td>0.5162</td></tr>
</table></td><td>
<table>
<tr><td rowspan="3">Sl. No.</td><td rowspan="3">Size of vessel</td><td colspan="2">Rate per GRT</td></tr>
<tr><td>Coastal vessel</td><td>Foreign-going vessel</td></tr>
<tr><td>(in ₹)</td><td>(in US$)</td></tr>
<tr><td>1</td><td>0 to 20,000 GRT</td><td>12.12</td><td>0.4646</td></tr>
</table></td></tr>
<tr><td>2.4.1.</td><td>Berth Hire Charges:
<table>
<tr><td rowspan="3">Sl. No.</td><td rowspan="3">Particulars</td><td colspan="2">Rate per GRT per hour or part thereof</td></tr>
<tr><td>Coastal vessel</td><td>Foreign-going vessel</td></tr>
<tr><td>(in ₹)</td><td>(in US$)</td></tr>
<tr><td>1</td><td>0 to 20,000 GRT</td><td>0.1932</td><td>0.0075</td></tr>
</table></td><td>
<table>
<tr><td rowspan="3">Sl. No.</td><td rowspan="3">Particulars</td><td colspan="2">Rate per GRT per hour or part thereof</td></tr>
<tr><td>Coastal vessel</td><td>Foreign-going vessel</td></tr>
<tr><td>(in ₹)</td><td>(in US$)</td></tr>
<tr><td>1</td><td>0 to 20,000 GRT</td><td>0.1739</td><td>0.0068</td></tr>
</table></td></tr>
<tr><td>2.2.3</td><td><u>Notes</u>:

One Shifting Charge is free. For more than one shifting charges, the above rates are applicable.</td><td><u>Notes</u>:

(i) One shifting is free during cargo operation i.e. after commencement and before completion of cargo operation.

(ii) More than one shifting is chargeable as per the above rates whenever the shifting is requested by the respective vessels Master/ Ship agent</td></tr>
<tr><td>2.2.3 note 3 (i).(e)</td><td>Shifting a vessel from deeper draft berth to lower draft berth in <u>VOC wharf</u> to accommodate the first waiting vessel requiring deeper draft berth provided no other vessel requiring lower draft berth waits, in the queue shall also be considered as “SHIFTING FOR PORT CONVENIENCE”.</td><td>Shifting a vessel from deeper draft berth to lower draft berth in <u>all berths</u> to accommodate the first waiting vessel requiring deeper draft berth provided no other vessel requiring lower draft berth waits, in the queue shall also be considered as “SHIFTING FOR PORT CONVENIENCE”.</td></tr>
<tr><td>2.4.2</td><td>Note on Sl. No. 7: Any vessel which continues to occupy any berth after the expiry of the time given by the Deputy Conservator/Traffic Manager to vacate the berth shall pay additional berth hire charges at the following rates: -
(i). For the first two days – At four times the rate of berth hire charges for authorised occupation.
(ii). For third day and for subsequent days - At six times the rate of berth hire charges for authorised occupation.
(iii). The additional berth hire charges shall be in addition to normal berth hire charges payable under the schedule.</td><td>Proposed to bring this note as common note for Schedule 2.4.1 (Schedule of berth hire charges) and 2.4.2 (Schedule of berth hire charges for other vessels).</td></tr>
<tr><td>2.4 [Note 3 after 2.4.2.]</td><td>Under output norms Sl. No-5 is mentioned in Ilmenite</td><td>The same may be as ‘Ilmenite (Export)’.</td></tr>
<tr><td>2.5.1.(b) [Note 2(a)]</td><td>Example case:

(a). In case of vessel arrived at 6.00 hrs today and the berth is also vacant but the vessel is not ready till 18.00 hour (6.00 hrs + 12.00 hrs) there will be no penal anchorage charges since it is within the allowable 12.00 hours free period.</td><td>Example case:

(a). In case of vessel arrived at 6.00 hrs (01.12.2019) hours today and the berth is also vacant but the vessel is not ready till 6.00 (03.12.2019) hours (6 hrs +48.00 hrs) there will be no penal anchorage charges since it is within allowable 48.00 hours free period.</td></tr>
</table>

2.5.1 Note (2)(a)	(b). In the same case, if the vessel is not ready till 20.00 hours but berth is still available, for the period of additional two hours after eligible free waiting period, the tariff as per clause 2.5.1(b) is applicable. (c). In the same case, if the berth is ready only at 22.00 hours and the vessel is ready by 23.00 hours, then for the first four hours (18.00 hrs to 22.00 hrs) the tariff as per clause 2.5.1(a) is applicable and for remaining one hour (22.00 hrs to 23.00 hrs) the tariff as per clause 2.5.1(b) is applicable.	(b). In the same case, if the vessel is not ready till 50.00 hours but berth is still available, for the period of additional two hours after eligible free waiting period, the tariff as per clause 2.5.1(b) is applicable. (c). In the same case, if the berth is ready only at 52.00 hours and the vessel is ready by 53.00 hours, then for the first four hours (48.00 hrs to 52.00 hrs) the tariff as per clause 2.5.1(a) is applicable and for remaining one hour (52.00 hrs to 53.00 hrs) the tariff as per clause 2.5.1(b) is applicable.
Note 2.5.1	Anchorage fees Notes 1 & 2 (1). The above rates will apply after expiry of 48 hours from the anchorage time of the vessel and when a vacant suitable berth is available. (2). The time for levy of Anchorage fee will count in such cases from the time the berth is available excluding the over lapping 48 hours time of the waiting vessels.	The above rates are applicable after 48 hrs. as per the following condition: (i). Vessel Ready Berth not ready- Charges as per 2.5.1(a) is applicable (ii). Vessel not ready berth ready-Charges as per 2.5.1(b) is applicable (iii). Vessel not ready Berth not ready-Charges as per 2.5.1(b) is applicable.

3.1.1.

Sl. No.		Cargo	Unit of charge	Rates (In Rupees)				
				Zone A		Zone B		
				Foreign	Coastal	Foreign	Coastal	
1.	Liquid Bulk (POL)							
	(i)	Diesel Oil	1 KL	75.01	75.01	-	-	
	(ii)	Furnace Oil	1 KL	105.99	105.99	-	-	
	(iii)	LPG	1 Cum	192.42	115.45	-	-	
	(iv)	Naptha	1 KL	114.14	114.14	-	-	
	(v)	Petroleum Coke	1 MT	74.36	74.36	-	-	#
	(vi)	Others – Not specified	1 KL	75.01	45.02	19.56	11.74	
2.	Liquid Cargo							
	(i)	Caustic Soda Lye	1 KL	63.59	38.15	-	-	
	(ii)	Liquid Ammonia	1 MT	138.60	83.17	-	-	
	(iii)	Palm Oil		75.01	45.02	19.56	11.74	^
	(iv)	Phosphoric Acid	1 MT	138.60	83.17	-	-	
	(v)	Sulphuric Acid	1 MT	81.53	48.92	-	-	
	(vi)	Vinyl Chlorides	1 MT	138.60	83.17	-	-	
	(vii)	Molasses	1 MT	66.86	40.10	-	-	
	(viii)	Sludge Oil	1 MT	76.81	46.09	38.40	23.03	
	(ix)	Others – Not specified	1 Cum	146.76	88.06	-	-	
3.	Dry Bulk – Coal							
	(i)	All Types of Coal						
	(a)	(a). Charcoal in bags/bulk.	1 MT	45.66	27.39	19.56	11.74	
	(b)	(b) Coal by whatever name described in Customs Document and used for Thermal Power Plants	1 MT	61.96	61.96	-	-	

Sl. No.		Cargo	Unit of charge	Rates (In Rupees)				
				Zone A		Zone B		
				Foreign	Coastal	Foreign	Coastal	
1.	Liquid Bulk (POL)							
	(i)	Diesel Oil	1 KL	75.01	75.01	75.01	75.01	
	(ii)	Furnace Oil	1 KL	105.99	105.99	105.99	105.99	
	(iii)	LPG	1 Cum	192.42	115.45	192.42	115.45	
	(iv)	Naptha	1 KL	114.14	114.14	114.14	114.14	
	(v)	Others – Not specified	1 KL	75.01	45.02	19.56	11.74	
2.	Liquid Cargo							
	(i)	Caustic Soda Lye	1 KL	63.59	38.15	63.59	38.15	
	(ii)	Liquid Ammonia	1 MT	138.60	83.17	138.60	83.17	
	(iii)	Palm Oil	CBM	75.01	45.02	19.56	11.74	^
	(iv)	Phosphoric Acid	1 MT	138.60	83.17	138.60	83.17	
	(v)	Sulphuric Acid	1 MT	81.53	48.92	81.53	48.92	
	(vi)	Vinyl Chlorides	1 MT	138.60	83.17	138.60	83.17	
	(vii)	Molasses	1 MT	66.86	40.10	66.86	40.10	
	(viii)	Sludge Oil	1 MT	76.81	46.09	38.40	23.03	
	(ix)	Others – Not specified	1 Cum	146.76	88.06	146.76	88.06	
3.	Dry Bulk – Coal							

	(c)	(c) Coal by whatever name described in Customs Document other than sl. no. 3(b) above.		61.96	37.17	37.17	22.30	
	(d)	Metallurgical Coke	1 MT	74.36	44.62	-	-	
4	Dry Bulk – Others							
	(i)	Clinkers	1 MT	45.66	27.39	22.84	13.70	
	(ii)	Cu. Concentrate	1 MT	89.69	53.80	-	-	
	(iii)	Garnet Sand	1 MT	30.98	18.59	19.56	11.74	
	(iv)	Gypsum Sand	1 MT	11.42	6.84	6.53	3.91	√
	(v)	Gypsum In Bulk	1 MT	11.42	6.84	6.53	3.91	
	(vi)	Ilmenite	1 MT	30.98	18.59	19.56	11.74	
	(vii)	Iron Ore	1 MT	30.98	30.98	19.56	19.56	
	(viii)	Lime In Bulk	1 MT	30.98	18.59	19.56	11.74	
	(ix)	Lime Stones	1 MT	30.98	18.59	19.56	11.74	
	(x)	Potassium Sulphate (MOP, SOP)	1 MT	66.86	40.10	30.98	18.59	
	(xi)	Rock Phosphate	1 MT	53.80	32.28	23.46	14.08	
	(xii)	Salt	1 MT	8.16	4.89	6.53	3.91	∞
	(xiii)	Sugar	1 MT	68.48	41.09	52.18	31.32	~
	(xiv)	Sulphur	1 MT	53.80	32.28	24.46	14.68	
	(xv)	Urea	1 MT	66.86	40.10	30.98	18.59	
	(xvi)	Wheat	1 MT	68.48	39.41	29.72	17.83	
	(xvii)	Others – Not specified	1 MT	68.48	41.09	19.56	11.74	
5.	Break Bulk							
	(i)	Cashew Kernal, Fruits and Nuts	1 MT	66.86	40.10	55.45	33.27	
	(ii)	Cement	1 MT	57.08	34.25	29.35	17.61	
	(iii)	Construction Materials	1 MT	29.35	17.61	19.56	11.74	@
	(iv)	Granite	1 MT	81.53	48.92	44.03	26.41	
	(v)	Iron and Steel Materials	1 MT	57.08	34.25	29.35	17.61	
	(vi)	Logs / Timber	1 Cum	50.56	30.33	29.35	17.61	
	(vii)	Machineries	1 MT	191.54	114.93	95.77	57.46	
	(viii)	Wind Mill Blade	1 MT	260.00	156.00	-	-	*
	(ix)	Others – Not specified	1 MT	68.48	41.09	19.56	11.74	
6.	Container							
	(i)	20 feet (empty)	Each	138.60	83.17	-	-	
	(ii)	20 feet (loaded)	Each	693.02	415.81	-	-	
	(iii)	Above 20 feet (empty)	Each	201.76	121.05	-	-	

	(i)	All Types of Coal						
	(a)	(a). Charcoal in bags/bulk.	1 MT	95.66	57.39	69.56	41.74	
	(b)	(b) Coal by whatever name described in Customs Document and used for Thermal Power Plants	1 MT	111.96	111.96	111.96	111.96	
	(c)	(c) Coal by whatever name described in Customs Document other than sl. no. 3(b) above.		111.96	67.17	87.17	52.30	
	(d)	Metallurgical Coke	1 MT	124.36	74.62	124.36	74.62	
	(e).	Petroleum coke	1 MT	124.36	124.36	124.36	124.36	
4.	Dry Bulk – Others							
	(i)	Clinkers	1 MT	95.66	57.39	72.84	43.70	
	(ii)	Cu. Concentrate	1 MT	139.69	83.80	139.69	83.80	
	(iii)	Garnet Sand	1 MT	80.98	48.59	69.56	41.74	
	(iv)	Gypsum Sand	1 MT	61.42	36.84	56.53	33.91	√
	(v)	Gypsum In Bulk	1 MT	61.42	36.84	56.53	33.91	
	(vi)	Ilmenite	1 MT	80.98	48.59	69.56	41.74	
	(vii)	Iron Ore	1 MT	80.98	80.98	69.56	69.56	
	(viii)	Lime In Bulk	1 MT	80.98	48.59	69.56	41.74	
	(ix)	Lime Stones	1 MT	80.98	48.59	69.56	41.74	
	(x)	Potassium Sulphate (MOP, SOP)	1 MT	116.86	70.10	80.98	48.59	
	(xi)	Rock Phosphate	1 MT	103.80	62.28	73.46	44.08	
	(xii)	Salt in bags / bulk	1 MT	58.16	34.89	56.53	33.91	∞
	(xiii)	Sugar in bags / bulk	1 MT	118.48	71.09	102.18	61.32	~
	(xiv)	Sulphur	1 MT	103.80	62.28	74.46	44.68	
	(xv)	Urea	1 MT	116.86	70.10	80.98	48.59	
	(xvi)	Wheat	1 MT	118.48	69.41	79.72	47.83	
	(xvii)	Construction materials	1 MT	79.35	47.61	69.56	41.74	
	(xviii)	Others – Not specified	1 MT	118.48	71.09	69.56	41.74	
5.	Break Bulk							
	(i)	Cashew Kernal, Fruits and Nuts	1 MT	116.86	70.10	105.45	63.27	
	(ii)	Cement	1 MT	107.08	64.25	79.35	47.61	

	(iv)	Above 20 feet (loaded)	Each	1,040.35	624.20	-	-
7.	Ro Ro Vessel						●
	(i)	Automobiles through Ro Ro vessels for handling below 1,600 CC	Nos.	638.46	383.08	-	-
	(ii)	Automobiles through Ro Ro vessels for handling above 1,600 CC	Nos.	1,276.92	766.15	-	-

	(iii)	Construction Material / break bulk and dry bulk - others	1 MT	79.35	47.61	69.56	41.74	@
	(iv)	Granite	1 MT	131.53	78.92	94.03	56.41	
	(v)	Iron and Steel Materials	1 MT	107.08	64.25	79.35	47.61	
	(vi)	Logs / Timber	1 Cum	100.56	60.33	79.35	47.61	
	(vii)	Machineries	1 MT	291.54	174.93	195.77	117.46	
	(viii)	Wind Mill Blade, Tower, accessories etc.	1 MT	360.00	216.00	-	-	*
	(ix)	Oil cake / cobra	1 MT	95.66	57.39	69.56	41.74	
	(x)	Cattle feed	1 MT	69.56	41.74	59.78	35.88	
	(xi)	Maize	1 MT	82.62	49.56	49.56	41.74	
	(xii)	Fly ash	1 MT	79.35	47.61	69.56	41.74	●
	(xiii)	Vehicles (other than RORO)	1 MT	291.54	174.93	195.77	117.46	●
	(xiv)	Others – Not specified	1 MT	118.48	71.09	69.56	41.74	
6.	Container							
	(i)	20 feet (empty)	Each	138.60	83.17	-	-	
	(ii)	20 feet (loaded)	Each	693.02	415.81	-	-	
	(iii)	Above 20 feet (empty)	Each	201.76	121.05	-	-	
	(iv)	Above 20 feet (loaded)	Each	1,040.35	624.20	-	-	
7.	Ro Ro Vessel ●							
	(i)	Automobiles through Ro Ro vessels for handling below 1,600 CC	Nos.	638.46	383.08	638.46	383.08	
	(ii)	Automobiles through Ro Ro vessels for handling above 1,600 CC	Nos.	1,276.92	766.15	1,276.92	766.15	

		Additional notes to the existing notes: (i). A reduction of ₹15 per MT and ₹9 per MT will be applicable on the wharfage charges for the foreign vessels and coastal vessels of more than 11.5 draft respectively, if the cargo is being handled through HMC at IX th Berth.
3.1.1 [1(v)]	# The wharfage for pet coke has been approved under liquid bulk category in the existing SOR.	The wharfage for pet coke may be brought under dry bulk category
3.1.1 [(2)(iii)]	^ For palm oil, unit of charge not available.	^ The unit of charge in terms of CBM is proposed to be prescribed.
3.1.1 [4(iv)]	√ The description of Gypsum sand is available under Sl. No.4 (iv) and Gypsum in Bulk in 4(v).	(a). √ Gypsum sand prescribed is 4(iv) is to be removed since a separate description of ‘Gypsum in bulk’ is also available under Sl. No.4 (v).

<table>
<tr><td></td><td></td><td>(b). Consequently, the sr no (vi) to (xvii) under category 4 Dry Bulk Others in the wharfage Schedule is renumbered as (v) to (xvi)</td></tr>
<tr><td>3.1.1 [4 (xii)]</td><td>∞ Salt</td><td>∞ Salt in bags / bulk</td></tr>
<tr><td>3.1.1 [4(xiii)]</td><td>~ The description for cargo is Sugar under Sl.No.4 (xiii).</td><td>~ The description may be modified as “Sugar in Bags/in Bulk”.</td></tr>
<tr><td>3.1.1 [5 (iii)]</td><td>@ Construction materials / Break bulk</td><td>@ Construction material / break bulk and dry bulk - others</td></tr>
<tr><td>3.1.1 [5(viii)]</td><td>* The description of cargo has been prescribed as “Wind Mill Blade” in the existing SOR.</td><td>* The description proposed to be modified as “Wind mill blade, tower, accessories etc.”</td></tr>
<tr><td>3.1.1 [7]</td><td>● Wharfage rate for handling vehicle is not separately available other than Ro Ro operation.</td><td>● The Authority is requested to incorporate vehicles category under machineries.</td></tr>
<tr><td>3.1.1</td><td>Note 7 in the case of hazardous cargo, (i.e.) cargo identified as such in International Maritime Dangerous Goods Code (IMDG), classified as “Goods not otherwise specified”, vide <u>Sl.No.16 and 23</u> of the above schedule, 100 percent of the wharfage shall be recovered over and above the normal dues</td><td>Note 7 in the case of hazardous cargo, (i.e.) cargo identified as such in International Maritime Dangerous Goods Code (IMDG), classified as “Goods not otherwise specified”, vide <u>Category 1 to 5</u> of the above schedule, 100 percent of the wharfage shall be recovered over and above the normal dues</td></tr>
<tr><td>3.1.1</td><td>Notes no.14-Restow-Cargo of other ports landed from vessels and reshipped in the same vessel – <u>wharfage shall be levied as applicable</u>.</td><td>Restow – Cargo of other ports landed from vessels and reshipped in the same vessel – <u>wharfage shall be levied double the wharfage under relevant cargo category</u>.</td></tr>
<tr><td>3.1.1 [Note (8)]</td><td>The category of goods viz., Bonafide consumable / Non-consumable ship stores; is exempted from wharfage as per pre revised SOR. Now the exemption has been withdrawn but no wharfage rate is specified in existing SOR.</td><td>(i). For liquid items wharfage as per ‘Liquid Bulk’ (POL) category of schedule 3.1.1 (1) is proposed.
(ii). For other items wharfage as per ‘Others not specified’ under Break bulk category is proposed.</td></tr>
<tr><td>3.1.2 Note (b)</td><td>The cess for pollution mitigating measures under schedule 3.1.2 shall be applicable to the dusty cargoes discharged inside <u>Green gate</u>.</td><td>The cess for pollution mitigating measures under schedule 3.1.2 shall be applicable to the dusty cargoes discharged inside <u>Custom Bound area</u>.</td></tr>
<tr><td>3.2.1</td><td>Clause not available</td><td>Notes 3- point (iii) may be added as follows.
<i>"Demurrage shall be calculated till the date the vessel commences loading"</i></td></tr>
<tr><td>3.3</td><td>New provision</td><td>(x) For land allotted inside the custom bound area for storage of cargo, rental fee equivalent to one month rental fee will be collected as advance.</td></tr>
<tr><td>5.11</td><td>Note-5 The Unit "Day" for Licence Fee the daily pass means 24 Hours <u>from the time of entry</u>.</td><td>Note-5 The Unit "Day" for Licence Fee the daily pass means 24 Hours <u>from the time of obtaining Port entry permit</u>.</td></tr>
<tr><td>5.02.2</td><td>5.02.2 CHARGES FOR HIRE OF GRAB TO MASTERS, OWNERS OR AGENTS OF VESSEL
Rates in ₹ per shift
<table>
<tr><th>Particulars</th><th>Foreign / Others</th><th>Coastal***</th></tr>
<tr><td>For 10 CBM Grab</td><td>2,891.08</td><td>1,734.65</td></tr>
<tr><td>For 7 CBM Grab</td><td>2,168.90</td><td>1,301.34</td></tr>
<tr><td>For 5 CBM Grab</td><td>1,445.54</td><td>867.32</td></tr>
</table>
50% of the above respective rates is applicable for half shift basis.
***The rates prescribed shall be applicable for the Coastal Cargo and containers eligible for concessional tariff for ship-shore transfer, transfer from / to quay and to / from storage yard</td><td>5.02.2 CHARGES FOR HIRE OF GRAB TO MASTERS, OWNERS OR AGENTS OF VESSEL
Rates in ₹ per shift
<table>
<tr><th>Particulars</th><th>Foreign / Others</th><th>Coastal ***</th></tr>
<tr><td>For Providing Grab to wharf Crane</td><td>15,713</td><td>9,428</td></tr>
</table>
50% of the above respective rates is applicable for half shift basis.
***The rates prescribed shall be applicable for the Coastal Cargo and containers eligible for concessional tariff for ship-shore transfer, transfer from / to quay and to / from storage yard</td></tr>
<tr><td>Chapter – VI</td><td>6.1. LEVY FOR SUPPLY OF LABOUR FROM V.O.CHIDAMBARANAR PORT TRUST CARGO HANDLING DIVISON (VOCPT CHD) FOR CARGO HANDLING OPERATIONS
(Rate in ₹ Per MT)
<table>
<tr><th>Sl. No.</th><th>Description</th><th>Foreign vessel</th><th>Coastal Vessel</th></tr>
</table></td><td>Deleted.</td></tr>
</table>

<table>
<tr>
<td></td>
<td>
<table>
<tr><td>1</td><td>All cargoes other than Coal at Coal Jetty-II and Salt*</td><td>50.00</td><td>50.00 (FOR THERMAL Coal) 18.00*(Cargo other than thermal coal)</td></tr>
<tr><td>2</td><td>Coal at Jetty-II</td><td>50.00</td><td>50.00</td></tr>
<tr><td>3</td><td>Salt</td><td>50.00</td><td>18.00</td></tr>
<tr><td>4</td><td>For Containter stuffing and destuffing operations</td><td>50.00</td><td>50.00</td></tr>
<tr><td>5</td><td>C&F Operations at Transit Shed and Warehouse etc.,</td><td>50.00</td><td>50.00</td></tr>
<tr><td>6</td><td>For Zone-B*</td><td>50.00</td><td>18.00 *</td></tr>
</table>
* Concessional rate for coastal cargo prescribed at Sl. Nos.1 and 6 above will be applicable for coastal cargo other than coal used for thermal power plants, crude including POL, iron ore and iron ore pellets.
</td>
<td></td>
</tr>
<tr>
<td>3.3.</td>
<td>New note proposed</td>
<td>Following note inserted immediately after the schedule 3.3. – Storage charge:
“Month shall mean a continuous period of 30 days” for the purpose of this schedule.”</td>
</tr>
<tr>
<td rowspan="3">1.2</td>
<td rowspan="3">New clause as per TAMP Order dated 25.09.2018.</td>
<td>(i). Coastal good transported between an Indian port on east coast and another Indian port on west coast or vice versa, by a vessel through the territorial waters of Sri Lanka, whether or not calling any port in Sri Lanka in between and without change of vessel in terms Notification No.38/2018-Customs (N.T.) dated 11 May 2018 of Central Board of Indirect Taxes and Customs shall be eligible for concession in vessel related charges and cargo related charges.</td>
</tr>
<tr>
<td>(ii). Coastal good transported between an Indian port on east coast and a river port in India or vice versa, by a vessel through a route passing through the Bangladeshi waters and without change of vessel in terms Notification No.38/2018-Customs (N.T.) dated 11 May 2018 of Central Board of Indirect Taxes and Customs shall be eligible for concession in vessel related charges and cargo related charges.</td>
</tr>
<tr>
<td>The provisions prescribed above shall be subject to adherence to the provisions prescribed in the Order No.TAMP/53/2015-VOCPT dated 26 November 2015 and amendment Order No.TAMP/53/2015-VOCPT dated 10 June 2016.</td>
</tr>
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SUMMARY OF THE COMMENTS RECEIVED FROM THE PORT CONCERNED USERS / USER ORGANIZATIONS AND ARGUMENTS MADE IN THIS CASE DURING THE JOINT HEARING BEFORE THE AUTHORITY

F. No.TAMP/19/2020 - VOCPT - Proposal received from V. O. Chidambaranar Port Trust (VOCPT) for amendments to its existing Scale of Rates (SOR) approved vide Order No.TAMP/15/2019-VOCPT dated 10 October 2019.

A summary of the comments received from the users/ user organisations and BOT operators and reply received from VOCPT are summarized below:

Sl. No.	Comments received from users / user organisations	Reply furnished by VOCPT
1.	**IMCOLA Crane Company Pvt. Ltd. (IMCOLA)**	
(i).	IMCOLA Crane Company Private Limited started operations on 24 March 2014 and is presently operating at VOC Port with 3 modern Liebherr Harbour Mobile Cranes (HMCs). Prior to bidding for the Project; TAMP and VOC Port had projected a volume of 2.96 MMTPA per crane per annum (i.e. 8.90 MMTPA for 3 cranes), which by itself is about 75% of the capacity indicated, on which basis the tariff was fixed. In reality, the projected volume has never ever been reached anywhere near to the said minimum volume envisaged.	Initially Port gave contract to deploy 2 HMCs only at Berth 9 to M/s. Imcola Crane Company (ICC) on BOO basis at a revenue share of 26.55 % w.e.f. 2014 for a period of 10 years. Considering the cargo throughput pattern at VOCPT and specifically the cargo handled at berth Nos. I to IV & IX, the likely cargo handled through proposed Deployment of 2 HMC has been considered at 2.96 MMTPA. Neither the Port nor the HMC Operator has guaranteed any cargo to each other. In this connection, the operator has to put efforts to increase their handling and make viable its project. When the Port decided to deploy third HMC at Berth 3 & 4 and called for Tender, the HMC operator, M/s. Imcola despite not having achieved their desired optimal handling, stalled the efforts of the Port to engage an alternative operator (Though at first instance when port asked to deploy and refused to deploy by M/s. Imcola) by filling WP against the inviting Tender by the Port.
(ii).	The situation was analysed and one of the main factors was the imposition of Labour Levy of ₹69/- per MT which was later reduced to Re.1/MT and then increased again to ₹50/MT. This inappropriate levy causes cargo receivers to take the cargo to other berths where productivity was low since vessel cranes were used together with the old port cranes. VOC Port could never build up volumes and we could see volumes drift to other ports like Karaikal, etc. These facts were time and again taken up with the port.	It is also informed that at the time of deploying 3rd HMC by M/s. Imcola in January, 2018, the approved labour levy is ₹69.60 per M.T at IXth Berth and no concession on the same is being offered. Hence having experienced the operations by deploying 2 HMCs at Berth 9 and knowing the potential risks, the HMC operator M/s.Imcola willingly deployed the 3rd HMC at other non-mechanised, low productive berths, i.e., Berth 3 & 4, on the same terms and conditions. It is to inform that in order to encourage the trade promotional measures to attract more cargo, Re.1 per tonne at 9th berth was levied with the approval of Board with effect from 08.05.2018 on Test basis. However, no improvement was recorded in the Cargo handling operations at 9th Berth, even after extending the concession and levy at Re.1 per tonne. Hence, the statement of

		M/s.Imcola that the levy has been increased exorbitantly from Re.1 to ₹50 per Tonne is not correct and the concession given was on temporarily basis to test the market and there was no change in tariff approved by the TAMP. In fact, the rate of ₹69.60 per Tonne, which was being levied during that period has been reduced to ₹50 per Tonne while revising the tariff for the Tariff Cycle 2019 to 2021. It is further to inform that the Port has been putting efforts to increase the traffic, but BOT Operators, including M/s. IMCOLA have not made any attempt to increase the traffic, including extending concession by reducing the tariff. The Port has been consistently marketing its infrastructure, facilities and attracted and improved on the volumes of cargo handled by the existing Importers / Users like Chettinad Logistics, Devendran Coal, ICL and others. Through its own marketing efforts, the Port has attracted TNPL coal consignment from Karaikal to VOCPT by signing a MoU for 7 lakh tons and offered to handle at a very competitive cost of ₹254.71/- per MT, inclusive of all charges. This was resulted in increase in earnings of BOT operators including M/s.Imcola, the HMC operator, without any efforts of them. The HMC operator M/s.Imcola, refused to offer any concession, despite Port's request to support Port's marketing efforts to retain cargoes. The entire TNPL cargo is a new addition to the cargo handling of Port and by its efforts only. But, as stated above, M/s. Imcola, has benefitted substantially without any efforts.
(iii).	The port has not deployed any labour for our operations nor is any labour required, as we use highly sophisticated Mobile Harbour Cranes and discharge the cargo most of the times onto the conveyor belt via the hoppers. However, though we have never agreed, one (1) port labour worker for each crane has been earmarked to witness our operations but he is never present. Under these circumstances, it is grossly unjust to charge a Labour levy of ₹50 per Metric Tonne on the volume handled by the HMCs over and above the revenue share being paid by IMCOLA Crane Company. Even the gesture by the Port to propose the reduction of the Labour Levy to ₹35/MT is still far away from the Re.1/- per Metric Tonne which the Secretary Shipping had himself directed and which was in force for a period exceeding one year. Despite this proposed reduction of ₹15/- per Metric Tonne, the Receivers of the cargo will still prefer to take the	It is informed that no notional posting is made and as per NIT Award, one Signal Man is posted for each HMC. The workers posted are attending for the duty and there has been no report on non availability of Signal Man at the HMCs. The contention i.e., payment of ₹50 per tonne over and above revenues share payable of M/s. Imcola is not correct as both the nature of payments in both the occasions are different. The levy of ₹50/- per tonne is towards recovery of operational expenditure plus return as per Tariff Policy Guidelines in respect of Port and payment of Royalty revenue share on the earnings of BOT operators which governs under the respective concession agreement. The user shall pay the relevant charges based on the services utilized by them i.e., conveyor charges,

	vessel to other berths which handle the cargo by ship cranes and port cranes which will mean that the Port is promoting inefficiency of operations and also causing our efficient cranes to idle. Further, adding this levy to wharfage means port users may not be inclined to use MHCs deployed by us as it becomes a free service by port without HMCs, which is totally against the principle of PPP mode and higher efficient HMCs. The re-introduction of the labour levy by the Port on the volumes handled by the HMCs is counter-productive and makes this project of HMCs unviable. Needless to say that the re-introduction of labour levy has resulted in lower volumes of cargo for VOC Port as some cargo is always being diverted to other nearby ports.	hopper charges and HMC charges which are other than port charges. The HMC operator also needs to look out for business options to attract cargo through their facility by putting efforts including offering suitable discounts, if required, so that the operations of HMC will be optimal. It is also to note that neither the Port nor the HMC Operator has guaranteed any cargo to each other. It is also to state that agreement entered with M/s. Imcola is to provide for mechanized handling facility at the berth and user willing to avail the services, can avail but not a compulsion and IX berth is a port operated berth. The reduction in tariff from ₹50 to ₹35 per tonne is again a market tactics of the port, which may again reinstate to the charges applicable for other berths based on market dynamics. As per the Tariff Policy Guidelines, the port can recover the average expenditure for the last three years prior to revision cycle plus return on capital employed. The proposal of levy of ₹50/- per tonne is to recover the expenditure incurred at cargo handling division and the same is being adopted as approved by TAMP only. As the Port also feels that the levy collected is in no way directly connected with the number of labourers deployed at each berth, the Port proposed to merge the levy component with wharfage at a uniform rate of ₹50/- per M.T in consolidation manner and there was no change in tariff approved by the TAMP.
(iv).	The Port had introduced mechanization through HMCs and conveyor to increase the efficiency of the Port. It is a pity that the equipment is not being utilized to its capacity even though it is available. Instead, the present Labour Levy policy is a retrograde step where the Port has taken 2 steps backward and sacrificed mechanization and efficiency and has also lost volumes due to its lopsided approach to the whole issue, against the orders of the Government/TAMP and also against the principles of natural justice. From the time that the Port has re-introduced Labour Levy, IMCOLA cranes has lost the following amount of cargo to other berths at VOC Port: December'19 : 1,25,445 Metric Tonnes January'20 : 1,07,257 Metric Tonnes February'20 : 2,01,992 Metric Tonnes March'20 : 2,82,983 Metric Tonnes April'20 : 1,88,109 Metric Tonnes May'20 : 74,066 Metric Tonnes __________	It is a general gesture that the cost will be more where the efficiency and productivity is more in order to achieve overall benefits in handling charges. If we see the cost of handling per tonne in a whole prospect i.e., considering the vessel related charges, cargo related charges and savings in voyage cost, the logistic cost per tonne is less for handling the cargo in 9th Berth even with the payment of levy of ₹50/- per M.T. and hence the contention of HMC operator is not correct that as the Port taken any backward step and sacrificed mehanisation and efficiency. The contention is not correct. The Port has consistently marketed its infrastructure, facilities and attracted and improved on the volumes of cargo handled by the existing Importers / Users like Chettinad Logistics, Devendran Coal, ICL and others. Through its own marketing efforts, the Port has attracted TNPL coal consignment from Karaikal to VOCPT by signing a MoU for 7 lakh tonne and offered to handle at a very competitive cost of ₹254.71/- per MT, inclusive of all charges. While the Port offered considerable

	Total lost in 6 months 9,75,852 Metric Tonnes If this trend continues, IMCOLA Crane Company will lose at least 2 Million Tonnes of cargo every year. We are also quite sure that some cargo is migrating to other ports like Karaikal in the times to come.	concessions, the HMC operator M/s.Imcola, refused to offer any concession, despite Port's request to support Port's marketing efforts. The entire TNPL cargo is a new addition to the cargo handling of Port and by the effort of the Port only. But M/s. Imcola, has benefitted substantially without any efforts.
(v).	The costs involved and the impact on the Receiver of the cargo. What really matters is the Total Logistics Cost, which in this case will be considered till the receipt of cargo into the storage stack yard. The cargo is purchased on CIF (Cost, Insurance and Freight) basis or on FOB (Free on Board) basis. CIF Purchase: Here the Seller has the responsibility to deliver the cargo to the Port. The seller will also pay for the freight which includes Port Dues, Pilotage and Berth Hire. The Seller does not pay for the Wharfage or the Cargo Handling Charge which is paid for by the Receiver. In CIF purchases, the Buyer/ Receiver does not mind if the ship is shifted or is discharging slowly since the terms are already agreed. He is responsible only for cargo related charges which are lesser at the non-mechanized berths 3, 4, etc. It should be viewed with the perspective that it is the Port that is losing since the cargo is being handled inefficiently despite having modern mechanized equipment for handling cargo. FOB Purchase: Here the Seller is only responsible for the charges till the ship is loaded at the loadport. The Buyer/ Receiver engages the ship and is responsible for all charges upto the end of discharge at the disport and upto the storage stack yard in our case for ease of comparison. In this case, invariably, the Buyer/ Receiver will choose to use the more efficient HMCs and Conveyor since the ship is costing him extra for each hour. In fact he will earn "despatch" for a quick turnaround of the vessel. If the Port in its wisdom decides to club the Labour Levy with the Wharfage, it is really not helping anyone. The situation remains status quo as explained above. However, if the Labour levy is removed and compensated by increased Port Dues or any of the dues paid by the vessels, then it helps the Port since the efficient mechanized gear will be utilized, in turn enabling the port to target higher volumes. Though the	The consignee (cargo receiver) is paying overall cost to Consignor (cargo seller) viz. VRC and CRC charges directly or indirectly, and consignee considering the cost per tonne including all logistics cost. Further, the VRC is being paid by the steamer agent and the CRC is being by stevedores. Hence the statement of M/s.Imcola to increase the Port dues and reduce the wharfage charges is not appropriate. As already stated above, the proposal of recovery of ₹50 per Ton is on account of recovery of ceiling Indexed Annual Revenue Requirement for CHD operations and no way connected to the deployment of labour. It is a uniform recovery for the cargo handling at all the berths, and such labour levy is being charged by Port from 01.10.2014 onwards. Further, Port is doing lot of marketing efforts to attract the cargo. In the same line, Port extended the MOU for another 1 year with a further concession of ₹31.10 per tonne from the existing MOU Rate 254.71. It is not feasible to load the cargo related charges on vessel related charges as stated above. As the recovery of Administrative expenses of CHD is only possible from cargo related charges viz., wharfage charges and not on Vessel related charges.

	Port's recovery problem will be addressed by clubbing the Labour Levy with Port Dues or other vessel related charge; it still adds to the Total Logistics Cost. So if the TLC upto the factory is more than a neighbouring Port, then, the Buyer/ Receiver will take the cargo to the neighbouring port and VOC Port will lose that cargo permanently. So it is in the interest of the Port business to eliminate this charge altogether.	
(vi).	Cost comparison between charges per MT for discharge at berth no.9 and also for berth 3 and 4 is furnished (the same is tabulated separately due to paucity of space). We have also given penalizing options for handling cargo with inefficient ship gear.	The comparison of tariff with others Major Ports is not correct as each Port is having its own strategic Policy for recovery of ceiling Indexed Annual Revenue Requirement from the cargo handling at the respective Ports and depending on the type of cargo handled, requirement, proximity to the plant etc.,. As stated above, the merger of ₹50/- is towards recovery of CHD expenditure as per the Tariff Policy, 2018, in line with Clause 2.9 of Tariff Policy working Guidelines, 2018. In fact, there was a shortfall in recovery of ceiling indexed ARR of ₹45.41 crores for which port has not thought of it to burden on users.
2.	**Container Shipping Lines Association (CSLA)**	
(i).	CSLA is an association of twenty-five global container lines who carry over ninety pct of India's container business. While on the one hand, our member lines have been doing all they can to try & control India's logistics cost, including offering extended free time during the lock-down period, in line with the advisories issued by the DG Shipping, on the other, V.O.C. Port is considering a revision in its scale of rates. If implemented, this will result in the cost of Indian exports & imports increasing even further, thereby making them absolutely uncompetitive in the global & domestic markets, respectively. This will also discourage shipping lines, who are already reeling under severe financial stress, from looking at V.O.C. Port as one of their ports of call either while commencing new services or while considering calling larger vessels at the port. In fact, some of the existing services themselves might be rationalised.	Factual
(ii).	CSLA, therefore, requests TAMP for kind consideration in the matter so that the rates are not revised upwards. On the contrary, efforts need to be made to get the existing charges reduced so as to help the Indian trade to compete effectively in international markets, particularly in today's Covid environment & encourage the shipping lines to call at VOCPT.	In the proposed modification of Scale of rates, Port has not proposed any increase in tariff. In fact, Port has proposed 10% reduction on pilotage and Berth hire charges for vessels in the slab of 0 to 20,000 GRT. Further, with regards to Covid 19, Port has initiated necessary measures, as directed by the MoS i.e., ground rent, licenses fess, demurrage, anchorage and moratorium period to PPP operators / Port-users for 3 months.

<table>
<tr><td>3.</td><td>Tuticorin Ship Agents Association (TSAA)</td><td></td></tr>
<tr><td>(i).</td><td>With reference to the increase in vessel related charges at VOC Port, New scale of rate was implemented from 21st Nov 2019 with reduced slabs. As we all are well aware that majority of the vessels calling Tuticorin are below 20,000 GRT, those vessel are severely affected with 31% - 43% increase in vessel related charges.
<table>
<tr><th>GRT</th><th>OLD TARIFF (Till 20 Nov 2019)</th><th>NEW TARIFF (From 21 Nov 2019)</th><th>% OF INCREASE IN PORT TARIFF</th></tr>
<tr><td>15929</td><td>$ 14,725</td><td>$ 19,260</td><td>31%</td></tr>
<tr><td>14063</td><td>$ 11,956</td><td>$ 16,009</td><td>34%</td></tr>
<tr><td>9755</td><td>$ 8,237</td><td>$ 11,795</td><td>43%</td></tr>
<tr><td>16575</td><td>$ 15,322</td><td>$ 20,042</td><td>31%</td></tr>
</table></td><td rowspan="2">Earlier the rationalization of slabs was proposed to fall in line with the TAMP working guidelines for prescription of Pilotage fees in three slabs, as against existing six slabs by clubbing the existing five slabs upto 30,000 GRT into one, and including two further slabs at the sliding scales as per TAMP guidelines. After the deliberations and after the joint hearing one more slab i.e., upto 20,000 GRT was also incorporated.

Subsequently, the Trade submitted representation to reduce the tariff on the grounds that due to reduction of no. of slabs in respect of pilotage and berth hire, the vessels having of GRT of less than 20,000 are mostly affected. To address the said issue, the Port proposed 10% reduction in respect of slabs upto 20,000 GRT. As far as port dues are concerned, the port already collects single slab of rates irrespective of GRT. Hence, the request to reduce Port dues is not agreeable.</td></tr>
<tr><td>(ii).</td><td>To safeguard the interest of our EXIM trade, we had requested VOC Port to consider at least 25% discount on new tariff for the vessels below 20,000 GRT. Series of meetings organised by your good self on the subject, finally VOC Port confirmed 10% discount. However, no discount was stated for port dues.
<table>
<tr><th>GRT</th><th>NEW TARIFF (From 21 Nov 2019)</th><th>10 % on Pilotage & Berth hire (From 1 Jan 2020)</th><th>ACTUAL % OF DISCOUNT IN PORT TARIFF</th></tr>
<tr><td>15929</td><td>$ 19,260</td><td>$ 17,982</td><td>7%</td></tr>
<tr><td>14063</td><td>$ 16,009</td><td>$ 14,973</td><td>7%</td></tr>
<tr><td>9755</td><td>$ 11,795</td><td>$ 11,012</td><td>7%</td></tr>
<tr><td>16575</td><td>$ 20,042</td><td>$ 18,712</td><td>7%</td></tr>
</table></td></tr>
<tr><td>(iii).</td><td>Tuticorin Ship Agents Association (TSAA) thereby plead with VOC Port to kindly consider to extend 10% discount on port dues as well for the vessels below 20,000 GRT. So that total VRC is only 6.5% and not 10%. So they kindly request TAMP and consider reducing the port dues to 10%.</td><td>The Tariff Guidelines issued by the MoS, Slabs not available for the tariff of Port dues, hence, the slab wise concession not proposed with respect to Port dues vessel lesser than 20,000 GRT.</td></tr>
<tr><td>4.</td><td>Tuticorin Stevedores Association (TSA)</td><td></td></tr>
<tr><td>(i).</td><td>Reference is made to Port Letter Ref: File No.TRA-OFTMK-MIS-SOR IV-A1-20 (46174) D.916 dated. 22.05.2020, as per the Trade Notice issued by Port, it is mentioned that as in Scale Of Rates SL.No.6.1, Levy for cargo handled at 9th berth with use of Harbour Mobile Crane(HMC) for vessels with draft more than 11.5 Mtrs is revised from ₹50 PMT to ₹35 PMT and will be in force from 01.01.2020.</td><td rowspan="2">The purpose of having a deep draft berth of 14.2 m draught is to clear the vessels with its maximum potential in its parcel size. A panama – gearless vessel is expected to discharge its entire parcel at the port in order to get the maximum cost benefit for both the port and the importer. Hence, the benefit need not be extended to those vessels calling to discharge only part / less cargo load.

Hence, port proposal is in order.</td></tr>
<tr><td>(ii).</td><td>Addressing above notification by Port, Tuticorin Stevedores Association (TSA) state that any vessels berthing at Berth No.9, irrespective of her draft either more or less than 11.5 Mtrs are using the facility of Harbour Mobile Crane for cargo operation. In the event of berthing a Panamax vessels of less than 11.5 Mtrs at Berth No.9, the vessel discharge her cargo only with</td></tr>
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	use of Harbour Mobile Crane, whereas considering her draft the benefit of revised Levy is not applicable to such vessels at par.	
(iii).	As the one and only objective to revise the Levy for Berth No.9 is based on mandatory use of Harbour Mobile Crane, we request revision in charges towards Levy i.e. ₹35 PMT may please be ordered to be applicable for “ALL VESSELS WORKING AT BERTH NO.9 WITH USE OF HARBOUR MOBILE CRANE” irrespective of vessel draft, for the Port Users and Trade to be benefited in equality.	
(iv).	As per the Trade representation, TSA request TAMP to please consider above said facts and necessary amendment may be done in SOR SL. No.6.1, which to be in equal, having same value for all.	

1.2. The IMCOLA Crane Company Pvt. Ltd. has submitted the following cost comparison between Berth No.9 and Berth Nos.3 & 4 at VOCPT:

Sr. No.	**Description**	**Reference figure/tariff**	**Conveyor at Berth no.9**	**Through Hopper at Berth no.9**	**Total Amount when vessel discharged all cargo at berth no.9**	**Part discharge at Berth no.9**	**Balance discharge at Berth no.3/4**	**Total Amount when vessel partly discharge at 9 shifts to Berth no.3/4 for part discharge**
1	GRT - typical Supramax	39,643						
2	Cargo - typical parcel size – MT	55,000	45,000	10,000	55,000	15,000	40,000	55,000
3	Vessel Shifting Charges		-	-	-	-	-	-
4	INR per US$	75.69						
5	Pilotage	$15662+(0.42*GRT)			2,445,699.82			2,445,699.82
6	Berth Hire	$231+0.0065*GRT			1,183,620.84	369,881.51	2,774,111.35	3,143,992.87
7	Port Dues	$0.3285*GRT			985,690.09			985,690.09
8	Total Working Hrs at berth 9	32 hrs						
9	Total Working Hrs - Part disch at berth 9	10 hrs						
10	Total Working Hrs - Part disch at berth3/4	85 hrs						
11	Hopper Quantity at berth no.9	3,000 MTs						
12	Conveyor Quantity at berth no.9	12,000 MTs						
13	HMC Cost	₹ 59.00 per MT	2,655,000	590,000	3,245,000	885,000	-	885,000
14	Hopper cost	₹ 17.39 per MT		173,900	173,900	52,170	695,600	747,770
15	Conveyor Cost	₹ 68.23 per MT	3,070,350		3,070,350	818,760	-	818,760
16	Labour levy	₹ 50.00 per MT	2,250,000	500,000	2,750,000	750,000	2,000,000	2,750,000
17	Wharfage	₹ 61.96 per MT	2,788,200	619,600	3,407,800	929,400	2,478,400	3,407,800
18	Royalty	₹ 14.00 per MT	630,000	140,000	770,000	210,000	560,000	770,000
19	Pollution cess	₹ 10.00 per MT	450,000	100,000	550,000	150,000	400,000	550,000
20	Intercarting Conveyor Yard to Stevedore Stack Yard	₹ 23.91 per MT	1,075,950		1,075,950	286,920	-	286,920
21	Intercarting from Berth 3/4 & 9	₹ 41.30 per MT	-	413,000	413,000	123,900	1,652,000	1,775,900
22	Stevedoring cost	₹ 10.00 per MT	450,000	100,000	550,000	150,000	400,000	550,000

23	Despatch Incentive for <4d	$ 270.83 per hr			(1,311,960)			-
		Total Cost paid by Ship			4,615,011			6,575,383
		Cost to Ship/MT			84			120
		Total Cost paid by Receiver			**14,694,040**			**12,542,150**
		Cost to Receiver /MT			**267**			**228**
	<u>Option 1</u>							
	To attract cargo to the more efficient berth no.9, the Cargo Receiver should either pay less at berth no.9 i.e. pay `40 less							
	That means the Labour levy should be reduced below `10/MT							
	OR							
	<u>Option 2</u>							
	The cargo Receiver should be penalized at the rate of more than `40/MT for handling at a less efficient berth.							
	This pre-supposes that the Labour levy would not be changed.							
Notes:								
1	Having a labour levy of `50/- means that **<u>inefficiency is being inadvertently encouraged</u>**							
2	It is only the geared Supramax vessels that choose to partly discharge at the mechanized berth no.9 and then shift the vessel to berth no.3 or 4 when the draft has been achieved.							
3	Shifting is offered free of charge by the port which is principally incorrect when not done at the Port Management's choice.							
4	In any case, even previously, the charge would not affect the decision to shift since it was paid by the vessel							
5	Generally, the vessel related charges are paid by the ship and cargo related charges by the Cargo receivers							
6	The solution to this enigma is to either penalize inefficiency or to waive off Labour levy for handling with efficient HMCs							
7	The former solution wherein the Labour levy is retained may cause some marginal cargoes to migrate to competing Ports like Karaikal							

2. A joint hearing in this case was held on 18 August 2020 through Video Conferencing. The VOCPT made a brief Power Point presentation of its proposal. At the joint hearing, the VOCPT and the concerned users/ user organizations have made the following submissions:

<u>V.O. Chidambaranar Port Trust (VOCPT)</u>
[Chairman]

The proposal is based on request of trade. Most of amendments are mainly for reduction of rates prescribed in the existing SOR.

<u>V.O. Chidambaranar Port Trust (VOCPT)</u>
[FA&CAO i/c)]

(i). The consolidated ARR estimated for the port operations and for the CHD in the last tariff Order is ₹476.48. At the revenue estimated at the rates approved by TAMP, ₹32.04 crores was left uncovered in the last tariff Order.

(ii). VOCPT has implemented the revised SOR approved by TAMP from 21 November 2019.

(iii). Based on some practical difficulties faced by the port in implementation of revised SOR and considering various representations received from port users, the VOCPT has proposed amendments.

(iv). In Pilotage and berth hire charges for the vessels upto 20,000 GRT the port has proposed reduction of 10% with effect from 01 January 2020. The port has already implemented the reduced rate with the approval of its Board from 01 January 2020.

(v). Trade represented that consolidation of some cargoes in the wharfage schedule has led to higher rate. Hence, separate wharfage rate is proposed for oil cake, cattle feed, maize and fly ash. Presently, the wharfage rate for these cargo items falls under “Other cargoes” in the respective category. The proposed rate now is lower than the rate applicable as per existing SOR.

(vi). Port has proposed to merge the existing labour levy with the wharfage. Merger is proposed uniformly for all cargo except liquid cargo and containerized cargo. The proposed amendment is for transparency in billing and for ease of doing business.

(vii). In the existing SOR, rate for hire of grab are for three different sizes of grab. In the current proposal, single rate for grab is proposed in line with the previous model with escalation at same percentage of increase approved by TAMP vide Order dated 10 October 2019.

(viii). Some modifications are also proposed in few notes for transparency and for ease of business.

(ix). We want to clarify that for more than one shifting, shifting charge is chargeable w hen shifting is requested by vessel master/ ship agents.

(x). Month definition is proposed to be modified at the request of users to reduce hardship particularly to users who take land on license for short term.

(xi). Wharfage has to be collected on bonafide consumables for which a note is proposed to be added.

(xii). Certain modification in notes on anchorage fees are proposed for ease of business and for transparency.

(xiii). Handling of vehicle by lift on/ lift off is different from RORO operation. Hence it is proposed to charge wharfage rate of Machinery for handling of vehicle by lift on/ lift off.

(xiv). Output norms for NCB-I is not approved by TAMP stating that it is a captive berth. Considering that the handling of coal by TANGEDCO is done with one shore unloader and one conveyor, output norm of 12500 MT per day is proposed. This is 50% of the output of 25,000 per MT day for NCB- I which operates with two shore cranes and two conveyor systems.

(xv). Majority of amendments proposed are for transparency/ for ease of doing business. TAMP may, therefore, approve the amendments proposed by the port.

Container Shipping Lines Association
[Shri Sunil Vaswani]

On the face of the proposal, it appears that there is reduction in tariff. Share with us the power point presentation made by the port. Based on that, we will furnish comments to TAMP.

IMCOLA Crane Company Pvt. Ltd.
[Shri Umesh Shedde]

(i). Merger of levy with wharfage shall neither help port nor the user or the operator.

(ii). The proposal of the port will lead to increase the handling rate of cargo from the berth no. 9 where we operate. IMCOLA is losing cargo every year. If this trend continues, our modern crane will lie idle which is against the policy of Government for mechanization.

(iii). Users will find it convenient to handle cargo from berth nos.3 and 4 of the port. This will lead to the berth no.9 becoming idle.

(iv). If labour levy is added to vessel related charges, ship agents will increase the freight which they will recover from user. Port will not be impacted.

Tuticorin Thermal Power Station (TTPS)

Output norm is reduced. We appreciate that.

Chennai Radha Engineering Works (P) Ltd.
[Shri VR Senthilkumar]

(i). We agree with views of IMCOLA.

(ii). We have made huge investment for deployment of HMC at the port. If the labour levy is merged with wharfage, handling rate will become high from the berths where we operate discouraging the user to avail the HMCs.

(iii). Reconsider the proposal. Else, it will be difficult for us to survive.

Seaports Logistics Pvt. Ltd.
[Hussain] –

(i). We endorse point of Chennai Radha Engineering Works (P) Ltd. and IMCOLA.

(ii). Despite investment made by VOCPT to increase the draft, the current proposal of the port for merger of labour levy with wharfage, will increase the rate for handling from berth no.9. The users will move to other berths of the port. The desired objective of encouraging the draft for getting bigger vessels cannot be achieved.

(iii). Labour levy may be kept separate.

(iv). Concessional rate of ₹1/ MT may be charged.

(v). Deployment of labour at berth no.9 is not the same as other berths.

V.O. Chidambaranar Port Trust (VOCPT)
[FA&CAO (I/c)]

(i). Labour levy prior to last revision, rate was ₹69/- PMT.

(ii). Port had given ₹1/- PMT as concession. However, despite concession, there has been no increase in traffic.

(iii). So, the port is of the view that simply extending the concession will not serve purpose.

(iv). BOT operator should do more marketing efforts to attract traffic.

(v). From ₹69/- PMT, the port reduced the levy to ₹50/- in the last SOR. Now, in the current proposal, a note is proposed to apply another reduction of ₹15/- for foreign cargo and ₹6/- for coastal cargo for cargo being handled through HMC at berth no 9. So, effectively, the rate is reduced to ₹35/- PMT.

IMCOLA Crane Company Pvt. Ltd.

(i). If port wants revenue, it can do so by proposing increase in the port dues or berth hire. Shift this on ship side. They will be tempted to use better vessel.

(ii). Apply concessional rate of ₹1/- PMT or else, put it on the ship side. This will not impact the port.

[Traffic Manager (VOCPT): It is very short sighted view. This is a cargo related charge. If port proposes to recover the levy by increasing the rate for vessel, vessel operators will object.]

Southern Petrochemicals Industries Corporation (SPIC)
[Shanmugam]

(i). Port and TAMP to consider ₹1/- PMT as labour levy.

(ii). Request to share the copy of power point presentation.

Chennai Radha Engineering Works (P) Ltd.
[Shri VR Senthilkumar]

VOCPT may discuss with IMCOLA and Chennai Radha Engineering Works (P) Ltd. before taking final call.

Villavarayar & Sons
[Celestine]

(i). Consider reduction in levy as suggested by users.

(ii). Have a separate rate for 9th berth.
[FA&CAO I/c (VOCPT): Any vessel berthed at 9th berth, cargo will be charged ₹35/- PMT as compared to ₹50/- at other berth. Suitable note is proposed under the wharfage Schedule note to apply reduction of ₹15/- for foreign cargo and ₹6/- for coastal cargo to be handled through HMC at berth no.9. Software will be suitably designed. There will be no case for higher payment and getting refund on this account.]

(iii). Will this happen at assessment stage.
[FA&CAO I/c (VOCPT): It will be done at assessment stage itself.]

Tuticorin Ship Agents' Association (TSAA)
[Shri A. Mohan]

(i). 10% reduction may be proposed for port dues also.
[FA&CAO I/c (VOCPT): Port dues is not in slab system. It is in single slab. VOCPT has proposed 10% reduction only for vessels upto 20,000 GRT in pilotage and berth hire which are prescribed in 3 slabs.]

(ii). Because of reduction proposed, the gap left uncovered will go up to ₹45 crores from ₹32.04 crores left uncovered in last tariff Order.

M/s. Coastal Mechanised Sail Vessel Owners Associations

We are operating in Zone B. Any increase in rate will affect our industry. Consider reduction for Zone B operation.

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