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Tariff Authority for Major Ports

G.No. 441 **New Delhi,** **02 December 2019**

NOTIFICATION

This Authority, in exercise of the powers conferred on it under Sections 48, 49 and 50 of the Major Port Trusts Act, 1963 (38 of 1963), had disposed of the proposal received from the Deendayal Port Trust (DPT) for general revision of its Scale of Rates, on 10 October 2019. Considering the time involved for notifying (Speaking) Order along with the Scale of Rates, approved by this Authority, this Authority decided to notify only the revised Scale of Rates immediately. Accordingly, the Scale of Rates approved by this Authority on 10 October 2019 was notified in the Gazette of India on 30 October 2019 vide Gazette No.377. It was stated in the said Notification that this Authority will notify the Speaking Order, in due course of time. Accordingly, this Authority hereby notifies the Speaking Order connected with disposal of the proposal of the DPT for general revision of its Scale of Rates as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports
Case No.TAMP/28/2019-DPT

Deendayal 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 10th day of October 2019)

This case relates to a proposal dated 06 June 2019 received from the Deendayal Port Trust (DPT) for general revision of its Scale of Rates (SOR).

2. The existing SOR of the DPT was last approved by this Authority vide Order No.TAMP/18/2016-KPT dated 21 June 2016 which was notified in the Gazette of India on 10 August 2016 vide Gazette No.319. The validity of existing SOR of DPT expired on 31 March 2019 as prescribed in the said Order. The validity of said existing SOR of DPT was extended upto 30 September 2019 and communicated to all Major Port Trusts including DPT vide our letter No.TAMP/39/2005-Misc. dated 29 March 2019.

3. All the Major Port Trusts were governed by the Tariff Guidelines of 2015 for fixation of SOR for handling cargo, vessel and rendering miscellaneous services. The Ministry of Shipping (MOS), vide its letter No.IWT-II/28/2018-IWT dated 26 December 2018 has issued the new "Tariff Policy for determination of Tariff for Major Port Trusts, 2018" for determination of SOR which are due for revision in Major Port Trusts with effect from 01 April 2019 under Section 111 of the Major Port Trusts (MPT) Act 1963. In compliance with the direction issued by the Government of India, this Authority has notified the Tariff Policy Guidelines, 2018 in the Gazette of India vide Gazette No.17 dated 16 January 2019. The Tariff Policy, 2018 has come into effect from 26 December 2018. The said Tariff Policy, 2018 was forwarded to all Major Port Trusts including DPT vide our letter No.TAMP/79/2018-Misc. dated 25 January 2019. Thereafter, as per Clause 1.5 of the Tariff Policy, 2018, Working Guidelines to operationalize the Tariff Policy is notified in the Gazette of India vide Gazette No.29 dated 30 January 2019. The said Working Guidelines, 2018 was forwarded to all Major Port Trusts including DPT vide our letter No.TAMP/79/2018-Misc. dated 04 February 2019.

4.1. In this backdrop, the DPT has filed its proposal following Tariff Policy, 2018 vide its letter dated 06 June 2019 for general revision of its SOR. The DPT has made the following submissions/ factors considered regarding its general revision proposal:

(i). Rates of On Board labour charges have been merged into Wharfage rates for each commodity. Similarly, Shore labour charges also have been included in Wharfage rates of Break bulk Commodities.
[Schedule No.3 under Chapter-III for Cargo Related Charges of existing SOR].

(ii). Proposed rates for Port dues & Pilotage for Dry Bulk Terminal of M/s.AKBTPL at Tuna Tekra have been brought at par with Kandla rates.
[Chapter-VA of existing SOR].

(iii). New Levy of Lighterage charges at OTB/Anchorage of ₹6.00 and $0.1562 PMT for coastal and Foreign cargo respectively, has been introduced.
[Schedule No.3.1 C under Chapter-II for Vessel Related Charges of proposed SOR].

(iv). New levy of In Motion Weighbridge for cargo loaded in Railway wagons of ₹110.00 and ₹55.00 for each Loaded and Empty wagon respectively has been introduced, based on Chennai Port Trust's rates.
[Schedule No.4 under Chapter-IV for Miscellaneous Charges of proposed SOR].

(v). Introduction of new levy i.e. Charges for carrying out Bollard Pull test of ₹11,893.86 and US $434.72, as approved by the Board vide Board Resolution No.101 of Board meeting held on 14 December 2018 is proposed.
[Schedule No.3.6 under Chapter-II for Vessel Related Charges of proposed SOR].

(vi). In the Schedule of Berth hire charges, the rates proposed have been modified, i.e. Rates are proposed now for Non- crane berth and if shore crane is utilized then 190% of the Non-crane berth hire charges shall be levied. Non-crane berth hire charges has been increased by 5%.
[Schedule No.3.1 A under Chapter-II for Vessel Related Charges of proposed SOR].

(vii). Commodity "Metals (Ferrous / Non-Ferrous) (Including Pipes, plates, pig iron and coil sheet)" under Schedule of Wharfage charges has been splitted into 2 i.e. "Metals (Ferrous / Non-Ferrous) (Including plates, pig iron and other steel coils) and "Metals (Ferrous / Non-Ferrous) (Including Steel Pipes and Wire Rod coils), with 10% and 15% increase in Wharfage rates respectively.
[Schedule No.1 under Chapter-III for Cargo Related Charges of proposed SOR].

(viii). New commodity has been introduced in Schedule of Wharfage as "Aggregates and stone chips" and rates proposed are ₹16.98 and ₹28.32 PMT for Coastal and Foreign cargo respectively.
[Schedule No.1 under Chapter-III for Cargo Related Charges of proposed SOR].

(ix). Flat rate for Motor vehicles except Motor cycles has been introduced at ₹1117.26 and ₹1862.10 for Coastal and Foreign cargo based on SOR of Cochin Port Trust.
[Schedule No.1 under Chapter-III for Cargo Related Charges of proposed SOR].

(x). Under Misc. Pilotage charges, new service has been added i.e. "Inward/ Outward/ Shifting Pilot Memo late submission" and charges proposed for Coastal and Foreign vessels are ₹13,207.64 and $534.29 for Kandla and of ₹8709.91 and $352.34 for Vadinar respectively has been introduced.
[Schedule No.2.2 under Chapter-II for Vessel Related Charges of proposed SOR].

(xi). Under Schedule of Anchorage charges new levy i.e. "Vessels entering the Port limits and anchor without approval of Port" has been introduced and rate of ₹8,000 and $200 for Coastal and Foreign vessels respectively for both Kandla and Vadinar.
[Schedule No.3.1 to 3.5 under Chapter-II for Vessel Related Charges of proposed SOR].

(xii). With regard to 120 ton HMC, fixing of ceiling rate based on per metric tonne cargo handled is proposed rather than rate based on the performance standard. This is done by freezing the ceiling rate at two higher ceiling rate i.e. with 10% increase in base ceiling rate for each cargo. Further, as the productivity of the "Pet coke" is similar to the "Other bulk cargo" such as stone chips, Feldspar, Iron ore, hence, "Pet coke" has been removed from the category of Food Grains, Met Coke, Pet Coke and added to the category of "Other Bulk Cargo" (i.e. ₹65.31 Per tonne for foreign and ₹39.18 Per tonne for coastal rate).
[Schedule No.11 under Chapter-IV for Miscellaneous Charges of proposed SOR].

(xiii). The proposed rate by DPT for most of the items is the existing rate after applying the indexation factor of 2017-18 (2%), 2018-19 (3.45%) and 2019-20 (4.26%). For a few items, increase/ decrease proposed in the rate/ applicable as per Existing Scale of Rates after indexation in various activities of Kandla/ Vadinar are as follows:

Sr. No	**Activity**	**Proposed hike in %**
I.	**Kandla/Vadinar**	
A.	**Vessel Related Charges**	
1.	Berth Hire (Non-Crane berth)	5%
2.	Dry Docking Charges	2%
B.	**Cargo Related Charges**	
(i)	Wharfage Charges	

1.	Coal	6%
2.	Salt	7%
3.	POL Products	12%
4.	Chemicals – Hazardous & Non-Hazardous	10%
5.	Metals (Ferrous/Non-Ferrous) (Including plates, pig iron and other steel coils)	10%
6.	Metals (Ferrous/Non-Ferrous) (Including Steel Pipes and Wire Rod coils)	15%
7.	Service Charge on Rail Borne Cargo	20%

(xiv). As per Para 2.1 of Working Guidelines to operationalise the Policy for Determination of Tariff for Major Port Trusts, 2018, the Annual Revenue Requirement (ARR) i.e. Form-1 for the year 2019-20 of ₹1107.86 crores after indexation of 3.45% for the year 2018-19 and 4.26% for the year 2019-20 has been certified by practicing Chartered Accountant.

(xv). Also, Revenue Estimation i.e. Form-3, totaling to ₹1106.11 crores for the year 2019-20 has been certified by practicing Chartered Accountant, as per para 2.9 of Working Guidelines to operationalise the Policy for Determination of Tariff for Major Port Trusts, 2018.

(xvi). The Board in its meeting held on 28 May 2019 has approved the proposal of Revision of Scale of Rates of DPT, vide Board Resolution No.17. Copy of the minutes of the Board Meeting is furnished.

(xvii). TAMP, is requested to kindly consider and approve the General Revision of SOR of DPT as per "Policy for determination of tariff for Major Port Trusts, 2018" under sections 48, 49, 49(A), 49(B) and 50 of the MPT Act, 1963.

4.2. The DPT has furnished detailed computation of Annual Revenue Requirement (ARR) under Form-1 and Revenue estimation at the proposed rate in Form-3.

(i). A summary position of ARR computation furnished by DPT is tabulated below:

(₹ in Lakhs)

Sl. No.	**Description**	**Y1 (2015-16)**	**Y2 (2016-17)**	**Y3 (2017-18)**
(1).	**Total Expenditure (As per Audited Annual Accounts)**			
(i).	Operating expenses (Including depreciation)	50117.31	52823.73	53216.42
(ii).	Management & General Overheads	12040.78	13054.77	14582.48
(iii).	Finance and Miscellaneous Expenses (FME)	14569.55	21920.17	51202.76
	Subtotal 1=(i)+(ii)+(iii)	**76727.64**	**87798.67**	**119001.66**
(2).	**Less Adjustments:**			
(i).	Estate related expenses			
	(a). Operating expenses (Including depreciation)	1090.42	1051.35	1071.25
	(b). Allocated Management & Administrative Overheads	261.98	259.83	293.55
	(c). Allocated FME	23.17	58.33	101.11
	Subtotal 2(i)=[(a)+(b)+(c)]	**1375.57**	**1369.51**	**1465.91**
(ii).	**Interest on loans**	**15.00**	**18.18**	**26.55**
(iii).	**2/3rd of One-time expenses, if any like arrears of wages, arrears of pension / gratuity, arrears of ex-gratia payment, etc. (list out each of the items)**			
	(a). Wage Revision arrears	3.97	0.67	487.69
	Subtotal 2(iii) = [(a)]	**3.97**	**0.67**	**487.69**
(iv).	**2/3rd of the Contribution to Superannuation funds like Pension Fund, Gratuity fund and Leave Encashment fund**	**9002.95**	**12659.71**	**30786.59**
(v).	**Management and General overheads over & above 25% of the aggregate of the operating expenditure and depreciation**	**0.00**	**0.00**	**0.00**
(vi).	**Expenses relevant for tariff fixation of Captive Berth, if any governed under clause 2.10 of the Tariff Policy, 2018.**			
	(a). Operating Expenses	**0.00**	**0.00**	**0.00**

Sl. No.	Description	Y1 (2015-16)	Y2 (2016-17)	Y3 (2017-18)
	(b). Depreciation	**0.00**	**0.00**	**0.00**
	(c). Allocated Management and Administrative Overheads	**0.00**	**0.00**	**0.00**
	(d). Allocated FME	**0.00**	**0.00**	**0.00**
	Subtotal 2(vi) = [(a)+(b)+(c)+(d)]	**0.00**	**0.00**	**0.00**
	Total of 2 = 2(i)+2(ii)+2(iii)+2(iv)+2(v)+2(vi)	**10397.48**	**14048.07**	**32766.74**
(3).	**Total Expenditure after Total Adjustments (3=1-2)**	**66330.16**	**73750.60**	**86234.92**
(4).	Average Expenses of Sl. No. 3 = [Y1+Y2+Y3]/3			**75438.56**
(5).	**Capital Employed**			
	(i). Net Fixed Assets as on 31.03.2018 (As per Audited Annual Accounts)			120680.07
	(ii). Add: Work in Progress as on 31.03.2018 (As per Audited Annual Accounts)			45558.07
	(iii). Less: Net value of Fixed assets related to Estate activity as on 31.03.2018 as per Audited Annual Accounts.			547.14
	(iv). Less: Net value of fixed assets, if any, transferred to BOT operator as on 31 March 2018 as per Audited Accounts.			0.00
	(v). Less: Net value of fixed assets as on 31 March 2018 as per Audited Accounts relevant to be considered for captive berths, if any, under clause 2.10. of the Tariff Policy, 2018.			0.00
	(vi). Add: Working Capital as per norms prescribed in clause 2.5. of the Working Guidelines			0.00
	(a). Inventory			63.73
	(b). Sundry Debtors			4728.29
	(c). Cash			0.00
	(d). Sum of (a)+(b)+(c)			4792.02
	(vii). Total Capital Employed [(i)+(ii)-(iii)-(iv)-(v)+(vi)(d)]			**170483.02**
(6).	**Return on Capital Employed 16% on Sl. No. 5(vii)**			**27277.28**
(7).	**Annual Revenue Requirement (ARR) as on 31 March 2018 [(4)+(6)]**			**102715.84**
(8).	**Indexation in the ARR @ 100% of the WPI applicable for the year 2018-19 I.E. @3.45% (7*1.0345)**			**106259.54**
(9).	**Indexation in the ARR @ 100% of the WPI applicable for the year 2019-20 I.E. @ 4.26% (8*1.0426)**			**110786.19**
(10).	**Ceiling Indexed Annual Revenue Requirement (ARR)**			**110786.19**
(11).	**Revenue Estimation at the Proposed SOR within the Ceiling Indexed ARR estimated at Sr. No. 9 above.**			**110610.69**

(ii). The DPT has furnished in Form 3 detailed working of revenue estimation at the proposed tariff for the actual traffic of 2017-18. As per the said form, the total revenue estimated at the proposed tariff from Cargo, Vessel, Miscellaneous charges is ₹1,106.11 crores.

(iii). The Performance Standards proposed by DPT in Form-6 are as follows:

Sl. No.	Performance Parameters	Proposed performance standards
(1).	**Cargo Related Services**	
(a)	Average Ship Berth day Output (in tonnes) (Note)	17781
(b)	Average moves per hour (in TEUs) in respect of Containers	30.57
(2).	**Vessel Related Services**	
(a)	Average Turnaround Time of Vessels (in days)	4.72
(b)	Average Pre-Berthing Time of Vessels (in days)	2.04

5.1. In response to our letter dated 11 June 2019, the DPT vide its letter dated 15 June 2019 has made following submissions:

(i). The DPT has hosted the entire proposal (excluding Annual Accounts) and proposed Scale of Rates on its website on 30 May 2019 and also confirmed that hosting of proposal on DPT website was intimated to concerned users/ user associations.

(ii). ARR in Form-1 and Revenue Estimation in Form–3 duly certified by practicing Chartered Accountant/ Cost Accountant are furnished.

(iii). Copies of the Annual Administration Report and Audited Annual Accounts for each of the years 2015-16, 2016-17 and 2017-18 are also furnished.

5.2. It was understood from the website of DPT that the DPT has only hosted proposed SOR and Performance Standards instead of entire proposal. The port was, therefore, vide our letter dated 12 July 2019 again requested to confirm the hosting of its entire proposal (excluding Annual Accounts) in its website duly providing the designated email address of Port as well as TAMP for comments of relevant stakeholder/ users within 15 days' time. In response, DPT has vide its email dated 14 July 2019 stated that it has hosted proposed SOR and Performance Standards and has also furnished a screen shot of DPT website showing hosting of proposed SOR.

6.1. Kandla Port Customs House Agent Association (KPCHAA) vide its email dated 12 July 2019, Kandla Liquid Tank Terminal Association (KLTTA) vide its email dated 12 July 2019, Vadinar Oil Terminal Limited (VOTL) vide its email dated 12 July 2019 and M/s.Emperius Infralogistics Pvt. Ltd. (EIPL) vide its email dated 13 July 2019 have requested to share the copy of proposal.

6.2. In this regard, vide our email dated 15 July 2019, a copy of DPT e-mail dated 14 July 2019 confirming hosting of entire proposed SOR on its website and screenshot of where it is hosted on the website of DPT was forwarded to the KPCHAA, KLTTA, VOTL and EIPL with a request to furnish comments immediately.

7. We received comments from Rishi Shipping, KPCHAA, VOTL, IFFCO, KSAL and KPSAA on the subject proposal which were forwarded to DPT as feedback information. The DPT has responded vide its letters dated 22 August 2019.

8. Based on the preliminary scrutiny of the proposal, the DPT was requested vide our letter dated 18 July 2019 to furnish information/ clarifications on a few points by 31 July 2019. This was followed up by reminder dated 23 July 2019 and D.O. letter dated 6 August 2019. The DPT has furnished its reply on additional information/ clarification vide its letter dated 20 August 2019 and subsequent emails dated 17 September 2019 and 19 September 2019. A summary of additional information/ clarification sought by us and reply furnished by DPT thereon is tabulated below:

Sl. No.	Information / Clarification sought by us	Reply furnished by DPT
1.	**General:** The port to furnish a copy of Board resolution No.101 of Board Meeting held on 14 December 2018 approving Charges for carrying out Bollard Pull Test as the copy of the said resolution is not accompanied with the proposal.	A copy of Board Resolution 101 of Board Meeting held on 14 December 2018 approving the charges for carrying out Bollard Pull Test is furnished.
2.	**Annual Revenue Requirement (FORM No.1):**	
(i).	Clause 2.2 (i) of the Tariff Policy, 2018 and Working Guidelines stipulates that all expenses relating to Estate related activity to be excluded for the computation of ARR. It is, however, seen from Form-1 that the DPT has excluded an amount of ₹1,090.42 lakhs, ₹1,051.35 lakhs and ₹1,071.25 lakhs towards Operating Expenses including depreciation for the years 2015-16, 2016-17 and 2017-18 as against actual Operating Expenses for estate activity reported in Annual Accounts at ₹4,488.78 lakhs, ₹4,241.07 lakhs and ₹4,330.41 lakhs including depreciation for the years 2015-16, 2016-17 and 2017-18. The DPT has not excluded ₹3,398.36 lakhs, ₹3,189.72 lakhs and ₹2,861.92 lakhs citing that it	The operating expenditure of Estate Activity as per Annual Accounts is also inclusive of expense incurred on maintenance of Gopalpuri and Kandla Port staff colony, hence same has been excluded from the Estate activity. The depreciation of estate activity is inclusive of depreciation of capital expenditure incurred for cargo handling activity of the port and not pertaining to estate activity. Hence the above two nature of expenses has been excluded from the operating expenditure of Estate activity. Further, Tariff Guidelines, 2018

<table>
<tr><td></td><td>relates to maintenance expense of Gopalpuri, Vadinar and Kandla Colony. The Tariff Guidelines, 2018 of MOS do not provide for inclusion of maintenance expenses of colonies in the ARR. The DPT, therefore, to exclude the operating expenses of Estate activity as reported in its Audited Annual Accounts for the years 2015-16, 2016-17 and 2017-18.</td><td>of the MOS do not provide for exclusion of maintenance expenses of colonies in the ARR. Even during the last general revision of SOR of DPT, above nature of expenditure were excluded from Estate Activity expense. The detail of expenditure as per annual accounts & expenditure is furnished.</td></tr>
<tr><td>(ii).</td><td><u>Sl. No.2 (iii): 2/3 of the one-time expenses, if any like arrears of wages, arrears of pension / gratuity and ex-gratia payment etc.</u>:</td><td></td></tr>
<tr><td></td><td>As per Clause 2.2 of the Tariff Policy, 2018, 1/3rd of the one-time expenses, if any, like arrears of wages, arrears of pension/ gratuity and ex-gratia payment etc. is to be included. The DPT has not considered for exclusion 2/3rd of one-time expenses relating to ex-gratia on special VRS to the tune of ₹166.62 lakhs for the year 2015-16. The DPT to make necessary correction in Form-1 in the ARR as per clause 2.2 of the Tariff Policy, 2018 to be read with note 2(ii) of Form 1 of the Working Guidelines in this regard.</td><td>Proposal has been revised based on actual expenditure for the years 2016-17, 2017-18 and 2018-19 and the ARR so assessed as on 31.03.2019 has been indexed by 100% of WPI applicable for the year Y4, which is in line with clause 2.7 of Working Guidelines and clause 2.3 of Tariff Policy 2018. Accordingly, as there is no expense relating to ex-gratia on special VRS during the above 3 years. Hence 2/3rd of the same has not been excluded.

[Further, DPT vide its email dated 17 September 2019 has confirmed that the Board vide Resolution No.18 in the Board meeting held on 28 May 2019 has resolved to approve the Annual Accounts of the DPT for the year 2018-19 i.e. Balance sheet as on 31 March 2019 and Profit and Loss Account for the year 2018-19 is under submission to the Principal Director of Commercial Audit and Ex-Officio Member.]</td></tr>
<tr><td>(iii).</td><td><u>Expenses relevant for tariff fixation of Captive Berth, if any governed under clause 2.10 of the Tariff Policy, 2018</u>:
As per Clause 2.10 of the Tariff Policy, 2018, expenses relevant for captive berth is to be excluded. The DPT to confirm that there is no captive berth as port has considered nil amount for exclusion under this clause.</td><td>It is to confirm that there is no operating expenditure on development of captive Berth, hence NIL amount has been excluded under this clause.</td></tr>
<tr><td>(iv).</td><td><u>Expenses related to Railways</u>:</td><td></td></tr>
<tr><td></td><td><table>
<tr><th>Particulars</th><th>2015-16</th><th>2016-17</th><th>2017-18</th></tr>
<tr><td>Railway Earnings (A)</td><td>94.35</td><td>260.92</td><td>256.13</td></tr>
<tr><td>Railway related expenses (B)</td><td>146.52</td><td>579.92</td><td>607.93</td></tr>
<tr><td>Average expenses (C)</td><td colspan="3">444.79</td></tr>
<tr><td>Deficit (D= A-B)</td><td>(-) 52.17</td><td>(-) 319.00</td><td>(-) 351.80</td></tr>
</table>
(a). The DPT to clarify the reasons for steep increase in the railway related expenses in the year 2016-17 and 2017-18 in comparison to 2015-16.</td><td>The steep increase in the Railway related expense in the year 2016-17 and 2017-18 in comparison to 2015-16 is due to increase in expenditure towards depreciation of Railway assets on account of creation and capitalization of Railway assets during these years.</td></tr>
<tr><td></td><td>(b). The port may first exclude the entire railway related expenses.
Further, since it is seen from the above table that Railway activity is in deficit, the deficit given at (D) in the above table may be added while computing the ARR computation as the railway revenue is not sufficient to meet the railway expenses. If the expense includes any expense related to BOT</td><td>At DPT, Railway earnings is towards levy of Special Port service charges for Rail Bound / Rail Borne cargo passing through the Port. Operation and maintenance cost of Railway activities incurred by Port has been included in working of ARR and Income from railway also included in Form-3.</td></tr>
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	operator (whose tariff is fixed separately), the same may be excluded while adding the deficit in the computation of ARR. Consequent to that, the estimate of ARR may be modified and necessary modification may be done in tariff increase proposed and revenue estimate so as to be within the estimated ARR. This is in line with the approach adopted by the Authority in the recent rate revision of MOPT, NMPT and MBPT.	Therefore, no modification is required in the estimated ARR. Further, expense does not include any expenses exclusively related to BOT operations.
3.	**<u>Capital Employed [Form 1 Sl. No.5 (i)]:</u>** While arriving at the Capital Employed as on 31 March 2018, the DPT has considered net fixed assets at ₹1,20,680.07 lakhs as against ₹1,29,828.43 lakhs as reported in Audited Annual Accounts and excluded an amount of ₹9,148.36 lakhs towards the net fixed assets related to PPP projects as per list attached as Annexure–I. As regards Work-in-progress, the DPT has considered ₹45,558.07 lakhs as against ₹45,647.25 lakhs reported in Audited Annual Accounts and excluded an amount of ₹89.19 lakhs towards the Work-in-progress related to PPP projects as per list attached as Annexure–II. Both Annex-I and II are not found to have been attached to the proposal. The port has done some adjustments in the excel sheet but that is not clear and not explained in the proposal. The port to furnish Annex-I and II and also explain the basis for exclusion of ₹9,148.36 lakhs and ₹89.19 lakhs from net fixed assets and work in progress respectively relating to PPP. It is relevant to state that such an adjustment was not done by the port during the last general revision. The port to confirm that the net fixed assets considered for exclusion in the current general revision of the SOR have been captured while arriving at upfront tariff for the respective PPP projects and furnish details thereof.	Copy of Board Resolution (Annex-I) and the details of expenditure as per annual accounts and expenditure (Annex-II) are furnished. The capital expenditure related to PPP projects as per Annex-I has been excluded from the net fixed assets as reported in Annual Accounts and balance amount has been considered while arriving at the capital employed. Similar adjustment has been made from work in progress for the assets related to PPP projects. Similar adjustment was done by DPT during last general revision. It is to confirm that net fixed assets considered for exclusion in the current general revision of the SOR have been captured while arriving at upfront tariff for the respective PPP projects.
4.	**<u>Working Capital (Form 1 Sl. No.5 (vi) (a) and Form 4):</u>**	
(i).	While considering Six months average requirement of Other Inventory excluding fuel and customized spares, it is seen from the excel working that the DPT has considered ₹127.46 lakhs for arriving at allowable Inventory for computation on Working Capital as per norms which includes Marine store and Workshop store as per the figures of the inventory reported in page 9 of the Audited Accounts for the year 2017-18. However, the inventory of Marine store of ₹2.99 lakhs is not considered for arriving at the Working Capital. The reasons, therefor, to be explained.	The inventory of Marine stores has now been considered for arriving at the working capital.
(ii).	As per clause 2.5 of the working guidelines, limit for Sundry Debtors is two months of Estate Income and Railway terminal charges payable by Indian Railway. As per the figures reported in the Audited Accounts, this works out to ₹4,988.18 lakhs (₹29,929.08 lakhs /12*2). Whereas, it is seen from the Form-4 that the DPT has considered ₹4,685.60 lakhs (i.e. ₹28,113.61 lakhs *2/12) which do not match with the figures to be considered as per the Audited Accounts for the year 2017-18. The reasons for the difference to be explained.	As per clause 2.5 of working Guidelines in arriving at 2 months limit for Sundry Debtors towards Estate income to the tune of ₹4728.29 Lakhs (2 Months) is considered based on the revised proposal. [In the cost statement, DPT has also considered 2 months of Railway Terminal Charges as a part of Sundry Debtors.] [Subsequently, DPT vide its email dated 17 September 2019, has requested to

<table>
<tr><td></td><td></td><td>exclude income from employees of DPT towards License fees, Water & Electricity charges at ₹95.95 lakhs from calculation of debtors in working capital.]</td></tr>
<tr><td>5.</td><td><u>ARR indexation (Form-1):</u>

As per Clause 2.7 of Working Guidelines and as stipulated in clause 2.3 of the Tariff Policy, 2018, the ARR so assessed as on 31st March of Y3 need to be indexed by 100% of the Wholesale Price Index (WPI) applicable for the year Y4 as communicated by TAMP to the Major Port Trusts.
As against the above position, the DPT has indexed the ARR as of 2017-18 by 3.45% indexation factor for the year Y4 2018-19 at 3.45% and further indexed is by 4.26% for the year 2019-20 i.e. Y5. This is not in line with the guideline position and the ARR computation done by other Major Port Trusts. The DPT may, therefore, correct the ARR computation by excluding the 4.26% indexation applied by the port. This will be in line with the approach followed by DPT and other Major Port Trusts during the last general revision of its SOR.</td><td>

The proposal has been revised based on Y1, Y2 and Y3 as 2016-17, 2017-18 and 2018-19 and ARR as on 2018-19 and ARR as on 2018-19 has been indexed for the year Y4 i.e. 2019-20 at 4.26%. Accordingly the revised proposal with indexed ARR for 2019-20 at ₹1229.62 crore and revenue estimation at proposed rate is ₹1227.47. Complete revised proposal is furnished.</td></tr>
<tr><td>6.</td><td><u>Revenue estimation (Form-3):</u></td><td></td></tr>
<tr><td>(i).</td><td>In Form 3, the existing rate given by the DPT is after applying indexation for the years 2017-18, 2018-19 and 2019-20 at 3.45%, 2% and 4.26% respectively. Since the rate to be approved will be applicable for the year 2019-20 with prospective effect, and consequent to the point made in para V above, the indexation factor applied for 2019-20 in the existing rate for comparison with the proposed rate may exclude 2019-20 indexation factor. There may not be any change in the proposed rate on this account. The percentage increase may, however, have to be corrected.</td><td>In view of reply as above for Para 5, no correction is required.</td></tr>
<tr><td>(ii).</td><td>As per Clause 2.5 of the Tariff Policy 2018, for drawing the SOR, the traffic to be considered should be the overall traffic exclusively of the port in the year 2017-18. The actual traffic handled by the DPT as recorded in the Administration Report of 2017-18 is 110.10 Million Metric Tonnes (MMT) (Page No.48 of Administration Report). However, as per Form 3, the total cargo traffic considered by DPT for revenue estimation of wharfage charge is only 45.60 MMT. The DPT to reconcile the mismatch in the cargo traffic considered in the revenue estimation vis-à-vis the actual cargo traffic reported for the year 2017-18. The DPT to confirm that the revenue estimates from cargo handling service is the actual cargo handled exclusively by the DPT in the year 2017-18.</td><td>The actual traffic handled by DPT is 115.40 MMT during the year 2018-19.
Details of traffic handled is furnished as under:
<table>
<tr><th>Traffic 2018-19</th><th>Total</th></tr>
<tr><td>Dry Traffic handled by DPT (excluding BOT)</td><td>35482591</td></tr>
<tr><td>BOT traffic Kandla</td><td>10726645</td></tr>
<tr><td>Liquid Kandla</td><td>14451700</td></tr>
<tr><td>IOCL Traffic-OOT Vadinar</td><td>25739705</td></tr>
<tr><td>Essar - Crude + POL (BOT)</td><td>28493821</td></tr>
<tr><td>Transhipment - IOC Crude</td><td>507384</td></tr>
<tr><td>Total Traffic</td><td>115401846</td></tr>
</table>

The Actual traffic handled during 2018-19 is 115.40 MMT. The traffic considered for wharfage estimation at Kandla is 49.93 MMT during 2018-19 (Rows 128 to 233), IOC traffic at Vadinar of 25.74 MMT (Row 701). The BOT traffic at Kandla of 10.73 MMT and BOT traffic at Vadinar (ESSAR) of 28.49 MMT and transshipment of 0.51 MMT is shown separately, thereby totaling to 115.40 MMT.</td></tr>
</table>

<table>
<tr>
<td>(iii).</td>
<td>The DPT has considered total GRT of vessels at 489.93 lakhs GRT (GRT of Foreign vessels – 454.82 lakhs and GRT of Coastal vessels – 35.11 lakhs) for estimation of revenue from vessel related services as against 870.51 lakhs GRT reported in the Administrative Report for the year 2017-18. The DPT to consider the GRT of vessels as reported in the Administration Report and in case of variation, reconcile the difference.</td>
<td>GRT of the vessels for the year 2018-19 as per annual account and administrative report is ₹935.40 lakh tonnes. Details of GRT of vessels handled at Kandla (Dry, Liquid and BOT), Tuna and at Vadinar is tabulated as under:
<table>
<tr><th></th><th>Total GRT</th></tr>
<tr><td>Dry Bulk Cargo</td><td>24465630</td></tr>
<tr><td>Break Bulk Cargo</td><td>13898084</td></tr>
<tr><td>Total Dry Kandla</td><td>38363714</td></tr>
<tr><td></td><td></td></tr>
<tr><td>Liquid Kandla</td><td>18450554</td></tr>
<tr><td></td><td></td></tr>
<tr><td>Total Kandla</td><td>56814268</td></tr>
<tr><td>Crude Vadinar</td><td>28002441</td></tr>
<tr><td>Essar Vadinar</td><td>8709425</td></tr>
<tr><td>Liquid Vadinar</td><td>36711866</td></tr>
<tr><td>Grand Total</td><td>93540134</td></tr>
</table>
</td>
</tr>
<tr>
<td>(iv).</td>
<td>It is seen from the revenue estimation at the proposed Scale of Rates (Form-3) that the port has not captured any revenue impact in respect of the following tariff items proposed in the Scale of Rates:

(a). New tariff items proposed for which the port has not captured any revenue impact or estimated nil revenue in Form-3 is given below:
<table>
<tr><th>Sl. No.</th><th>Particulars</th><th>Respective Schedule under proposed SOR</th></tr>
<tr><td>1.</td><td>Miscellaneous Pilotage Fees – Inward / Outward / Shifting Pilot Memo late submission.</td><td>2.2 (9)</td></tr>
<tr><td>2.</td><td>Anchorage charges for vessels entering the Port limits and anchor without approval of Port: (a). Kandla and (b) Vadinar.</td><td>3.3.(4)</td></tr>
<tr><td>3.</td><td>Following Bulk cargo under Wharfage charges:
Metals (Ferrous / non- ferrous) (including steel pipes and Wire Rod Coils)</td><td>3.1 (B)
6 (b)</td></tr>
<tr><td>4.</td><td>Weekly charges for parking of Cargo Handling Equipment like HMC's Cranes, Grabs, Forklifts, Pay-loaders, Trailors, Loose Gear, HMC's Cranes Grabs, Cranes etc.</td><td>2.6 (b) (ii)</td></tr>
<tr><td>5.</td><td>Charges for HMC of 120T capacity port owned</td><td>11</td></tr>
<tr><td>6.</td><td>(iii). Bins and raised plinth under 5. Schedule of Licence (Storage fees) on General Cargo under Chapter – V: Rates for Tuna Port.</td><td>V (5) (iii)</td></tr>
<tr><td>7.</td><td>6. Schedule of Trolley Hire Charges under Chapter – V: Rates for Tuna Port.</td><td>V (6)</td></tr>
</table>
Therefore, the port may consider to estimate probable revenue for all the new tariff items in Form-</td>
<td>The probable estimate revenue, wherever possible has been captured. However para wise comments has been given below:
<table>
<tr><td>1.</td><td>Proposed new service has been withdrawn in the revised proposal.</td></tr>
<tr><td>2.</td><td>Proposed new service has been withdrawn in the revised proposal. Instead new conditionality has been incorporated under General Notes relating to Schedule 3.1 to 3.5 vide serial number 9.</td></tr>
<tr><td>3.</td><td>As no cargo has been handled during 2018-19 under this category, hence revenue estimation considered as NIL.</td></tr>
<tr><td>4.</td><td>Proposed service is not a new service introduced in the current proposal. As per Schedule 2.6(b) under chapter 3, basis of charge of proposed service was "per Sq, Mt. or part thereof per <u>month</u> or part thereof". In the current proposal, in addition to basis of charge as per <u>month, weekly</u> charge as "per Sq, Mt. or part thereof per <u>week</u> or part thereof" has been introduced. Combine revenue for both month as well as week has been captured in the revenue estimation.</td></tr>
<tr><td>5.</td><td>Revenue for this service has been captured along with revenue for charges for HMC of 60Tonne capacity in the revised proposal.</td></tr>
<tr><td>6.</td><td>No income has been received during 2018-19 under this head.</td></tr>
<tr><td>7.</td><td>No income has been received during 2018-19 under this head.</td></tr>
</table>
</td>
</tr>
</table>

	3 and ensure that the total revenue estimation is within the estimated ARR.	
	(b). Tariff items prescribed in existing SOR and also included in proposed SOR with revised tariff; but no revenue is estimated by the port in Form-3 are given below: (i). Schedule of Berth Hire Charges for sailing vessels, launches, tugs, small crafts, barges etc. at Kandla division. (ii). Transshipment / lighterage fees for vessels lying on their own Anchors. (iii). Beaching charges. (iv). Demurrage charges, Dwell time charges etc. (v). Charges for supply of Electricity to Reefer Containers. (vi). (a). Charges for Office Accommodation (Inside Port Area) (b). Monthly charges for parking of Cargo Handling Equipment like HMC'S Cranes, Grabs, Forklifts, Pay-loaders, Trailors, Loose Gear, HMC's Cranes Grabs, Cranes etc. (vii). Hire charges for Mobile Cranes, Forklifts etc. for Cargo Handling purpose. (viii). Schedule of charges for using the Automated Bagging and Rake loading of fertilizers at godown no.34 inside Cargo Jetty area. (ix). Charges for Dirty Ballast Tank, transfer / inter-transfer of POL Products. (x). Wharfage charges for a few cargo items.	Para wise comments is given below as against each service: (i). Revenue now captured in Form-3 of revised proposal. (ii). No Traffic/services were rendered by DPT during the year 2016-17, 2017-18 and 2018-19, hence no income estimated. (iii). Revenue now captured in Form-3 of revised proposal. (iv). Income for Demurrage charge already captured in Form-3 of proposal already sent to TAMP and in revised proposal. As regards to Dwell time charges as no container Traffic has been handled by DPT on its own during 2018-19 hence NIL income. (v). As no container Traffic has been handled by DPT on its own during 2018-19, hence NIL income (vi). (a). The revenue for this service is recovered in the same head where revenue for Storage fees for Covered space is being recovered, hence separate estimation of revenue under this head is not possible. (b). The revenue for this service is recovered in the same head where revenue for Storage fees for Open space is being recovered, hence separate estimation of revenue under this head is not possible. (vii). No services were rendered by DPT during the year 2016-17, 2017-18 and 2018-19, hence no income estimated. (viii). In the revised proposal income under this has had been captured. (ix). No services were rendered by DPT during the year 2016-17, 2017-18 and 2018-19, hence no income estimated. (x). Income has been captured in revised proposal. (xi). No services were rendered by DPT during the year 2016-17, 2017-18 and 2018-19, hence no income estimated.

	(xi). Charges for hire of Electric Wharf Cranes, if hired for other than cargo operation, to and from ships/barges. The port to confirm that no traffic / services were rendered by the DPT for the above items in the year 2017-18 and no revenue earned during the year 2017-18. If the traffic was not handled by the DPT in the year 2017-18, the port may consider traffic of the years 2015-16 and / or 2016-17 as base for revenue estimation for the above items.	
(v).	In Form 3, revenue estimation for berth hire shows 42.24% reduction for non-crane general cargo berths. Whereas, in the proposal the port has proposed 5% increase in this tariff item. The percentage increase in Form 3 may be corrected accordingly.	The % increase in Form-3 has been corrected now. [For all tariff items there is nil increase as per the revised proposal with reference to the indexed rate as of 01.05.2019]
7.	**<u>Scale of Rates</u>:**	
(i).	The DPT has proposed a few new tariff items/ conditions and has proposed few rationalisation/ simplification of the existing SOR and has also proposed for deletion of few tariff items/ conditions. Clause 2.3.2 of the Working Guidelines 2018 stipulates that if a new condition is introduced or if existing condition is modified due to operational or any other contingency, the port may prescribe such modification with reasons thereof and capture the financial/ revenue impact in the ARR. The basis adopted for new items is to be furnished and its financial effect to be captured in the revenue estimations in Form-3. The port to capture financial impact, if any, on account of the modifications proposed in the draft proposed SOR.	Most of the conditions modified/ inserted are for smooth operational requirement and to achieve better performance. However, it is difficult to quantify each of the revenue estimates for modification/ insertion of new conditions proposed by DPT. Wherever it is possible, the same has been quantified.
(ii).	<u>General Terms and Conditions</u>:	
	(a). Note (xvii) (a): The proposed note stipulates the next annual indexation will be from 1 April 2017 subject to the DPT achieving the performance standard notified along with the SOR. As per clause 2.8 of the Tariff Policy 2018, the next indexation shall be from 1 May. Hence, the said note may be corrected as 1 May 2020 instead of 1 April 2017.	Necessary correction has been made.
	(b). The Authority has passed common adoption Orders for all Major Port Trusts from time to time and all the Major Port Trusts including DPT were requested to include suitable notes in the SOR. However, the DPT has not included suitable notes in the proposed SOR in line with following common adoption Order: (i). Order No.TAMP/4/2004-Genl. dated 25 October 2016 relating to provide 80% discount for two years with effect from 20 September 2016, on the vessel related charges & cargo related charges for coastal transportation of vehicles through Ro-Ro ships.	Since the validity of the above order dated 25 October 2016 was till October 2018, hence same was not included in the proposed SOR.
	(ii). The existing and proposed SOR prescribes wharfage rate for defence stores. Letter No.TAMP/35/2013-Misc. dated 7 August 2014 directed all Major Port Trusts to prescribe a suitable note in their respective SOR regarding applicability of wharfage rates for Defence Stores in such a way that	Already incorporated in Chapter-III, 1. Schedule of wharfage charges, Notes (12).

	there is no ambiguity in the mind of users on the application of the prescribed rates.	
	The port to incorporate the provisions in the SOR stipulated in these common Orders/ letter.	Common Orders are already incorporated in the proposed SOR.
	(c). The Authority had passed an Order No.TAMP/46/2018-MUC dated 8 June 2018 as common Order incorporating a provision towards levy of Mandatory User Charge (MUC) on containers for the Logistics Data Bank Service to be rendered by Delhi-Mumbai Industrial Corridor Development Corporation (DMICDC) in the Scale of Rates of all the Major Port Trusts and BOT operators operating thereat. The DMICDC has recently filed a proposal for revision of mandatory user charges beyond its validity which is being processed separately. The rate as and when approved in DMICDC case shall be made applicable to DPT also. The port may kindly take note of this.	Noted please.
(iii).	Schedule 1 Port Dues: As per the existing SOR, separate port dues are prescribed for vessels entering Kandla Division, Vadinar Division and for Tuna Port (as per the recent Order No.TAMP/20/2018-DPT dated 14 June 2019 based on the proposal of the DPT for Tuna port and has been sent for notification in the Gazette and will be intimated to the port shortly). As against the above position, the port has proposed a new note No.10 stating that single Port dues shall be levied, in case vessel arrives different terminals i.e. Kandla, Tuna and Vadinar with same VCN (Voyage) No. However, highest rate amongst all Terminals shall be levied, where the vessel has carried out cargo handling operations. The reasons and the circumstance for introduction of the proposed note may be explained as it is not explained in Form 5. The additional revenue likely to accrue from the proposed note may be captured in the revenue estimation.	 The words “same VCN (Voyage) number” may be replaced with the words Per Visit / Call at Port. Explanation: Port Dues are to be collected once for every Port visit irrespective of handling at different terminals of the port since port dues are to be levied per visit not per terminal. There is no additional revenue likely to accrue which to be captured in revenue estimation.
(iv).	2.2 Miscellaneous Pilotage Fees:	
	(a). The port has proposed new tariff item under this schedule at Sl. No.9 as regards Inward/ Outward/ Shifting Pilot Memo late submission. As per note 2 Pilotage will cover one inward and one outward movement. Hence, the said item may be elaborated to make it explicit. Also, explain the basis and reasons for introducing proposed said item as it is not explained in Form 5. The port has estimated nil revenue for this item. The port may consider to estimate reasonable revenue from this new tariff item.	Proposed new tariff item under Schedule 2.2 Misc. Pilotage fees at Sr. No.9 is withdrawn. Accordingly necessary correction has been made in revised proposal.
	(b). The existing note no 16 is modified by adding the words “except” in the second part of the sentence. The proposed note states that the Agent will file the inward/ outward/ shifting Pilot Memo with a notice of 4 hours. Amendment of the Pilot memo except within three hours is allowed if the changes are made for the same tidal. However, if changes required for next tide, cancellation memo would be required to be filed with a notice of 3 hours. The port has justified that the proposed modification is for operational requirement. The intention and implication of addition of the word	The existing note-16 is modified as under in proposed revised proposal as under: “The Agent will file the inward/ outward/ shifting pilot memo with a notice of 4 hours. Amendment of the pilot memo within three hours is allowed if the changes are made for the same tide. However, if changes are required for next tide, cancellation memo would be

	"except" may be elucidated as it is not clear whether it means amendment will be allowed beyond 3 hours.	required to be filed with a minimum notice of 3 hours".
(v).	3.1 A Berth Hire Charges for General cargo and Liquid Cargo berths at Kandla Division	
	(a). The port may, in the title before the words "General Cargo" add the words "Non crane berths" in view of point no.6 of its proposal read with note.2(i) under the said schedule in the proposed SOR.	Accepted and accordingly necessary correction has been made in revised proposal.
	(b). The proposed new note 2(ii) proposes that when ship is berthed at Crane berths, where no shore crane is used on account of non-availability/ breakdown/ commodity restriction/ non requirement of crane due to vessels having better crane than shore crane etc., berth hire charges shall be levied for Non-crane berth. Booking of Shore cranes is not mandatory for the port users. The reasons for introduction of the proposed note is in order to have better utilisation of all berths, revenue generation and rationalisation of berth hire. In this regard, the port may clarify the need as to why vessels not requiring crane need to be berthed at crane berths and not pay crane berth hire charges.	In DPT, port dry cargo jetty berths are common berths. It is not designated as geared vessel berth and non-geared vessel berth for optimum utilization. Further, berth cranes are not used by the vessels due to commodity restrictions, higher capacity of ship cranes, vessels shifted from crane berth to non-crane berth on port convenience etc. In such occasions vessels not requiring shore cranes are berthed at shore crane berths.
(vi).	3.1.C Lighterage Dues at OTB / Anchorage:	
	The port has proposed new tariff item viz. Lighterage Dues at OTB / Anchorage. Please explain the basis and reasons for introducing proposed said item alongwith notes as it is not explained in Form 5. Also, clarify as to whether the proposed new tariff items fall under which of the methods prescribed in clause 7.6.1 of the Tariff Policy, 2018 as regards fixation of tariff for new cargo/ service/ facility.	The proposed rates have been modified in revised proposal and same are based on VOCPT's Tariff as per clause 7.6.1 of the Tariff Policy.
(vii).	3.3 Schedule of Anchorage charges and 3.6. Schedule Charges for carrying out Bollard Pull Test:	
	4 (a) & (b) Vessels entering the Port limits and anchor without approval of Port: (a). Kandla and (b) Vadinar: The port has proposed new tariff items under schedule 3.3 at Sl. No.4 as regards vessels entering the Port limits and anchor without approval of Port at Kandla and at Vadinar and at schedule 3.6 for carrying out Bollard Pull Test. Explain the basis and reasons for introducing proposed said tariff item. Clause 7.6.1 of the Tariff Policy, 2018 prescribes various methods for fixation of tariff for new cargo/ service/ facility. The port to clarify the proposed new tariff items falls under which of the methods prescribed in the said clause.	There is no basis for introduction of these charges as this is not new service/ cargo/ equipment/ facility. This is penalty which is fixed as deterrent. Further, this penalty is to be high enough to prevent such occurrence in future. However, in revised proposal, proposed new service has been withdrawn and same has been incorporated as conditionality under Chapter-II General Notes relating to Schedule 3.1 to 3.5 at Serial no.9 as "Vessels which enter the port for not handling any cargo and lays up in the port without the approval of the port shall be charged ₹8000 and US$ 200 per 1 Hour or part thereof for Coastal and Foreign Vessel respectively both at Kandla and Vadinar. **Bollard Pull facility**: The charges have been introduced based on Tariff of MBPT.

(viii).	Rates prescribed in the existing SOR for on Board labour merged with wharfage rate:	
	(a). The existing SOR at Schedule 3 prescribes composite rate for deployment of on board labour of Cargo Handling Division. In the current proposed SOR, separate schedule of rate for on board labour is deleted and as per point No.1 of the proposal, the rates for on board labour have been merged into wharfage rate for each commodity of dry bulk and break bulk cargo. Explain the reasons and the basis for merging on board labour rate with wharfage rate.	At DPT, wharfage and OBLC charges are levied on per tonne basis as on today. Port is in process of implementing Stevedoring and Shore handling Regulation and NIT award on manning scale for cargo handling operation. In order to avoid multiplicity of payments, collection of revenue is simplified without affecting the revenue of the port and similar, simplification of wharfage charges is made at COPT.
	(b). In this regard, it is state that the Authority has, based on the proposal of the DPT, approved upfront tariff for Stevedoring and Shore handling charges based on the Stevedoring Policy, 2016 issued by the MOS. In the said Order no TAMP/5/2017-KPT dated 21 July 2017 at para 14 (xiii), based on the points made by KPSA and KSAL for need to\ suitably revise the stevedoring charges prescribed in the then SOR of DPT based on the actuals of per shift average emoluments for various categories of workers, the port was advised to examine the point made by user association and if necessary, file a suitable proposal as regards the CHD levy prescribed in the SOR. No proposal has come from the port. Since the upfront stevedoring rate already includes labour cost based on norms, the port to confirm after examining the matter that merging of on board labour cost with wharfage will not tantamount to duplication of labour cost recovery.	DPT is yet to implement Stevedore and Shore Handling Agent Policy. At the time of implementation, the issue will be reviewed and it will be ensured that no duplication of cost will be levied.
	(c). Further, the port has proposed for deletion of existing note no.1 under wharfage schedule relating to levy for supply of port labour for break bulk and containerized cargo at ₹10.80 for coastal and ₹19/- for foreign respectively and merged this component also with the proposed wharfage rate. The port to elaborate the services provided by the port with reference to the existing note no.(1) and with reference to the supply of labour from Cargo Handling Labour Division for which separate schedule of rate is prescribed in the existing SOR. The port to confirm there is no duplication on both these items.	It is to confirm that there is no duplication on both these items.
(ix).	Schedule of Wharfage Charges under Chapter III	
	(a). The port has stated that the rates for on Board labour and the rate for supply of port labour as per existing note no.(1) (for break bulk and containerized cargo) under the wharfage schedule has been merged with wharfage to arrive at the proposed wharfage rate. Furnish a detailed working in this regard as it could not be matched with the existing rate for any of the cargo items. For example – for food grains existing indexed wharfage rate for foreign cargo is ₹9.90 per tonne and existing indexed on board labour rate is ₹40.53 which merged together comes to ₹50.43. Whereas, with nil increase proposed for this item the wharfage rate proposed by the port is ₹95.17.	Statement showing detailed working is furnished.
	(b). The reasons for segregating the existing wharfage charge for Metals Ferrous/non-ferrous)	At present, wharfage charges for steel pipes & WR Coils are levied under steel

<table>
<tr><td></td><td>(including pipes, plates, pig iron coil sheet) into two and proposing different tariff increase viz. (a). Metals (Ferrous/non-ferrous) (including plates, pig iron, other steel coils) by 4.30% increase and (b), Metals (Ferrous/non-ferrous) (including steel pipes and Wire Rod Coils) by 6.45% may be explained.</td><td>commodity. Other than steel pipes, all other steel products are further processed and formed in to final products. Whereas, steel pipes are used directly as final product for different purposes. Productivity for both the cargo i.e. Steel pipes and WR Coils are very less 1800 & 1500 tonnes per day. Wharfage charges are to be rationalized on the basis of dynamics of the trade, changing technology of cargo handling, infrastructure, productivity of the cargo handling, value of the cargo, ability of the cargo absorb the wharfage, volume of the cargo handled at Kandla etc.
[In the final revised SOR, the segregation proposed earlier is withdrawn. The port has maintained existing nomenclature.]</td></tr>
<tr><td></td><td>(c). It is seen that the DPT has maintained the existing wharfage rate i.e. after applying the indexation factor for the year 2019-20 for most of the cargo items. However, for few items port has proposed increase in the existing rate at different percentage like salt (1.61% - non containerized / 3.47% - containerized), POL products (12%), Chemicals (10%). The reason for proposing different percentage increase to be explained.</td><td>In the revised proposal, no different percentage hike has been proposed i.e. No hike in existing services has been proposed.</td></tr>
<tr><td></td><td>(d). Explain the reasons for proposing reduction of 4% for construction sand, waste paper and 100% reduction for wharfage charge on motor vehicle for example for aircraft, boats & launches, etc. at Sl. No.31.</td><td>In the revised proposal wharfage rate for construction sand and waste paper has been kept at the same level of existing rates.
As regards to wharfage charge on motor vehicle for example for aircraft, boats & launches, etc. at Sl. No.31 I & II, in the revised proposal same charges as per prevailing rates are proposed.</td></tr>
<tr><td></td><td>(e). The existing SOR approved by the Authority prescribes separate wharfage rate for different types of vehicles as given below:
<table>
<tr><th>Sr. No.</th><th>Particulars of commodities</th></tr>
<tr><td>31.</td><td>Wharfage charges on Motor vehicles or any other equipments passing through the Port</td></tr>
<tr><td>I</td><td>Equipments:-</td></tr>
<tr><td>1.</td><td>Aircrafts</td></tr>
<tr><td>2.</td><td>Boats & Launches</td></tr>
<tr><td>3.</td><td>Excavator, Motor Grader, Dumper Trucks, Wheel Loaders, Bull Dozers, Pavers, Power Transformers as assembled units</td></tr>
<tr><td>(a).</td><td>Equipment weighing upto 15 M.T.</td></tr>
<tr><td>(b).</td><td>Equipment weighing above 15 M.T. and upto 30 M.T.</td></tr>
<tr><td>(c).</td><td>Equipment weighing above 30 M.T.</td></tr>
<tr><td>4.</td><td>Railway wagons & coaches</td></tr>
<tr><td>5.</td><td>Locomotives</td></tr>
<tr><td>6.</td><td>Equipments in loose condition, Electrical & Electronic Goods including spare parts, tools & accessories</td></tr>
<tr><td>II.</td><td>Motor Vehicles for carrying Passengers/ Cargo:-</td></tr>
<tr><td>(i).</td><td>Two wheelers</td></tr>
<tr><td>(ii).</td><td>Three wheelers</td></tr>
<tr><td>(iii).</td><td>Four wheelers of upto 1400 cc</td></tr>
</table></td><td>To attract Ro-Ro traffic at this port, wharfage charges for Ro-Ro cargo should be at par with western ports of India applicable at Cochin or Mangalore port. MOS vide letter dated 20 September 2016 directed all major ports to provide 80% discounts for two years on vessel related charges & coastal related charges for coastal transportation of vehicles through Ro-Ro ships. Similarly, circular was issued by traffic department for 80% discount on vessel related charges and cargo related charges for coastal transportation of vehicles through RORO ships and rebate over and above 80% so as to bring cargo related charges for passenger cars to ₹500/- flat per passenger car and ₹900/- flat per heavy vehicle. The scheme of rebate and discount was extended again but still would not be financially viable for the trade to bring the RORO cargo the Kandla.</td></tr>
</table>

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<td></td>
<td>
<table>
<tr><td></td><td>(a). Import</td></tr>
<tr><td></td><td>(b). Export</td></tr>
<tr><td>(iv).</td><td>Four wheelers of above 1400 cc
-Import & Export</td></tr>
<tr><td>(v).</td><td>Six wheelers and above</td></tr>
<tr><td></td><td>(a). Vehicle weighing upto 7.5 M.T.</td></tr>
<tr><td></td><td>(b). Vehicle weighing above 7.5 M.T.</td></tr>
</table>

As against the above, the above the port has proposed uniform rate for all motor vehicle except motor cycle at ₹1117.26 per vehicle (foreign). The reasons and basis for the proposed change to be explained. The DPT to clarify the wharfage rate applicable for motor vehicles other than RORO and for two wheelers.
</td>
<td>At present, charges related to Ro-Ro at Cochin are ₹1080/- per vehicle (coastal) and ₹1800.00/- per vehicle (foreign). Whereas in DPT, applicable wharfage charges are almost double. Hence, wharfage charge for RORO Cargo is proposed same as wharfage applicable at COPT.

In the revised proposal wharfage charges for S.No.31 I and 31 II, same rates have been proposed as per prevailing rates. Only in respect of motor vehicle through RO-RO transportation flat rate based on COPT has been proposed.</td>
</tr>
<tr>
<td></td>
<td>(f). 31. Aggregates and chips:

Explain the basis for the wharfage rate proposed for new cargo item Aggregates and chips at Sl. No 31.</td>
<td>Aggregates & stone chips- Various port users like M/s.Aruna Shipping, M/s.Chowdhary Associates and M/s.Shiv Shakti Sealink Pvt. Ltd., Gimpex Pvt. Ltd. who are involved in export of stone chips & aggregates have given representations. They have submitted that the Stone Chips in bulk are being loaded from Kandla for the past two years due to bulk availability of cargo within the vicinity of Kandla Port. The cargo is loaded for Bangladesh and Far East countries. In the recent past other countries are also exporting their cargo to the above countries and they are facing stiff competition against their values. The cargo cost on FOR Kandla which is inclusive of Cargo cost, loading at quarry, Transportation up to Kandla is ₹375.00 and the wharfage charges is ₹17.81 per MT plus GST 18% total comes to ₹21.00 PMT. Due to large availability of cargo and export potential of this cargo they can increase the volume by another 2.0 million per annum resulting in employment to labour forces, Transport, Increase in business within port. The value of the cargo is very less and the wharfage charges charged by port is on very higher side and hence they have requested DPT to reduce the wharfage charges by 50% of the present tariff so that they can compete in the international market and also increase the volume of DPT.
Aggregates like construction material and stone chips gives higher productivity nearly 20000 tonnes per day. Hence, necessary modification in wharfage rates for proposed new item has been made.</td>
</tr>
<tr>
<td>(x).</td>
<td>4 Schedule of Weighment charges:</td>
<td></td>
</tr>
</table>

	5. For use of In-motion Weighbridge for cargo loaded in Railway wagons: Loaded wagon and Empty wagon: The port has proposed new tariff item at Sl. No.5 for In motion Weighbridge for loading cargo loaded onto Railway wagons. Explain the basis for proposed new tariff item.	DPT has installed 3 nos. of In-Motion Weighbridge and proposed rates are based on CHPT rates.
(xi).	Chapter – V: Rates for Tuna Port - Schedule of Licence (Storage fees) on General Cargo	
	(a). In the said Schedule, the port has proposed new tariff item for Bins and raised plinth. The port to explain the basis and reasons for introducing proposed said item. Also, clarify as to whether the proposed new tariff items fall under which of the methods prescribed in clause 7.6.1 of the Tariff Policy, 2018 as regards fixation of tariff for new cargo/ service/ facility.	The proposed rates are based on recently approved Tariff for Separate tariff schedule for Tuna port as Schedule V in the existing Scale of Rates of DPT vide TAMP Order dated 14 June 2019.
	(b). The port may capture probable revenue for the proposed new tariff item as it is not captured in the Form-3.	As explained at (a) above, no new tariff item has been proposed and existing revenue has already been captured in the Form-3.
	(c). In Form 3, the port has under the column shown existing rate for this item. The existing SOR approved by the Authority do not prescribe rate for this item. Hence, Form-3 may be corrected accordingly.	Same comments as (a) above. Hence no correction in Form-3 is required.
(xii).	Clause 2.10. of the Working Guidelines to operationalize the Tariff Policy for Major Port Trusts, 2018 for determination of tariff for Major Port Trusts stipulates that while drawing up the SOR, Major Port Trusts shall as far as possible do away with ad-valorem wharfage rate if any, in the existing SOR of the concerned Major Port Trusts and determine specific wharfage rate in these cases taking into consideration special care to be taken for handling this cargo or a market determined tariff. Even during the last tariff revision, port was advised to formulate and file a well analysed proposal for conversion of advalorem rate structure to specific wharfage rate for dry and break bulk cargo viz. Project materials, Machinery and Fruits, nuts, tapioca, coconut, Copra, tamarind seeds, etc. based on weight/ unit/ volume to prescribe the Wharfage in respect of the above items on per unit basis, within a period of three months from the date of notification of the Order No.TAMP/18/2016-KPT dated 21 June 2016 passed in the Gazette of India on 10 August 2016 vide Gazette No.319. The port has not filed any proposal in this regard. In the instant proposal also, the port has continued with the existing tariff arrangement of levy of ad-valorem rate for said dry and break bulk cargo. The DPT to propose wharfage rate for above said dry and break bulk cargo based on weight or volume of cargo with reference to cost of handling the relevant cargo instead of proposing ad-valorem rate in line with the advice rendered in the last tariff Order and in compliance with the Working Guidelines.	DPT levies ad-valorem charges on machineries, project material, fruits, nuts, tapioca, coconut, copra, tamarind seeds, etc. The items charged under ad-valorem are voluminous, heavy in weight, less in number of units, more sensitive and need to be handled with care. While loading/unloading of such cargo, it takes a long time for lashing/ unlashing and the productivity in tonnage is very less. For example heavy machineries and project cargoes like windmill blades, windmill towers, heavy machineries and packages give very low productivity i.e., an average of less than 1000MT per day. Vessels carrying these types of cargoes are occupying longer period of time at berth. In such cargoes if measured on tonnage, port will incur revenue loss as it gives less tonnage in comparison to the bulk cargoes. Further the commodities charged under ad-valorem are high in value which cannot be equated with revenue earned by handling bulk commodities if measured on tonnage basis. Considering the value of the commodity they have absorption capacity of the wharfage charges on Ad-valorem. If the project cargoes and machineries are charged in terms of tonnage, port will lose the Opportunity Cost in terms of berth occupancy, as the productivity of these cargoes are low.

(xiii).	11. Schedule – Charges for use of HMC of 120T capacity:	
	The DPT in its proposal has stated that in the current proposed SOR, ceiling rate based on per metric tonne cargo handled is proposed rather than prescription of existing rates based on the performance standards. The port has further stated that it is done by freezing the ceiling rate at two higher ceiling rate i.e. with 10% increase in base ceiling rate for each cargo. In this regard it is to state that the Authority has, based on the proposal of DPT, approved rate for 120T HMC following normative approach vide Order No.TAMP/29/2018-DPT dated 31 July 2018 subject to annual indexation to an extent of 60% of the variation in Wholesale Price Index (WPI). The validity of said Order was prescribed for a period of 5 years i.e. till 07 May 2023. Thus, valid rate for the said item is already in place. The rates now proposed by the DPT under the said schedule are not found to be in line with the approved rates. Further, the linkage to performance is also done away with by the port. The DPT may kindly note that the rate for HMC at all the Major Ports are prescribed based on norms and are linked to benchmark performance. This prescription is followed uniformly across all the Major port Trusts. Since the valid rate for 120T HMC based on norms are already prevailing in the existing SOR which are valid till May 2023, the port may consider to retain the existing rate till the validity.	To encourage the port users for high performance and high productivity, port should fix the base rate for any quantity handled by the MHC crane for different cargo. Hence it is suggested to fix the ceiling rate based on per metric tonne cargo handled rather than based on the performance standard. As the total annual requirement from the project for the fixation of the rate is based on the ceiling rate only, it is suggested to freeze the ceiling rate at two higher ceiling rate (i.e. with 10% increase in base ceiling rate) for the each cargo. 10% increase in ceiling rate will compensate the incentives to be paid to the crane operator for higher performance which is only 25% of the excess revenue generated due to incremental quantity of cargo handled. In addition, the harbor mobile cranes deployed by the private operator's ceiling rate for each cargo is fixed. In similar way, it is proposed to fix the ceiling rate for DPT owned MHC of 120 tonne capacity. Further, neighboring HMC rate is much cheaper and in some cases it is not charged at all. In order to compete with the private operators, it is suggested to fix the ceiling rate for DPT owned HMC cranes.
(xiv).	Chapter V of existing SOR - Tariff for Marine related services provided by DPT at Dry bulk terminal commissioned by AKBTPL at Tuna/ Tekra: The existing SOR prescribes separate chapter for dry bulk terminal operated by AKBTPL. In the proposed SOR, the port has proposed to delete the said chapter and proposed to bring it at par with the rates prescribed for Kandla Division. In this regard it is relevant to state that based on the proposal of DPT, the Authority had approved separate rates for AKBTPL at Tuna for reasons explained in para 12 (ii) of Order No.TAMP/42/2014-KPT dated 15 January 2016. In the said Order dated 15 January 2016, the port clarified that as per Clause 7.1 (c) of the Concession Agreement entered between the DPT and AKBTPL, the marine related services i.e. port dues and pilotage are to be rendered by DPT. The Kandla division as well as Vadinar division are away from the Tuna port. The DPT is providing marine related services at a separate tariff of port dues and pilotage fee at the dry bulk terminal at Tuna operated by AKBTPL by outsourcing the Marine services instead of rendering the services with deployment of port owned equipment as DPT has hired tugs and Pilots for meeting the existing pilotage services due to shortage of regular pilots and owned equipments. The developed terminal of the AKBTPL is away from the Kandla and requires all the marine related	As per Concession agreement with M/s.AKBTPL, the rates of Kandla were reflected to be applicable to M/s.AKBTPL. However, due to outsourcing of Marine services and subsequent expenditure for marine services and dredging, being much more than estimated, a separate SOR was introduced. This was being persistently objected by Concessionaire and after various deliberations and opinion of ASG, the charges have been brought at par to Kandla. Further as per clause 2.6 of Tariff Policy, 2018 "Based on the Annual Revenue Requirement as assessed as per Clause 2.4 above and taking into account the traffic as per Clause 2.5, the Major Port Trusts will have the flexibility to determine the rates to respond to the market forces based on its commercial judgment and draw the SOR within the ceiling of indexed ARR, duly certified by a practicing Chartered Accountant/ Cost Accountant."

	services like Tugs, Launches, Pilots, Signal Station, etc., which are not spareble from the present pilotage facilities available at Kandla /Vadinar. In view of above position then brought out by the DPT, the port may explain the reasons for deletion of above Chapter V of existing SOR and proposing to bring it at par with the rates prescribed for Kandla Division and change in the circumstances from then to now for the proposed change. The DPT to furnish a comparative position of existing rates of AKBTPL at Tuna/ Tekra vis-à-vis proposed rate with justification for proposed changed in each tariff item under said Chapter-V of existing SOR.	
(xv).	The DPT to insert a note under schedule 12 of charges for using the Automated Bagging and Rake Loading of Fertilizers at Godown No.34 inside Cargo Jetty area of DPT stipulating that the validity of said item shall be till the period of contract is over as the Operation and Maintenance contract given to Rishi Shipping for operation and maintenance is for eight years. This is in line with para 11.2. of the Order No.TAMP/33/2018-DPT dated 18 January 2019 approved by the Authority based on the proposal of the DPT for fixation of tariff for automated bagging and rake loading of fertilizers at godown no.34 inside cargo jetty area of DPT.	Complied please.
8.	**<u>Performance standard:</u>**	
	The port may furnish the basis of the proposed Performance Standards for cargo related service and vessel related services with reference to the actual performance parameters achieved in the year 2017-18. DPT may consider to propose the Performance Standards for the tariff cycle beginning from 2019-20 to 2021-22 at higher level than the actual performance achieved by the port in the last tariff cycle.	Performance standards have been modified in the revised proposal. Revised Proposal of SOR based on Actuals of 2016-17, 2017-18 & 2018-19 is furnished as Annexure-V. Proposed Draft SOR is furnished as Annexure-VI. Subsequently, DPT vide its email dated 19 September 2019 has requested to modify the Average Ship Berth day Output (in tonnes) from 20,895 MT/day as proposed in proposal dated 20 August 2019 to 17,383 MT/day. [The highlights of the revised proposal and revised Performance Standards is brought out in the subsequent paragraphs.]

9. A joint hearing in this case was held on 19 July 2019 at the DPT premises. The DPT made a brief Power Point presentation of its proposal. At the joint hearing, the DPT and the concerned users/ user organizations have made their submissions.

10.1. The DPT vide its letter dated 20 August 2019 has furnished its reply to the additional information/ clarification sought by us, which was brought out in the earlier paragraph. While furnishing reply, the DPT vide its letter dated 20 August 2019 has furnished its revised proposal. In the revised proposal, the ARR is assessed considering Y1, Y2 and Y3 as 2016-17, 2017-18 and 2018-19 (as against 2015-16, 2016-17 and 2017-18 as Y1, Y2 and Y3 in the original proposal. The ARR is indexed by 100% of the Wholesale Price Index (WPI) applicable for the year Y4 and i.e. 2019-20 @ 4.26% as communicated by TAMP to the Major Port Trust. In the revised proposal, the indexed ARR for 2019-20 is estimated at ₹1,229.62 crores and Revenue Estimation at proposed rates is ₹1,227.47 crores.

10.2. The revised detailed computation of Annual Revenue Requirement (ARR) under Form-1 and Performance Standard under Form-6.

(i). A revised position of ARR computation furnished by DPT is tabulated below:

(**₹ in crores**)

Sl. No.	Description	Y1 (2016-17)	Y2 (2017-18)	Y3 (2018-19)
(1).	**Total Expenditure (As per Audited Annual Accounts for the year 2016-17 and 2017-18, 2018-19 [unaudited])**	52823.73	53216.42	55893.16
(i).	Operating expenses (Including depreciation)	13054.77	14582.48	14647.15
(ii).	Management & general Overheads	21920.17	51202.76	60079.81
(iii).	Finance and Miscellaneous expenses (FME)	**87798.67**	**119001.66**	**130620.12**
	Subtotal 1=(i)+(ii)+(iii)			
(2).	**Less Adjustments:**			
(i).	Estate related expenses			
	(a). Operating expenses (Including depreciation)	1051.35	1071.25	811.10
	(b). Allocated Management & Administrative Overheads	259.83	293.55	212.55
	(c). Allocated FME	58.33	101.11	96.31
	Subtotal 2(i)=[(a)+(b)+(c)]	**1369.51**	**1465.91**	**1119.97**
(ii).	**Interest on loans**	**18.18**	**26.55**	**15.00**
(iii).	**2/3rd of One-time expenses, if any like arrears of wages, arrears of pension/ gratuity, arrears of ex-gratia payment, etc. (list out each of the items)**			
	(a). Wage Revision arrears	**0.67**	**487.69**	31.07
	Subtotal 2(iii) = [(a)+(b)+(c)]	**0.67**	**487.69**	**31.07**
(iv).	**2/3rd of the Contribution to Superannuation funds like Pension Fund, Gratuity fund and Leave Encashment fund**	**12659.71**	**30786.59**	**35628.53**
(v).	**Management and General overheads over & above 25% of the aggregate of the operating expenditure and depreciation**	**0.00**	**0.00**	**0.00**
(vi).	**Expenses relevant for tariff fixation of Captive Berth, if any governed under clause 2.10. of the Tariff Policy, 2018.**			
	(a). Operating Expenses	**0.00**	**0.00**	**0.00**
	(b). Depreciation	**0.00**	**0.00**	**0.00**
	(c). Allocated Management and Administrative Overheads	**0.00**	**0.00**	**0.00**
	(d). Allocated FME	**0.00**	**0.00**	**0.00**
	Subtotal 2(vi) = [(a)+(b)+(c)+(d)]	**0.00**	**0.00**	**0.00**
	Total of 2 = 2(i)+2(ii)+2(iii)+2(iv)+2(v)+2(vi)	**14048.07**	**32766.74**	**36794.57**
(3).	**Total Expenditure after Total Adjustments (3=1-2)**	**73750.60**	**86234.92**	**93825.55**
(4).	Average Expenses of Sl. No. 3 = [Y1+Y2+Y3]/3		**84603.69**	
(5).	**Capital Employed**			
	(i). Net Fixed Assets as on 31.03.2019 (As per Annual Accounts)		172333.36	
	(ii). Add: Work in Progress as on 31.03.2019 (As per Annual Accounts)		31038.49	
	(iii). Less: Net value of Fixed assets related to Estate activity as on 31.03.2019 as per Annual Accounts.		434.03	
	(iv). Less: Net value of fixed assets, if any, transferred to BOT operator as on 31 March 2019 as per Annual Accounts.		0.00	
	(v). Less: Net value of fixed assets as on 31 March 2019 relevant to be considered for captive berths, if any, under clause 2.10 of the Tariff Policy, 2018.		0.00	
	(vi). Add: Working Capital as per norms prescribed in clause 2.5. of the Working Guidelines		0.00	
	(a). Inventory		66.32	
	(b). Sundry Debtors		5335.65	
	(c). Cash		0.00	
	(d). Sum of (a)+(b)+(c)		5401.96	
	(vii). Total Capital Employed [(i)+(ii)-(iii)-(iv)-(v)+(vi)(d)]		**208339.78**	
(6).	**Return on Capital Employed 16% on Sl. No. 5(vii)**		**33334.37**	
(7).	**Annual Revenue Requirement (ARR) as on 31 March 2019 [(4)+(6)]**		**117938.05**	

Sl. No.	Description	Y1 (2016-17)	Y2 (2017-18)	Y3 (2018-19)
(8).	**Indexation in the ARR @ 100% of the WPI applicable for the year 2019-20 I.E. @ 4.26% (8*1.0426)**		**122962.22**	
(9).	**Ceiling Indexed Annual Revenue Requirement (ARR)**		**122962.22**	
(10).	**Revenue Estimation at the Proposed SOR within the Ceiling Indexed ARR estimated at Sr. No.9 above.**		**122747.18**	

(ii). Revised Performance Standards:

Sl. No.	Performance Parameters	Performance Standards proposed in the original proposal	Revised Proposed Performance Standards
(1).	**Cargo Related Services**		
(a).	Average Ship Berth day Output (In tonnes) (Note)	17,781	17,383
(b).	Average moves per hour (in TEUs) in respect of Containers	30.57	30.58
(2).	**Vessel Related Services**		
(a).	Average Turnaround Time of Vessels (In days)	4.72	4.71
(b).	Average Pre-Berthing Time of Vessels (In days)	2.04	2.03

10.3. Subsequently, the DPT vide its email dated 31 August 2019 has furnished final revised draft SOR incorporating the modification proposed by the port.

10.4. The main modifications done by the DPT in the final revised proposal dated 20 August 2019, subsequent emails dated 29 August 2019 and 31 August 2019 vis-à-vis the original proposal dated 06 June 2019 are summarized below:

(i). No hike in tariff has been proposed in any of the existing services.

(ii). New Levy of Lighterage charges at OTB/Anchorage at ₹0.04 and $0.001 per GRT per hour for Coastal and Foreign cargo respectively, has been introduced based on VOCPT's rates as against rates proposed at ₹6.00 and $ 0.1562 per ton for Coastal and Foreign cargo respectively in the original proposal.

(iii). The miscellaneous pilotage charges introduced for Inward/ Outward/ Shifting Pilot Memo late submission which is now withdrawn.

(iv). New levy of Removal of Hazardous waste/ Sludge at ₹790.00 PMT has been introduced. This was not there in the original proposal.

(v). In the Schedule of Berth hire charges, the rates proposed now for Non-crane berth and if shore crane is utilized then 200% of the Non-crane berth hire charges (190% in original proposal) shall be levied. In the original proposal, non-crane berth hire charges was proposed to be increased by 5% which is withdrawn.

(vi). Flat rate for Motor vehicles except Motor cycles through RO-RO has been introduced at ₹1,080.00 and ₹1,800.00 for Coastal and Foreign cargo based on SOR of Cochin Port Trust as against ₹1117.26 and ₹1862.10 for coastal and foreign cargo proposed in the original proposal.

(vii). The segregation of metal for prescription of wharfage rate in the original proposal is done away with. The port has maintained the existing nomenclature in the revised proposed SOR.

(viii). The port has stated that rebate in Vessel Related Charges (VRC) is being offered to Container Terminal Operator till 31 December 2020, as approved by the Board vide Board Resolution No.38 in the Board Meeting held on 22 July 2019. The revenue impact of offering such rebates till December 2020, has been captured in the Revenue Estimation by considering the actual income towards Vessel Related

Charges (VRC) during the year 2018-19. Also, the port has proposed to incorporate the following note on rebate in each of the Schedules of Port Dues, Pilotage and Berth Hire:

Note:

Following rebates to Container Vessels will be allowed till 31 December 2020:

(i).	Foreign Container Vessels	Upto 40000 GRT	50%
(ii).	Foreign Container Vessels	40001 to 65000 GRT	75%
(iii).	Foreign Container Vessels	65001 GRT onwards	80%
(iv).	Coastal Container Vessels		40% on the prevailing charges of coastal vessels

(ix). The other modifications proposed in the original proposal as brought out in para 4.1 (i), (ii), (iv), (v), (viii) are retained in the revised proposed SOR.

11. 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.

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

(i). The Scale of Rates (SOR) of Deendayal Port Trust (DPT) was last revised by this Authority vide Order No.TAMP/18/2016-KPT dated 21 June 2016. The validity of the SOR of DPT approved vide Order dated 21 June 2016 expired on 31 March 2019. The validity of said existing SOR of DPT was extended upto 30 September 2019 and communicated vide our letter No.TAMP/39/2005-Misc. dated 29 March 2019. The DPT, therefore, vide its letter dated 06 June 2019 has filed its proposal for general revision of its SOR under the Tariff Policy, 2018 and Working Guidelines to operationalize the Tariff Policy, 2018 notified in the Gazette of India on 03 February 2019. After a regular follow up, the port has furnished the requisite information/ clarification sought by us along with revised Annual Revenue Requirement (ARR), draft SOR, modified estimates of revenue and modified Performance Standards vide its letter dated 20 August 2019 and subsequent emails dated 29 August 2019, 31 August 2019, 17 September 2019 and 19 September 2019. The final revised proposal filed by DPT vide its letter dated 20 August 2019 and subsequent emails dated 29 August 2019, 31 August 2019, 17 September 2019 and 19 September 2019 along with submissions made by the port during the processing of the case are considered in this analysis.

(ii). (a). Clause 2.1 of the Tariff Policy, 2018 require each Major Port Trust (MPT) to assess the ARR which is the average of the sum of Actual Expenditure as per the final Audited Annual Accounts of the three years (Y1), (Y2) and (Y3) subject to certain exclusions as prescribed in Clause 2.2 of the Tariff Policy, 2018 and the Working Guidelines issued by this Authority plus Return at 16% on Capital Employed including capital work-in-progress obtaining as on 31st March Y3, duly certified by a practicing Chartered Accountant/ Cost Accountant.

(b). The original proposal filed by the DPT considered 2015-16, 2016-17 and 2017-18 as Y1, Y2 and Y3 with two indexation for estimation of ARR. The DPT in its revised proposal dated 20 August 2019 has modified the ARR estimation taking into consideration 2016-17, 2017-18 and 2018-19 as Y1, Y2 and Y3 with one indexation. The figures of 2016-17 and 2017-18 (Y1 and Y2) are based on the Audited Annual Accounts of the DPT and for the year 2018-19 (Y3), the Annual Accounts are as adopted by the Board of Trustees of DPT and yet to be audited. It is relevant here to state that the validity of existing tariff cycle is already over and due for revision from 01 April 2019. Further, the Ministry of Shipping (MOS) vide letter dated 05 August 2019 addressed to all Major Port Trusts with copy to this Authority has directed this Authority to strictly adhere to the prescribed timeline for disposal of tariff proposal, once proposal complete in all respects is received. Since the year 2018-19 is already over and the Annual Accounts have been adopted by the Board of DPT, the port has updated the ARR estimation with 2018-19 figures. Recognising that the Annual Accounts for the year 2018-19 has been adopted by the Board of Trustees of DPT and the estimation of the ARR has been duly certified by the Practicing Chartered Accountant, this Authority decides to proceed based on the proposal of the DPT to ensure timely disposal of the general revision proposal of the DPT.

If there is any variation in the Annual Accounts of the DPT for the year 2018-19 after audit from the Annual Accounts for the year 2018-19 considered by the DPT in the current proposal for its general SOR revision, the DPT is directed to file a proposal recasting the ARR based on the Audited Accounts of the year 2018-19 along with consequent changes, if any, in its general SOR within 30 days from the audit of Annual Account for the year 2018-19.

(iii). The DPT has excluded the expenses not admissible in ARR computation for arriving at the Average annual expenses for the years 2016-17, 2017-18 and 2018-19. The ARR estimated by the DPT duly certified by the practicing Chartered Accountant is found to be in order and hence considered.

The following main adjustment done by DPT in the computation of ARR are brought out along with a few modifications required to be done in the computation of ARR for the reasons explained:

(a). The DPT has excluded an amount of ₹1,051.35 lakhs, ₹1,071.25 lakhs and ₹811.10 lakhs towards Operating Expenses including depreciation for the years 2016-17 to 2018-19 pertaining to Estate activity as against actual Operating Expenses for estate activity reported in Annual Accounts at ₹4,241.07 lakhs, ₹4,330.42 lakhs and ₹3,392.84 lakhs for the respective corresponding years as per Clause 2.2 (i) of the Tariff Policy, 2018 and Working Guidelines notified by this Authority. In effect, the DPT has not excluded ₹3,189.72 lakhs, ₹3,259.17 lakhs and ₹2,581.74 lakhs towards estate expenses from the ARR. When sought clarification for mismatch in the figures considered for exclusion of estate expenses from the figures reported in the Annual Accounts for each of the said years, the port has clarified that the operating expenditure of Estate Activity as per Annual Accounts includes expense incurred by DPT on maintenance of Port staff colony at Gopalpuri, Vadinar and Kandla and depreciation thereon. Hence, the above nature of expenses has been excluded from the operating expenditure of Estate activity. The port has further stated that the Tariff Guidelines, 2018 do not provide for exclusion of maintenance expenses pertaining to port staff colonies in the computation of ARR. Even during the last general revision of SOR of DPT, above nature of expenditure were excluded from Estate Activity expense. From the clarification furnished by the DPT, it comes out that the expenses incurred by the port towards maintenance of the colonies, which are for port employees are captured in the ARR computation for general revision of SOR. The DPT has also furnished the break-up of maintenance expenditure and depreciation pertaining to Gopalpuri, Kandla and Vadinar Colony which is considered by the port as part of expenses for general revision of its SOR in the ARR computation. It is relevant here to state that rate/ license fee of quarters for port employees is not fixed under the Land Policy Guidelines. Hence, the port has proposed to recover the maintenance expenses and depreciation of the said port staff colonies by capturing in the computation of ARR. The approach adopted by the DPT is in line with similar treatment followed during the last general revision of SOR of DPT which was accepted by this Authority for reasons explained in Para 20(v)(b)(i) of the Order dated 21 June 2016. On this premise and based on the clarification furnished by the port, and recognizing that the ARR computation is certified by Chartered Accountant, the above adjustment done by the DPT is relied upon and is accepted. The allocated FME and allocated Management and General Overheads relevant for estate activity excluded by DPT is relied upon.

(b). As per Clause 2.2 (iv) of Tariff Policy, 2018, Management and General Administration Overheads subject to a cap of 25% of aggregate of the operating expenditure and depreciation is only to be considered in the ARR calculation.

The Management and General Administration Overheads (MGAO) reported in the Annual Accounts and considered by the DPT is ₹13,651.95 lakhs, ₹15,223.02 lakhs and ₹15,295.38 lakhs for years 2016-17, 2017-18 and 2018-19 respectively to assess whether the MGAO is within the cap of 25% of operating expense and depreciation. The said MGAO works out to 21%, 23% and 22% of the operating expenditure (including depreciation but excluding operating expenditure related to estate) which is within the cap of 25%. Hence, no amount is shown as exclusion clause of MGAO which is in line with the guideline position and hence is considered.

(c). As per Clause 2.2 (v) of the Working Guidelines notified by this Authority, all expenses relevant for captive berths are to be excluded from the computation of ARR.

The DPT has shown Nil exclusion towards expenses relevant for tariff fixation of captive berth as there is no operating expenditure on development of captive Berth. This information furnished by DPT in ARR Computation is relied upon.

(iv). The tariff for port railway services is not fixed by this Authority; it is fixed by the Railway Board. The Railway activity of DPT is in deficit for the years 2016-17 to 2018-19. Therefore, average expenditure of the railway activity to the tune of ₹593.70 lakhs [(₹579.92 + ₹607.93 + ₹593.25) / 3] is excluded and the net deficit in the railway activity (i.e. excess of railway expenditure over railway income) for the corresponding period i.e. (₹319.00 lakhs, ₹351.80 lakhs and ₹468.78 lakhs) average working out to ₹379.86 lakhs is added to the ARR. Such an approach has been adopted by this Authority while disposing of the general revision proposal filed by Mumbai Port Trust (MBPT), Mormugao Port Trust (MOPT) and New Mangalore Port Trust (NMPT); and Cochin Port Trust (COPT), V. O. Chidambaranar Port Trust (VOCPT) and Chennai Port Trust (CHPT) which are being considered simultaneously along with this Order.

(v). Following the provisions prescribed at Clause 2.3 of the Tariff Policy, 2018, the DPT has arrived at average expenses for the years 2016-17, 2017-18 and 2018-19 at ₹846.04 crores. Subject to modifications as explained above, the modified average expenses for the corresponding period computed by us works out to ₹843.90 crores.

(vi). (a). While arriving at the Capital Employed as on 31 March 2019, the DPT has considered net fixed assets at ₹1,723.33 crores as against ₹1,811.23 crores reported in Annual Accounts of the year 2018-19. The net fixed assets considered by DPT in the ARR computation is after excluding an amount of ₹87.89 crores towards the net fixed assets related to PPP projects. The port has confirmed that net fixed assets excluded in the current general revision of the SOR have been captured while arriving at upfront tariff for the respective PPP projects. In the modified ARR computation prepared by us, the net fixed assets as reported in the Annual Accounts of the year 2018-19 is considered and exclusion of net fixed assets of PPP Projects is shown as a separate entry as per the prescribed format. This will not have any impact as such.

(b). As regards Work-in-progress, the DPT has considered ₹310.38 crores as against ₹310.92 crores reported in Audited Annual Accounts for the year 2018-19. The DPT has excluded an amount of ₹0.54 crores towards the Work-in-progress related to PPP projects.

In our calculation, the Work-in-progress as on 31 March 2019 as reported in the Annual Accounts is considered and exclusion relating PPP projects furnished by DPT is shown separately for exclusion from the Work-in-progress. This will not have any impact as such.

(c). Clause 2.5 of Working Capital to operationalize Tariff Policy, 2018, stipulates norms for Working capital will comprise of cash balances among other items of current assets. Limit on cash balances will be one month's cash expenses. However, DPT has considered Nil cash expenses for calculation of Working Capital. Therefore, 1/12th of allowable expenditure excluding depreciation for the year 2018-19 i.e. ₹7,051.00 lakhs [Total allowable operating expenses for the year 2018-19 ₹93,701.10 lakhs less Depreciation for the year 2018-19 (Excluding Estate) ₹9,089.07 lakhs = ₹84,612.03 lakhs/ 12 months = ₹7,051.00 lakhs] is considered as cash expenses in the calculation of Working Capital.

As regards Sundry debtors, the estate revenue considered by port for applying the norm of 2 months do not match with the figures reported in the Annual Accounts of 2018-19. This has been taken as reported in the Annual Accounts. Further, as clarified by DPT, ₹95.95 lakhs pertaining to license fee from employees of DPT captured therein under estate revenue has been excluded for arriving at Sundry debtor at 2 months of estate revenue.

Other items of working capital is computed by DPT as per norms prescribed in clause 2.5 of Working Guidelines except for Cash Expenses and hence considered as estimated by the DPT. Subject to above modification as explained above, the modified working capital works out to ₹117.82 crores as against ₹54.02 crores considered by DPT.

The total capital employed arrived by DPT is ₹2,083.40 crores. Subject to above modification as explained above, the modified capital employed works out to ₹2,147.20 crores. Return on Capital Employed (ROCE) considered by DPT at 16% is ₹333.34 crores. The modified ROCE works out to ₹343.55 crores based on the modified Capital Employed.

(vii). The ARR comprises of the average of the expenditure for the three financial years 2016-17 to 2018-19 plus 16% ROCE. Further, as per Clause 2.7 of Working Guidelines, the said ARR needs to be indexed @ 100% of the WPI applicable for the year 2019-20 at 4.26%. The indexed ceiled ARR assessed by the DPT is ₹1,229.62 crores and modified indexed ceiling ARR assessed by us is ₹1,238.04 crores for the year 2019-20.

The final detailed working of ARR calculation furnished by the DPT which has been duly certified by Chartered Accountant is relied upon. This is subject to minor modification as explained above. The detailed ARR calculation furnished by the port and modified ARR calculation by us are attached as **Annex - I (a) and (b)** respectively. A summary of the ceiling indexation ARR furnished by the DPT is given below: **(₹ in crores)**

Sr. No.	**Particulars**	**ARR computation furnished by the DPT**	**ARR computation modified by us**
1	Average admissible Expenses for the years 2016-17, 2017-18 and 2018-19 [Y1+Y2+Y3]/3	846.04	843.90
2	Capital employed as on 31.03.2019 including capital work in progress as on 31.03.2019 and working capital as per norms	2,083.40	2,147.20
3	Return on capital employed @ 16%	333.34	343.55
4	ARR as on 31 March 2019 (4=2+3)	1,179.38	1,187.45
5	Indexation in the ARR @ 100% of the WPI applicable for the year 2019-20	1,229.62	1,238.04

	(4.26% for the year 2019-20)		
6	Ceiling Indexed Annual Revenue Requirement (ARR)	1,229.62	1,238.04
7	Revenue estimated by the DPT at proposed rate	1,227.47	1,227.97
8	Revenue gap	2.15	10.07

(viii). (a). As per Clause 2.5 of Tariff Policy 2018, for drawing the SOR, the DPT has reportedly considered the actual cargo traffic in tonnes and GRT of vessel handled by the port during the year 2018-19.

(b). As per Clause 2.6 of Tariff Policy 2018, the Major Port Trusts have the flexibility to determine the rates to respond to the market forces based on commercial judgment and draw the Scale of Rates within the ceiling of indexed ARR, duly certified by a practicing Chartered Accountant. The Port has given detailed working of revenue estimation indicating each of the tariff items in the proposed SOR for corresponding traffic handled in 2018-19 as required as per Clause 2.9 of the Working Guidelines. As per Clause 2.5 of Tariff Policy 2018, for drawing the SOR, the DPT has reportedly considered the actual cargo traffic in tonnes exclusively handled by the DPT and GRT of vessels handled by the port during the year 2018-19, to draw the proposed SOR within the ceiling indexed ARR.

The actual cargo traffic handled by DPT in the year 2018-19 is reported to be 115.40 MMT of which cargo exclusively handled by the port at Kandla and Vadinar Division aggregates to 75.67 MMT as per DPT. The balance cargo pertains to BOT operators at Vadinar and Kandla. The revenue estimated by the DPT from cargo handling service is for the actual cargo exclusively handled by the DPT in the year 2018-19. The port appears to have inadvertently excluded 0.507 MMT relating to transshipment of IOC Crude which is captured by us in the revenue estimation as there is a tariff item in the existing SOR and the proposed SOR. Thus, the total traffic exclusively handled by DPT excluding BOT operations works out to 76.18 MMT.

As regards revenue from vessel related charges, the DPT has confirmed that it has considered GRT of vessels handled in the year 2018-19 and same is matching with Annual Accounts for the year 2018-19 at 935.40 lakh GRT. For a few tariff items proposed, the port has furnished justification and reasoning for not capturing revenue in the revenue estimation as no revenue was earned during the year 2018-19. Based on the above clarification and recognizing that revenue estimation is duly certified by the practicing Chartered Accountant, the same is relied upon.

(ix). (a). As per Clause 2.6 of Tariff Policy 2018, the Major Port Trusts have the flexibility to determine the rates to respond to the market forces based on commercial judgment and draw the Scale of Rates within the ceiling of indexed ARR, duly certified by a practicing Chartered Accountant. In the original proposal, the port had proposed increase in the wharfage rate of few cargo items in the range to 6% to 15% and 5% increase in non-crane berth hire charges and 2% increase in the dry docking charges. Further, the port has merged the existing wharfage rate with the rate for on board labour from cargo handling division as applicable as per existing SOR. However, in view of the objection raised by the users/ user associations during the processing of the case, including Vadinar Oil Terminal Ltd. (VOTL) against the proposed increase, the port in the final revised proposal has proposed nil increase. The port has retained the existing SOR i.e. rate applicable after applying applicable indexation factor of 4.26% announced by this Authority w.e.f. 01 May 2019. The port has proposed tariff for a few new items and has also furnished justification thereof which is already brought out in the earlier paragraph of the Order and hence not repeated here. The port has also modified proposed conditionalities based on comments of users/ user association mainly from Rishi Shipping, Kandla Stevedores Association Ltd (KSAL) and Kandla Port Steamship Agent's Association (KPSAA), etc. KSAL has, in fact, complimented the port for not increasing the rates and merging the stevedoring rates with wharfage.

(b). The existing SOR prescribes the wharfage rate for Project materials, Machinery and Fruits, nuts, tapioca, coconut, Copra, tamarind seeds, etc. on ad valorem basis. Clause 2.10 of the Working Guidelines requires the Port Trust to do away with ad-valorem wharfage rate in the existing SOR and determine specific wharfage rate taking into consideration special case to be taken for handling such cargo or a market determined tariff. Even during the last tariff revision, port was advised to formulate and file a well analysed proposal for conversion of ad-valorem rate structure to specific wharfage rate for the said dry and break bulk cargo, within a period of three months from the date of notification of the Order in the Gazette of India. The port has not filed any proposal in this regard. In the instant proposal also, the port has continued with the existing tariff arrangement of levy of ad-valorem rate for said dry and break bulk cargo.

When sought specific clarification on this, DPT has clarified that the items charged under ad-valorem are voluminous, heavy in weight, less in number of units, more sensitive and need to be handled with care. While loading/ unloading of such cargo, it takes a long time for lashing/ unlashing and the productivity in tonnage is also very less. The port has cited example of heavy machineries and project cargoes like windmill blades, windmill towers, heavy machineries and packages which give very low productivity of less than 1000 MT per day and vessels occupy longer period of time at berth. If such cargoes are measured on tonnage, port will incur revenue loss as it gives less tonnage in comparison to the bulk cargoes. Further the commodities charged under ad-valorem are high in value which cannot be equated with revenue earned by handling bulk commodities, if measured on tonnage basis.

In this regard, it is relevant here to state that in the Scale of Rates of VOCPT and MBPT wharfage rate for dry bulk cargo like fruits, nuts, tapioca, coconut, copra, tamarind seeds are prescribed in per tonne basis. Recently, the VOCPT in its general revision of Scale of Rates has proposed separate rate for wind mill also on per tonne basis. Hence, the port is advised to review and explore the possibility of proposing specific wharfage rate on unit basis instead of ad-valorem basis in line with the approach followed in case of other Major Port Trusts to comply with the provision in the clause 2.10 of Working Guidelines during the next revision.

In the current proposal, in the absence of any proposal of DPT to prescribe wharfage on per unit basis, the existing ad-valorem rates proposed by the DPT is allowed to be continued.

(c). Clause 2.6 of the Tariff Policy, 2018 gives flexibility to Major Port Trusts to fix the tariff within the ceiling ARR. The revenue estimated by the DPT at the proposed tariff is within the ceiling ARR and the revenue estimates at the proposed tariff are duly certified by the Chartered Accountant, hence this Authority is inclined to approve the tariff for all the items as proposed by DPT.

(d). The total revenue estimated by DPT at the proposed tariff is ₹1,227.47 crores which is within the modified ceiling indexed ARR of ₹1,238.04 crores. The revenue estimation by the DPT at the proposed tariff and traffic of 2018-19 has been duly certified by the Chartered Accountant and hence has been relied upon. The revenue estimates at the proposed rates as furnished by the port subject to one correction of capturing revenue estimate of transshipment of IOC crude to tune of ₹0.50 crores comes to ₹1227.97 crores is attached as **Annex-II**.

At the proposed tariff and modified revenue estimation, there is revenue gap of ₹10.07 crores which is not covered as per our estimate as against revenue gap of ₹2.15 crores estimated by the DPT.

(x). The rate approved by this Authority vide Order No.TAMP/33/2018-DPT dated 18 January 2019 based on the proposal of DPT prescribing charges for using automated bagging and rake loading of fertilizer at Godown No.34 prescribes a note about mandatory use of facility for all users handling fertilizers in DPT at cargo berth nos.1 to 10. The existing note was proposed by DPT to be continued.

The Rishi Shipping has objected said note about mandatory use of the facility. The point put forth by the Rishi Shipping is that 3 Million Tonnes of fertilizer is imported in DPT and about 4 lakhs tonnes has to be stored in port warehouses. But, storage capacity is only for 1.5 lakh tonnes. Unless port gives storage facility for 4 lakhs tonnes quantity, usage of the automated bagging plant facility offered by the DPT should not be made mandatory.

In this regard, it is relevant here to state that during the processing of the proposal of DPT for fixation of rate for automated bagging plant at Godown No.34 which was approved by this Authority vide Order No.TAMP/33/2018-DPT dated 18 January 2019, the same point was raised by M/s.Rishi Shipping. The port had clarified that the proposed note is in order to make the project viable so that the facility is utilized to the fullest capacity. If the facility is not available for any reason such as being non-operational, being pre-occupied etc., a note no.(2) was already prescribed in the existing SOR whereby the users shall be permitted by the DPT to avail other facilities within or outside the Port.

However, in view of the points now raised by the Rishi Shipping, the DPT has further elaborated the existing note no.(2) permitting user to avail other facility outside the port, if the automated bagging plant of DPT is non-operational, pre-occupied or there is shortage of space in port godown or when rake is indented for loading multiple varieties of cargo. This addresses the concern raised by the Rishi Shipping. The existing note (1) proposed to be continued by the DPT and the modified note no.(2) is, therefore, approved.

(xi). (a). The port has proposed to introduce a new schedule of lighterage dues at Outer Tuna Buoy (OTB) to cover the loss of revenue due to non-applicability of pilotage and berth hire in mid-stream cargo handling. The rate proposed by DPT is by adopting the rate for foreign-going vessel in the existing SOR of VOCPT approved in May 2017 Order. For coastal vessel, the port has proposed the rate at 60% of the foreign rate after considering the prevailing exchange rate.

The Indian Farmers Fertilizer Co-operative Ltd. (IFFCO) has objected the proposed lighterage charges at OTB/ Anchorage stating that the Agreement entered between DPT and IFFCO do not provide levy of lighterage charges by DPT. The Rishi Shipping, the handling agents for IFFCO has also endorsed the point made by IFFCO and have stated that IFFCO should be excluded from levy of lighterage charges.

In view of the point made by IFFCO, the DPT has proposed to add a provision in note 1, (ii) stating that the lighterage charge shall not be applicable for the cargo bounded for IFFCO barge jetty on the ground that there is no opportunity loss to DPT on the IFFCO cargo.

The DPT has thus addressed the concern raised by IFFCO and hence the modified proposed note 1 (ii) is approved along with the newly proposed schedule of Lighterage dues. The port has estimated revenue from this item in Form-3.

(b). The IFFCO has further stated that port has included the notional labour charges in the port wharfage and increased the wharfage from existing indexed wharfage rate as of 1 May 2019 at ₹36.96 per MT to ₹61.26 per MT. The IFFCO has contended that the difference amount of ₹24.30 PMT is in lieu of the notional gang charges loaded for the clients in port. In case of IFFCO the notional labour charges were never charged and it was exempted. Therefore, IFFCO has stated that the increase of notional gang charges is not called for and they should be exempted from additional notional gang charges of ₹24.30 PMT.

As stated earlier, in the proposed SOR, the DPT has merged the existing wharfage charges and on board labour charges for labour deployment from Cargo Handling Division for which separate cargo wise rate are prescribed separately under Schedule-3 under Chapter-III.

As regards non-payment of On-board Labour Charges for the vessels discharged at OTB and unloaded at IFFCO Barge Jetty, the DPT has stated that the matter has been referred to Indian Port Associations (IPA) for its recommendation and reply from IPA is awaited. Hence, the DPT has declined to consider the request of IFFCO to exempt payment of On-board Labour Charges by IFFCO at this juncture. On receipt of recommendations from IPA on the issue, the DPT has agreed to consider it suitably. The DPT has categorically stated that IFFCO has to pay the wharfage charges as proposed in the revised SOR.

As per Clause 7.4 of the Tariff Policy, 2018, the DPT to ensure that no notional booking of labour and other similar notional charges are levied by the port.

As agreed by DPT, the port may, on receipt of reply from the IPA on the said matter, if necessary, review this matter and file a suitable proposal within one month from date of receipt of reply from IPA.

(xii). The port has proposed a new note for 60T HMC stating that ₹50,000 per crane shall be levied when the crane has been supplied and not used by port users.

KSAL has stated that this amount should not be charged when the vessel does not berth for whatever reasons and loading/ unloading operations cannot be carried out.

In this regard, DPT has clarified that it being a tidal port, the berthing and sailing of vessel depends on the tide and also loading and unloading of the vessel may get affected due to various operational reasons. During such occasions, the scheduled vessels may not berth which is beyond the control of stevedores. Hence, the DPT on review of the proposed note has felt that it is not appropriate to penalize the port users for booking the HMC and not utilizing it. Accordingly, the DPT has modified the proposed note adding a sentence to state that the said charge shall not be levied in case the vessel does not berth as scheduled for any reasons.

The proposed note is approved with slight modification. The words “any reasons” are replaced with the words, “any operational reasons for example like tide.”

(xiii). KPSAA has also made few other suggestions for improvement/ corrections in the conditionalities in the proposed SOR of DPT. The DPT has examined the matter and has considered the suggestion made by KPSAA wherever found necessary and has made modification in the revised proposed Scale of Rates, which are approved.

(xiv). This Authority has vide separate Order No.TAMP/29/2018-DPT dated 31 July 2018 approving hire charge for 120T HMC owned by the port following normative approach and the said Order was notified in the Gazette of India on 20 August 2018. The rates approved are linked to achievement of Performance Standards and subject to annual indexation to an extent of 60% of the variation in Wholesale Price

Index (WPI). The validity of rates approved in said Order is prescribed for a period of 5 years i.e. till 07 May 2023.

The existing rate for 120 T HMC prescribe rates for each of the dry bulk and break bulk cargo items for benchmark level of performance arrived based on norms which is to meet the estimated ARR. The schedule prescribes incremental rate (one level above) for enhanced performance and reduced rate for reduced performance (upto two levels below) with a note for calculating the incremental rates/ reduced rates linked to the performance.

As against that for 120T HMC, the port in the current proposal has proposed single rate based on per metric tonne for each of the dry bulk and break bulk cargo taking the rate prescribed at benchmark level in the Order No.TAMP/29/2018-DPT dated 31 July 2018 as the base and applying WPI for the year 2019-20 at 60% i.e. 2.56% (60% of 4.26%) plus 10% increase thereon. The port has proposed the single rate and has frozen it as the ceiling rate. Further, existing prescription of tariff for HMC linked to performance is completely withdrawn by the port. The port has also proposed to delete all the existing notes (i) to (x) including the notes relating to annual indexation, validity period, computation of average berth day output, etc., prescribed in the said Order dated 31 July 2018.

It is relevant here to state that the rate for HMC owned by the port or operated by private service provider authorised by the port are fixed based on norms and are linked to benchmark performance. This approach is followed uniformly across all the Major Port Trusts.

Even at DPT, based on the proposal of the port, this Authority had earlier passed an Order No.TAMP/32/2016-KPT dated 17 September 2016 fixing ceiling tariff 124T MHC on normative basis in respect of service provider to be authorised by the DPT. The rates approved have the validity for ten years i.e. upto October 2026 subject to indexation of the prescribed rate at 60% of WPI.

Subsequently, the port had filed a proposal seeking rate for 120T port owned HMC citing that port had invited tenders based on the approved rate of Order dated 17 September 2016. However, due to non-response from any bidder for about a year, the DPT had discharged the tender.

The valid rate for port owned 120T HMC till May 2023 are already in place. The rates now proposed by the DPT for 120T HMC are not found to be in line with the approved rates. Bringing out the above position and also since the valid rate for 120T HMC based on norms are already prevailing in the existing SOR of DPT which are valid till May 2023, the port was requested to consider to retain the existing rate till the validity.

The DPT has, however, retained its original proposal in this regard. The port has stated that to encourage the port users for high performance and high productivity, port should fix the base rate irrespective of any quantity handled by the HMC crane for different cargo. The DPT has, therefore, proposed the ceiling rate on per metric tonne basis (single uniform rate cargo-wise) rather than linkage to productivity achievement. The port has stated that 10% increase sought by them over the existing rate for benchmark level of performance will compensate the incentives to be paid to the crane operator for higher performance which is only 25% of the excess revenue generated due to incremental quantity of cargo handled. In addition, for the harbor mobile cranes deployed by the private operator, ceiling rate for each cargo is fixed. In the similar way, it is proposed to fix the ceiling rate for DPT owned HMC of 120T capacity. Further, at neighbouring ports, HMC rate is much cheaper and in some cases it is not charged at all. In order to compete with the private operators, port has proposed to fix the ceiling rate for DPT owned HMC cranes.

Thus, in short, the DPT has retained its original proposal and proposed cargo-wise single rate for 120T port owned HMC with 10% increase over the existing benchmark rate and without linkage to performance. The proposed rates are not found to be based on normative approach which is uniformly followed for fixation of

HMC rate in all the Major Port Trusts including the existing prescription in the DPT. When the existing rates prescribed in the SOR of DPT are for the port owned HMCs, the port has not clarified as to why the mention of private operator comes into picture. If there is competition from neighbouring ports, the DPT has the flexibility to charge lower rates for its own cranes. That being so, the rates for 120T port owned HMC approved by this Authority vide Order No.TAMP/29/2018-DPT dated 31 July 2018 is allowed to continue. Hence, a suitable note about application of rate as per Order dated 31 July 2018 is prescribed in the revised SOR. This is in line with the decision taken in the case of NMPT.

The DPT may, however, come up with a separate proposal for the port owned HMC for review of the existing rates following normative approach within two months from the date of notification of the Order in the Gazette of India. The port shall give adequate reasoning and justification for the proposal when valid rate for port owned 120T HMC till May 2023 prevails. The three new notes proposed by the DPT at for 120T HMC at par with the new notes proposed for port owned 60T HMC, may be incorporated by the DPT while filing the separate proposal.

(xv). The existing SOR prescribes separate Chapter-VA for marine tariff i.e. Port dues and Pilotage for Dry Bulk Terminal operated by AKBTPL for reasons explained in para 12 (ii) of Order No.TAMP/42/2014-KPT dated 15 January 2016 based on the proposal of the DPT. In the proposed SOR, the port has proposed to delete the said Chapter and has proposed to bring the rates at par with the rates prescribed for Kandla Division.

Clarification was sought from the DPT for deletion of existing Chapter VA and proposing to bring the Port dues and Pilotage at par with the rates prescribed for Kandla Division and change in the circumstances from then to now for the proposed change.

The DPT has, in this regard, clarified that as per Concession agreement with M/s.AKBTPL, the rates of Kandla were reflected to be applicable to M/s.AKBTPL. However, due to outsourcing of Marine services and subsequent expenditure for marine services and dredging, being much more than estimated, a separate SOR was introduced. This was being persistently objected by Concessionaire and after various deliberations and opinion of ASG, the charges have been brought at par to Kandla division. Further, as per clause 2.6 of Tariff Policy, 2018 the Major Port Trusts have the flexibility to determine the rates to respond to the market forces based on its commercial judgment and draw the SOR within the ceiling of indexed ARR, duly certified by a practicing Chartered Accountant/ Cost Accountant. AKBTPL has also assured the DPT that there will be phenomenal increase in volume of cargo at AKBTPL terminal on account of this measure.

The DPT has further stated there must be a fine balance between interest of DPT and Trade by proposing common vessel related rates for Tuna/ Tekra.

In view of the above and based on clarification given by the port and keeping in view that the proposal of DPT in this regard is based on the legal opinion obtained by the DPT from ASG, and recognising that revenue estimates capture the revenue of this service and the total revenue estimate is within the ARR and also recognising that the port has flexibility to propose the rates within the ARR as per clause 2.6 of the Tariff Policy, 2018, the proposal of DPT for deletion of separate schedule of tariff for marine related services for dry bulk terminal commissioned by AKBTPL at Tuna/ Tekra and proposal to levy the marine related tariff at par with Kandla Division is approved. Accordingly, in the General Terms and Conditions at 1.2, a note (xx) is inserted stating that applicable Vessel Related Charges of Kandla Division shall apply for dry bulk terminal commissioned by AKBTPL at Tuna/ Tekra to avoid any ambiguity.

(xvi). The comparative statement giving the existing conditionalities and proposed conditionalities wherever the port has proposed amendment/ deletion in the existing conditionalities along with remarks/ reasoning as furnished by the port during the analysis of the case is updated with our brief remarks/ analysis in the last column for accepting or rejecting each of the modifications/ deletions proposed by the port. The said comparative position is attached as **Annex-III**. The proposed modification/ deletion in the existing conditionalities is approved taking into consideration the remarks/ reasoning furnished by the DPT and our remarks/ analysis thereon given in the said Annex. Some minor typographical errors observed have been corrected in the revised SOR.

(xvii). Clause 3.7 of the Working Guidelines issued by this Authority to operationalise the Tariff Policy, 2018 stipulates that ordinarily the Order approved by this Authority shall come into effect after expiry of 30 days from the date the Order is notified in the Gazette. Accordingly, the revised SOR approved by this Authority and notified in the Gazette of India separately shall come into effect after expiry of 30 days from the date of notification of the revised SOR in the Gazette.

(xviii). As per Clause 3.1 of the Tariff Policy, 2018, the Major Port Trusts shall also commit Performance Standards for cargo related services in terms of average ship berth day output, average moves per hour in case of container handling. It is not necessary to commit cargo-wise ship berth day output. Instead, the Major Port Trusts may propose overall average ship berth day output. For vessel side services, the port shall prescribe Performance Standards in terms of average turnaround time of vessels and average pre-berthing time of vessels and any other parameter which is found relevant by the Port.

The Tariff Policy, 2018 does not prescribe any method or basis for proposing performance standards. In the revised proposal, the DPT has committed overall Performance Standards for cargo related services in terms of average ship berth day output at 17,383 MT which is the actual ship day output achieved by the port for the year 2018-19 as per performance indicators furnished by IPA. The proposed Performance Standard is, therefore, approved. In addition, for the container berths, the port has also proposed average moves per crane hour at 30.58 TEUs which is higher than the level prescribed in the last general Scale of Rates at 18 TEUs. The same is approved.

The port has also proposed Performance Standards in terms of average turnaround time of vessels at 4.71 days and average pre-berthing time of vessels at 2.03 days. The average turnaround time of vessel for the year 2018-19 achieved by DPT is 3.14 days and pre-berthing detention achieved by the port is 10.08 hours as per the performance indicators of all Major Port Trusts furnished by the IPA. Since the actual performance achieved in the year 2018-19 for these two parameters are found to be higher (in terms of performance) than the proposed one, the actual performance achieved by the DPT in the year 2018-19 is prescribed.

It is relevant here to mention that the Performance Standards committed by the Port are to be considered for the operations carried out exclusively by the Port within the port premises, with its own equipment and will not be applicable to the private service provider authorised by the port for rendering services with his equipment for whom separate benchmark performance standards prescribed in the relevant Order shall be applicable.

(xix). As per Clause 2.8 of the Tariff Policy, 2018, SOR will be indexed annually to inflation to the extent of 100% of the variation in Wholesale Price Index (WPI) announced by the Government of India. Such adjustment of SOR will be made every year and the adjusted SOR will come into force from 01st May of the relevant year to 30th April of the following year. Further, as per clause 3.2 of the Tariff Policy, 2018 to be read with clause 2.8 of the Tariff Policy, 2018, annual indexation in SOR at 100% of the WPI is applicable subject to achievement of Performance Standards committed by Major Port Trusts. If a particular port does not fulfil the Performance Standard, no indexation would be allowed during the next year. It is relevant to state that in the instant case indexation for the year 2019-20 is already considered in the ARR and for drawing the SOR. The next annual indexation in SOR will be applicable from 1 May 2020 subject to achievement of Performance Standards in the year 2019-20.

That being so, a note is inserted in the SOR to the effect that the SOR approved by this Authority is subject to automatic annual indexation at 100% of the WPI to be announced by this Authority. The annual indexation will be from 01 May 2020 subject to the DPT achieving the Performance Standards notified alongwith the SOR. If Performance Standards prescribed in the SOR are not achieved, there will be no indexation in SOR for that particular year. The Tariff Policy, 2018 stipulates that annual indexation in the SOR will be automatic subject to achievement of Performance Standards. It does require the Major Port Trusts to approach this Authority for the same. In order to have transparency, the port may be advised to declare the Performance Standards achieved for the period 01 January to 31 December vis-à-vis the Performance Standards notified by this Authority at the level committed by the port within one month of end of the calendar year to this Authority. If the Performance Standards as notified by this Authority are achieved by the port, then the port can automatically index the rates prescribed in its SOR at 100% of WPI announced by this Authority and apply the indexed SOR w.e.f. 01 May of the relevant year. The indexed SOR by the DPT has to be intimated by the port to the concerned users and to this Authority.

(xx). The validity of the existing SOR of the DPT was last extended till 30 September 2019 or till the effective date of implementation of the revised Scale of Rates, whichever is earlier. By the time the revised SOR approved by this Authority and notified separately comes into effect, it may be around November 2019. That being so, the validity of the existing Scale of Rates is deemed to have been extended from the date of expiry till the revised SOR comes into effect.

(xxi). As per Clause 3.8 of Working Guidelines, the SOR notified shall remain valid for 3 years after expiry of 30 days from the date of notification of the Order in the Gazette of India. Therefore, the validity of the revised SOR is prescribed for a period of 3 years from the date the Order approved comes into effect.

(xxii). (a). As per clause 7.1 of the Tariff Policy, 2018, the rates prescribed in the Scale of Rates are ceiling levels. The ports may, if they so desire charge lower rates. The DPT may exercise the flexibility to charge lower rates and/ or allow higher rebates and discounts.

(b). As stated earlier, as per Clause 2.7 the Tariff Policy, 2018, it is for the DPT to ensure that as a result of revision in the SOR there will not be loss of traffic to the port.

(c). If there is any error apparent on the face of records considered, the DPT may approach this Authority for review of the tariff fixed within 30 days from the date of notification of the Order passed in the Gazette of India. The DPT may also, for any justifiable reasons, approach this Authority for review of the tariff fixed giving adequate justification/ reasoning within 30 days from the date of notification of the Order passed in the Gazette of India.

(d). The modifications proposed by DPT in the conditionalities governing the Scale of Rates are considered for approval based on justification/ clarification furnished by DPT. The DPT may, if necessary, come up with a proposal for amending any of the conditionalities approved, even before the expiry of the tariff validity period.

13.1. In the result, and for the reasons give above, and based on a collective application of mind, this Authority approves the revised SOR and the Performance Standards of the DPT which have been notified separately.

13.2. The effective date of the revised Scale of Rates and conditionalities governing the application of revised Scale of Rates will remain the same as already indicated in the separate Order dated 10 October 2019 and shall be in force for a period of 3 years from the date of effect of revised SOR. The approval accorded will automatically lapse thereafter unless specifically extended by this Authority.

13.3. The DPT has committed Performance Standards for cargo related services in terms of average ship berth day output, average moves per hour in case of container handling. For vessel side services, the port has committed Performance Standards in terms of average turnaround time of vessels and average pre-berthing time of vessels and idle time at berth Port.

13.4. The indexation of SOR as provided in Clause 2.8 of the Tariff Policy, 2018 is to be read with Clause 3.2 of Tariff Policy, 2018. If DPT does not meet the Performance Standard, the DPT is not eligible for indexation during the next year.

13.5. As per Clause 6 of the Tariff Policy 2018, the DPT shall furnish to this Authority annual reports on cargo traffic, ship berth day output, average turnaround time of ships, average pre-berthing waiting time. In addition, for the container berths, annual reports shall also be provided on average moves per crane hour and average dwell time for containers. The annual reports shall be submitted by the Port within 60 days following the end of each of the year. Any other information which is required by this Authority shall also be furnished to them from time to time.

13.6. As per Clause 4 of the Working Guidelines, this Authority shall publish all the information received by it from DPT under clause 6 of the Tariff Policy, 2018 on its website. However, this Authority shall consider a request from DPT about not publishing certain data/ information furnished which may be commercially sensitive. Such requests should be accompanied by detailed justification regarding the commercial sensitiveness of the data/ information in question and the likely adverse impact on their revenue/ operation upon such publication. This Authority's decision in this regard would be final.

(T.S. Balasubramanian)
Member (Finance)

Annex - I (a)
Form-1

Computation of Annual Revenue Requirement under Policy for Determination of Tariff for Major Port Trusts, 2018 furnished by DPT and modified by the TAMP				
				Rs. in lakhs
Sl. No.	**Description**	**2016-17**	**2017-18**	**2018-19**
(1).	**Total Expenditure (As per Annual Accounts)**			
(i).	Operating expenses (Including depreciation)	52226.55	52575.89	55244.94
(ii).	Management & general Overheads	13651.95	15223.02	15295.38
(iii).	Finance and Miscellanous expenses (FME)	21920.17	51202.76	60079.81
	Subtotal 1=(i)+(ii)+(iii)	**87798.67**	**119001.67**	**130620.13**
(2).	**Less Adjustments:**			
(i).	Estate related expenses			
	(a). Operating expenses (Including depreciation)	1051.35	1071.25	811.10
	(b). Allocated Management & Administrative Overheads	259.83	293.55	212.55
	(c). Allocated FME	58.33	101.11	96.31
	Subtotal 2(i)=[(a)+(b)+(c)]	**1369.51**	**1465.91**	**1119.96**
(ii).	Expenditure relating to Railway Activity	**579.92**	**607.93**	**593.25**
(iii).	**Interest on loans**	**18.18**	**26.55**	**15.00**
(iv).	**2/3rd of One time expenses, if any like arrears of wages, arrears of pension / gratuity, arrears of exgratia payment, etc. (list out each of the items)**			
	(a). Wage Revision arrears	0.67	487.69	31.07
	(b).			
	(c).			
	Subtotal 2(iii) = [(a)+(b)+(c)]	**0.67**	**487.69**	**31.07**
(v).	**2/3rd of the Contribution to Superannuation funds like Pension Fund, Gratuity fund and Leave Encashment fund**	**12659.71**	**30786.59**	**35628.53**
(vi).	**Management and General overheads over & above 25% of the aggregate of the operating expenditure and depreciation**	**0.00**	**0.00**	**0.00**
(vii).	**Expenses relevant for tariff fixation of Captive Berth, if any governed under clause 2.10. of the Tariff Policy, 2018.**			
	(a). Operating Expenses	**0.00**	**0.00**	**0.00**
	(b). Depreciation	**0.00**	**0.00**	**0.00**
	(c). Allocated Management and Administrative Overheads	**0.00**	**0.00**	**0.00**
	(d). Allocated FME	**0.00**	**0.00**	**0.00**
	Subtotal 2(vi) = [(a)+(b)+(c)+(d)]	**0.00**	**0.00**	**0.00**
	Total of 2 = 2(i)+2(ii)+2(iii)+2(iv)+2(v)+2(vi)+2(vii)	**14627.99**	**33374.67**	**37387.81**
(3).	**Total Expenditure after Total Adjustments (3=1-2)**	**73170.68**	**85627.00**	**93232.32**
(4).	Add: Excess of Railway Expenditure over income through Railway Activity	**319.00**	**351.80**	**468.78**
(5).	Net Total Expenditure after all adjustments (3) + (4)	**73489.68**	**85978.80**	**93701.10**
(6).	Average Expenses of Sl. No. 3 = [Y1 + Y2 + Y3] / 3		**84389.86**	

(7).	**Capital Employed**	
	(i). Net Fixed Assets as on 31.03.2019 (As per Annual Accounts)	181122.63
	(ii). Add:Work in Progress as on 31.03.2019 (As per Annual Accounts)	31091.97
	(iii). Less: Net value of Fixed assets related to Estate activity as on 31.03.2019 as furnished by DPT.	434.03
	(iv). Less : Net value of fixed assets, if any, transferred to BOT operator as on 31 March 2019 as furnished by DPT.	8789.27
	(v). Less : Net value of work in progress, if any, transferred to BOT operator as on 31 March 2019 furnished by DPT.	53.47
	(vi). Less : Net value of fixed assets as on 31 March 2019 as per Accounts relevant to be considered for captive berths, if any, under clause 2.10. of the Tariff Policy, 2018.	0.00
	(vii). Add : Working Capital as per norms prescribed in clause 2.5. of the Working Guidelines	0.00
	(a). Inventory	66.32
	(b). Sundry Debtors	4664.32
	(c). Cash	7051.00
	(d). Sum of (a)+(b)+(c)	11781.64
	(viii). Total Capital Employed [(i)+(ii)-(iii)-(iv)-(v)-(vi)+(vii)(d)]	**214719.47**
(8).	**Return on Capital Employed 16% on SI. No. 5(vii)**	**34355.12**
(9).	**Annual Revenue Requirement (ARR) as on 31 March 2019 [(4)+ (6)]**	**118744.98**
(10).	**Indexation in the ARR @ 100% of the WPI applicable for the year 2019-20 I.E. @4.26% (8*1.0426)**	**123803.52**
(11).	**Ceiling Indexed Annual Revenue requirement (ARR)**	**123803.52**
(12).	**Revenue Estimation at the Proposed SOR within the Ceiling Indexed ARR estimated at Sr. No. 9 above.**	**122797.42**

					Annex - I (b)
					Form-1
Computation of Annual Revenue Requirement under Policy for Determination of Tariff for Major Port Trusts, 2018 furnished by DPT					
					Rs. in lakhs
Sl. No.	**Description**		**2016-17**	**2017-18**	**2018-19**
(1).	**Total Expenditure (As per Audited Annual Accounts)**	**Note 1**			
(i).	Operating expenses(Including depreciation)		52823.73	53216.42	55893.16
(ii).	Management & general Overheads		13054.77	14582.48	14647.15
(iii).	Finance and Miscellanous expenses (FME)		21920.17	51202.76	60079.81
	Subtotal 1=(i)+(ii)+(iii)		**87798.67**	**119001.66**	**130620.12**
(2).	**Less Adjustments:**				
(i).	Estate related expenses				
	(a). Operating expenses(Including depreciation)		1051.35	1071.25	811.10
	(b). Allocated Management & Administrative Overheads		259.83	293.55	212.55
	(c). Allocated FME		58.33	101.11	96.31
	Subtotal 2(i)=[(a)+(b)+(c)]		**1369.51**	**1465.91**	**1119.97**
(ii).	**Interest on loans**		**18.18**	**26.55**	**15.00**
(iii).	**2/3rd of One time expenses, if any like arrears of wages, arrears of pension / gratuity, arrears of exgratia payment, etc. (list out each of the items)**	**Note 2**			
	(a). Wage Revision arrears		0.67	487.69	31.07
	Subtotal 2(iii) = [(a)+(b)+(c)]		**0.67**	**487.69**	**31.07**
(iv).	**2/3rd of the Contribution to Superannuation funds like Pension Fund, Gratuity fund and Leave Encashment fund**	**Note 3**	**12659.71**	**30786.59**	**35628.53**
(v).	**Management and General overheads over & above 25% of the aggregate of the operating expenditure and depreciation**	**As per Form 2**	**0.00**	**0.00**	**0.00**
(vi).	**Expenses relevant for tariff fixation of Captive Berth, if any governed under clause 2.10. of the Tariff Policy, 2018.**				
	(a). Operating Expenses		**0.00**	**0.00**	**0.00**
	(b). Depreciation		**0.00**	**0.00**	**0.00**
	(c). Allocated Management and Administrative Overheads		**0.00**	**0.00**	**0.00**
	(d). Allocated FME		**0.00**	**0.00**	**0.00**
	Subtotal 2(vi) = [(a)+(b)+(c)+(d)]		**0.00**	**0.00**	**0.00**
	Total of 2 = 2(i)+2(ii)+2(iii)+2(iv)+2(v)+2(vi)		**14048.07**	**32766.74**	**36794.57**
(3).	**Total Expenditure after Total Adjustments (3=1-2)**		**73750.60**	**86234.92**	**93825.55**
(4).	Average Expenses of Sl. No. 3 = [Y1 + Y2 + Y3] / 3		**84603.69**		
(5).	**Capital Employed**				
	(i). Net Fixed Assets as on 31.03.2019 (As per Audited Annual Accounts)		172333.36		
	(ii). Add:Work in Progress as on 31.03.2019 (As per Audited Annual Accounts)		31038.49		
	(iii). Less: Net value of Fixed assets related to Estate activity as on 31.03.2019 as per Audited Annual Accounts.		434.03		

	(iv). Less : Net value of fixed assets, if any, transferred to BOT operator as on 31 March 2019 as per Audited Accounts.		0.00
	(v). Less : Net value of fixed assets as on 31 March 2019 as per Audited Accounts relevant to be considered for captive berths, if any, under clause 2.10. of the Tariff Policy, 2018.		0.00
	(vi). Add : Working Capital as per norms prescribed in clause 2.5. of the Working Guidelines	**As per Form 4 & Note 4**	0.00
	(a). Inventory		66.32
	(b). Sundry Debtors		5335.65
	(c). Cash		0.00
	(d). Sum of (a)+(b)+(c)		5401.96
	(vii). Total Capital Employed [(i)+(ii)-(iii)-(iv)-(v)+(vi)(d)]		**208339.78**
(6).	**Return on Capital Employed 16% on SI. No. 5(vii)**		**33334.37**
(7).	**Annual Revenue Requirement (ARR) as on 31 March 2019 [(4)+ (6)]**		**117938.05**
(8).	**Indexation in the ARR @ 100% of the WPI applicable for the year 2019-20 I.E. @4.26% (8*1.0426)**		**122962.22**
(9).	**Ceiling Indexed Annual Revenue requirement (ARR)**		**122962.22**
(10).	**Revenue Estimation at the Proposed SOR within the Ceiling Indexed ARR estimated at Sr. No. 9 above.**	**As per Form 3 & Note 5**	**122747.18**

Annex -II
FORM 3

Revenue Estimation at the proposed Scale of Rates

Sl. No.		Description	Existing tariff		Existing tariff W.E.F. 1.5.19 (Escalated)		Reference to the schedule and Sl No in existing SOR	Proposed Tariff		Unit of levy	Reference to the schedule and Sl No in proposed SOR	Actual Traffic exclusively handled by the port during the year 2018-19		Revenue estimation at the proposed tariff (Rs. In lakhs)		% increase over the existing tariff
(1)		(2)	(3)		(3)		(4)	(5)		(6)	(7)	(8)		(9) = 5*8		(10) = (5-
			Coastal (In Rs.)	Foreign (In $)	Coastal	Foreign		Coastal	Foreign			Coastal GRT	Foreign GRT	Coastal	Foreign	
I		**VESSEL RELATED CHARGES**														
	(A)	**PORT DUES**	10.5175	0.4255	11.5707	0.4681		11.5707	0.4681	Rate per GRT		4557271	45352416	527.31	14745.99	0%
	(B)	**PILOTAGE CHARGES**								Rate per GRT						
	1	Upto 30000 GRT	21.3844	0.8650	23.5258	0.9516		23.5258	0.9516			3883893	22713403	913.72	15013.14	0%
	2	30001- 60000 GRT	Rs. 6,41,531.25 + Rs. 17.085 per GRT over 30000 GRT	U.S$ 25950 +U.S$ 0.6911 PER GRT over 30000 GRT	Rs. 705776 + Rs. 18.7959 Per GRT Over 30000 GRT	US $ 28548.66 + US $ 0.7603 Per GRT Over 30000 GRT		Rs. 705776 + Rs. 18.7959 Per GRT Over 30000 GRT	US $ 28548.66 + US $ 0.7603 Per GRT Over 30000 GRT			579462	16417482	133.04	10511.82	0%
	3	ABOVE 60000 GRT	Rs. 11,54,081.25 + Rs. 12.7054 per GRT over 60000 GRT	U.S$ 46683.75 +U.S$ 0.6041 PER GRT over 60000 GRT	Rs. 1269653.42 + Rs. 13.9777 Per GRT Over 60000 GRT	US $ 51357.17 + US $ 0.6647 Per GRT Over 60000 GRT		Rs. 1269653.42 + Rs. 13.9777 Per GRT Over 60000 GRT	US $ 51357.17 + US $ 0.6647 Per GRT Over 60000 GRT			93916	6221531	17.44	3745.33	0%
	(C)	**MISC. PILOTAGE CHARGES**														
	1	Inward or outward pilotage cancellation fees (with notice of less than 3 hours)	12516.84	506.35	13770.29	557.05		13770.29	557.05			7906562	48849293	3.41	30.69	0%
	2	Pilot going to Pilot Station to pilot incoming vessel and returns back dur to non-arrival of vessel	20653.01	860.48	22721.23	946.65		22721.23	946.65							0%
	3	Pilot boarding an outgoing vessel or leaving in the craft for the vessel in mooring or stream for pilotage and has to return back dur to non-readines of vessel.	20653.01	860.48	22721.23	946.65		22721.23	946.65							0%
	4	Cancellation of shifting of vessel (with notice of less than 3 months)	28534.01	1170.94	31391.44	1288.20		31391.44	1288.20							0%
	5	Service rendered by Pilot to a vessel at OTB/Pilot Station for double banking etc.	25% of pilotage fees	25% of pilotage fees	25% of pilotage fees	25% of pilotage fees		25% of pilotage fees	25% of pilotage fees							
	6	Attendance fees if pilot is required to attend a ship at the request of the mater or the agent or by the KPTs authorized official for work other than piloting the ship in or out of the harbour or other than berthing or unberthing or shifting of vessel.	2065.71 per hour or part thereof	83.5645 per hour or part thereof	2272.57 per hour or part thereof	91.93 per hour or part thereof		2272.57 per hour or part thereof	91.93 per hour or part thereof							0%
	7	Pilot detained in the Port Lauch for more than half an hour before boarding the vessel	3317.39 per hour or part thereof	134.199 per hour or part thereof	3649.6 per hour or part thereof	147.64 per hour or part thereof		3649.6 per hour or part thereof	147.64 per hour or part thereof							0%
	8	Pilot detained ion board the vessel to be piloted in or out or shifted for more than 15 minutes.	10357.84 per hour or part thereof	419.0065 per hour or part thereof	11395.09 per hour or part thereof	460.97 per hour or part thereof		11395.09 per hour or part thereof	460.97 per hour or part thereof							0%
	(D)	**BERTH HIRE CHARGES**								RATE per GRT per 1 hour or part thereof						
		(a) 1. General Cargo Berths	0.11	0.00460	0.13	0.0051		0.1250	0.0051			2159532	25435795	265.07	8761.15	0%
		2. Liquid Cargo Berths	0.16	0.00644	0.17	0.0071		0.1700	0.0071			2397739	16052815	150.17	2916.51	0%

		SCHEDULE OF BERTH HIRE CHARGES FOR SAILING VESSELS, LAUNCHES, TUGS, SMALL CRAFTS, BARGES ETC AT KANDLA DIVISION												0.33	2.95	
	1	Sailing vessels, launches, tugs, small crafts, barges etc. Using south, north, and west wharves of Bunder Basin, Maintenance Jetty, Ferry Berths and Service Jetty at OOT	21.7830	0.8812	23.964	0.9694		23.9644	0.9694							
	2	Vessels licensed under the Kandla Harbour Crafts rules, 1955. For use of quay berth or any berth wharf or jetty (Per GRT per 1 hour or part thereof)	0.0584 (subject to a minimum of Rs.166.8304)	0.0024 (subject to a minimum of US $6.7488)	0.0643 (subject to a minimum of Rs.183.54)	0.0026 (subject to a minimum of US $ 7.4247)		0.0643 (subject to a minimum of Rs.183.54)	0.0026 (subject to a minimum of US $ 7.4247)							
	3	Berth Hire/ mooring fees/ stream dues for LASH barges (per 1 hour or part thereof)	27.2086	1.1006	29.933	1.211		29.9333	1.2108							
	4	Berth Hire/ mooring fees/ stream dues for fishing trawlers (per 1 hour or part thereof)	3.8414	0.1554	4.226	0.171		4.2261	0.1710							
	(E)	**MOORING CHARGES**	0.0358	0.0014	0.0394	0.0015		0.0394	0.0015	RATE per GRT per 1 hour or part thereof		7906562	48907706	0.00	0.00	0%
	(F)	**ANCHORAGE CHARGES**								RATE per 1 hour or part thereof						
	1	Sea going mechanically propelled vessels														
		(a) Kandla OTB	25.1618	1.0179	27.6815	1.1199		27.6815	1.1199					16.30	146.66	0%
		(b) Inner Anchorage (per GRT)	0.0255	0.0010	0.0280	0.0011		0.0280	0.0011							0%
		(c) Crafts other then sea going vessels	13.6096	0.5504	14.9725	0.6055		14.9725	0.6055							0%
	(G)	**TRANSHIPMENT/LIGHTERAGE FEES FOR VESSELS LYING ON THEIR OWN ANCHORS**								RATE per GRT per 30 days or part thereof						
	1	Mother vessel (vessels arriving with cargo to be transferred)	3.8415	0.1554	4.2261	0.1710		4.2261	0.1710							0%
	2	Daughter vessel (vessels receiving cargo)	0.9604	0.0388	1.0566	0.0427		1.0566	0.0427							0%
	(H)	**BEACHING CHARGES**	2.6066	0.1050	2.8677	0.1155		2.8677	0.1155					0.43	3.87	0%
	(J)	**Charges for carrying Bollard pull test**						11893.86	434.72					7.14	4.53	New service
	(I)	**CHARGES FOR USE OF PORT FLOATING CRAFTS**														
	1	Crafts														
		Upto - 200 B.H.P	1818.63	73.57	2000.74	80.94		2000.74	80.94	Per hour or part thereof				51.55	463.97	0%
		201 - 400 B.H.P	5259.18	212.75	5785.83	234.06		5785.83	234.06							0%
		401 - 1500 B.H.P	6398.84	258.85	7039.62	284.77		7039.62	284.77							0%
		1501 - 2000 B.H.P	24981.10	1010.56	27482.73	1111.76		27482.73	1111.76							0%
		Above 2000 B.H.P	26295.9 (subject to a minimum of Rs.78887.70)	1063.75 (subject to a minimum of US $ 3191.25)	28929.2 (subject to a minimum of US $ 86787.60)	1170.28 (subject to a minimum of US $ 3510.825)		28929.2 (subject to a minimum of US $ 86787.60)	1170.28 (subject to a minimum of US $ 3510.825)							0%
	2	Fire fighting craft	96830.44	3917.09	106527.14	4309.35		106527.14	4309.35	per block of 8 hours or part thereof				0.00	0.00	0%
	3	Water barge "Bhimsen"	8536.70	345.34	9391.57	379.92		9391.57	379.92	Per hour or part thereof				0.00	0.00	0%

	(J)	**CHARGES FOR STEEL FLOATING DRY DOCK**								Rate per vessel						
	1	Docking & un-docking the vessel in including 1st day hire and cleaning of dry dock														
		i) Crafts upto 30 mtrs.	122719.80	4963.92	135009.10	5461.01		135009.10	5461.01					18.19	163.67	0%
		ii) Crafts between 30 to 60 mtrs.	147114.00	5951.22	161846.16	6547.18		161846.16	6547.18							
		iii) Crafts above 60 mtrs.	171634.38	6943.16	188822.03	7638.46		188822.03	7638.46							
	2	Dry dock hire from 2nd day to 8th day (both days inclusive) per day or part thereof.														
		i) Crafts upto 30 mtrs.	43386.12	1755.10	47730.85	1930.86		47730.85	1930.86							
		ii) Crafts between 30 to 60 mtrs.	52065.86	2106.22	57279.79	2317.14		57279.79	2317.14							
		iii) Crafts above 60 mtrs.	60745.62	2457.36	66828.75	2703.44		66828.75	2703.44							
	3	Dry dock hire from 9th day to 20th day (both days inclusive) per day or part thereof.						0.00	0.00							
		i) Crafts upto 30 mtrs.	65082.56	2632.78	71600.00	2896.43		71600.00	2896.43							
		ii) Crafts between 30 to 60 mtrs.	78096.72	3159.26	85917.41	3475.63		85917.41	3475.63							
		iii) Crafts above 60 mtrs.	91114.22	3685.86	100238.50	4054.97		100238.50	4054.97							
	4	Dry dock hire from 21st day or part thereof						0.00	0.00							
		i) Crafts upto 30 mtrs.	104853.56	4241.66	115353.71	4666.42		115353.71	4666.42							
		ii) Crafts between 30 to 60 mtrs.	125824.84	5090.00	138425.08	5599.72		138425.08	5599.72							
		iii) Crafts above 60 mtrs.	146794.22	5938.30	161494.35	6532.97		161494.35	6532.97							
								0.00	0.00							
	5	Removing and refitting keel blocksin way of reparirs. Besides, special blocks, if required to be laid on account of peculiarities in the construction of any vessel.	6900.06	279.12	7591.04	307.07		7591.04	307.07							
	(K)	**Lighterage charges at OTB/Anchorage**						0.04	0.0010	Rate per GRT per hr		0	3800000	0.00	443.43	New service
		(Applicable only to vessels which does not come to berth of DPT)														
									TOTAL VESSEL RELATED INCOME					**2104.07**	**56953.71**	
II		**CARGO RELATED CHARGES**														
	(A)	**WHARFAGE CHARGES**														
	(I)	**FOR BREAK BULK & NON CONTAINERISED CARGO**														
					19.80253969											
	A	**Dry Cargoes**														
	1	Fertilizer and raw material including sulphur	20.16	33.60	34.06	56.76		34.06	56.76	M.T				0.00	0.00	0%
	2	Foodgrains, cereals, pulses and oulseeds	5.40	9.00	57.11	95.17		57.11	95.17	M.T			542317	0.00	516.12	0%
	3	Cement and clinker	13.50	22.50	104.40	173.99		104.40	173.99	M.T				0.00		0%
	4	Ores and minerals (in all forms)	10.13	16.88	73.33	122.20		73.33	122.20	M.T				0.00	0.00	0%
	5	Granites and marbles	13.50	22.50	57.13	95.22		57.13	95.22	M.T						0%
	6	Metals (Ferrous / non- ferrous) (including plates, pig iron, steel pipes, Wire Rod Coils, other steel coils)	22.50	37.50	57.52	95.88		57.52	95.88	M.T		474114	1253473	272.71	1201.83	0.00%
	7	Metal scrap	27.00	45.00	41.58	69.31		41.58	69.31	M.T				0.00	0.00	0%
	8	Animals (small)	9.00	15.00	21.78	36.30		21.78	36.30	Nos.						0%
	9	Animals (big)	18.00	30.00	31.68	52.80		31.68	52.80	Nos.						0%
	10	Animal products, bone meal, hides and skins	9.00	15.00	21.78	36.30		21.78	36.30	M.T						0%
	11	Oil cakes and fodder	9.00	15.00	45.73	76.21		45.73	76.21	M.T				0.00	0.00	0%
	12	Waste paper and newsprint	18.00	30.00	31.68	52.80		31.68	52.80	M.T						0%
	13	Construction material and sand	10.13	16.88	23.02	38.36		23.02	38.36	M.T				0.00		0%
	14	Coal and coke (including firewood)	15.12	25.20	28.51	47.52		28.51	47.52	M.T				0.00	0.00	0%
	15	Wood, timber and bamboo	18.00	30.00	63.49	105.80		63.49	105.80	Cu. M.			2510445	0.00	2656.05	0%
	16	Jute & jute products and coir products	13.50	22.50	26.73	44.55		26.73	44.55	M.T						0%
	17	Cotton including cotton waste	13.50	22.50	26.73	44.55		26.73	44.55	M.T						0%
	18	Salt	9.00	15.00	43.02	71.70		43.02	71.70	M.T			18072	0.00	12.96	0.00%
	19	Sugar	5.40	9.00	62.10	103.51		62.10	103.51	M.T			622158	0.00	644.00	0%
	20	Synthetic resin and wood pulp	27.00	45.00	41.58	69.31		41.58	69.31	M.T						0%
	21	Arms, ammunition, explosives and defence stores	58.50	97.50	76.24	127.06		76.24	127.06	M.T						0%

	22	Dry chemicals including soda ash, HDPE, PVC, LDPE etc.	13.50	22.50	26.73	44.55		26.73	44.55	M.T						0%
	23	Passengers (Embarking & Disembarking)	144.00	240.00	170.30	283.83		170.30	283.83	Per Person						0%
	24	Empty containers (upto 20 feet)	86.40	144.00	106.93	178.22		106.93	178.22	Nos.						0%
	25	Empty containers (above 20 feet)	129.60	216.00	154.46	257.43		154.46	257.43	Nos.						0%
	26	Loaded container (Upto 20 feet)	432.00	720.00	487.14	811.90		487.14	811.90	Nos.						0%
	27	Loaded container (above 20 feet)	648.00	1080.00	724.77	1207.95		724.77	1207.95	Nos.						0%
	28	Project materials	0.180%	0.300%	0.198%	0.330%		0.198%	0.330%	Ad. Volorem						0%
	29	Machinery including motor vehicles and auto components/electrical	0.180%	0.300%	0.198%	0.330%		0.198%	0.330%			1870	224757	0.00	1.31	0%
	30	Fruits, nuts, tapioca, coconut, copra, tamarind seeds etc.	0.585%	0.975%	0.644%	1.073%		0.644%	1.073%	Ad. Volorem				0.00	0.00	0%
	31	Wharfage charges on Motor vehicles or any other equipments passing through the Port														
	I	Equipments:-														
	1	Aircrafts	45,000	75,000	49506.35	82510.58	Each	49506.35	82510.58					0.00	0.00	0%
	2	Boats & Launches	9,000	15,000	9901.27	16502.12	Each	9901.27	16502.12					0.00	0.00	0%
	3	Excavator, Motor Grader, Dumper Trucks, Wheel Loaders, Bull Dozers, Pavers, Power Transformers as assembled units												0.00	0.00	
	(a).	Equipment weighing upto 15	18,000	30,000	19802.54	33004.23	Each	19802.54	33004.23					0.00	0.00	0%
	(b).	Equipment weighing above 15 M.T. and upto 30 M.T.	27,000	45,000	29703.81	49506.35	Each	29703.81	49506.35					0.00	0.00	0%
	(c).	Equipment weighing above 30 M.T.	60,000	1,00,000	66008.47	110014.11	Each	66008.47	110014.11					0.00	0.00	0%
	4	Railway wagons & coaches	13,380	22,300	14719.89	24533.15	Each	14719.89	24533.15					0.00	0.00	0%
	5	Locomotives	20,100	33,500	22112.84	36854.73	Each	22112.84	36854.73					0.00	0.00	0%
	6	Equipments in loose condition, Electrical & Electronic Goods including spare parts, tools & accessories	660	1,100	726.09	1210.16	MT	726.09	1210.16					0.00	0.00	0%
	II.	Motor Vehicles for carrying Passengers/ Cargo:-														
	(i).	Two wheelers	300	500	330.04	550.07	Each	330.04	550.07							0%
	(ii).	Three wheelers	900	1,500	990.13	1650.21	Each	990.13	1650.21							0%
	(iii).	Four wheelers of upto 1400 cc														
		(a). Import	2,520	4,200	2772.36	4620.59	Each	2772.36	4620.59							0%
		(b). Export	1,320	2,200	1452.19	2420.31	Each	1452.19	2420.31							0%
	(iv).	Four wheelers of above 1400 cc	5,040	8,400	5544.71	9241.19	Each	5544.71	9241.19							0%
		-Import & Export														
	(v).	Six wheelers and above														
		(a). Vehicle weighing upto 7.5	6,000	10,000	6600.85	11001.41	Each	6600.85	11001.41							0%
		(b). Vehicle weighing above 7.5 M.T.	17,400	29,000	19142.46	31904.09	Each	19142.46	31904.09							0%
	III	Motor Vehicles except Motor cycles:-														
		a. By RO-RO System						1,080.00	1,800.00					0.00	0.00	Flat rate hence
	32	All other unspecified goods	31.50	52.50	96.84	161.40	M.T	96.84	161.40			1399	702081	1.35	1133.16	0%
	(II)	**FOR BULK & CONTAINERISED CARGO**														
	A.	**Liquid (in bulk)**														
	1	POL and products														
	a)	Crude Oil to be handled at SPM	18.00	18.00	19.80	19.80		19.80	19.80	M.T						0%
	b)	POL Products	50.00	50.00	55.01	55.01		55.01	55.01	M.T		2274828	2421472	1251.38	1332.05	0%
	c)	LPG	75.00	125.00	82.51	137.52		82.51	137.52	Cu.m.				0.00	0.00	0%
	d)	Crude to be handled at Oil Jetties	26.23	26.23	28.29	28.29		28.29	28.29				0		0.00	New service approved by TAMP vide Order dt. 8.06.2018
	2	Edible Oil -crude and refined	30.00	50.00	33.00	55.01		33.00	55.01	M.T		4000	4808684	1.32	2645.26	0%
	3	Non Hazardous chemicals	30.00	50.00	33.00	55.01		33.00	55.01	M.T			45200	0.00	24.86	0%
	4	Hazardous chemicals	30.00	50.00	33.00	55.01		33.00	55.01	M.T		31697	4865819	10.46	2676.69	0%
	B.	**Dry Cargoes**														
	1	Fertilizer and raw material including sulphur	20.16	33.60	36.76	61.26		36.76	61.26	M.T			2496077	0.00	1529.10	0%
	2	Foodgrains, cereals, pulses and oulseeds	9.00	15.00	34.21	57.03		34.21	57.03	M.T			58820	0.00	33.55	0%
	3	Cement and clinker	13.50	22.50	14.85	24.75		14.85	24.75	M.T						0%
	4	Ores and minerals (in all forms)	10.13	16.88	24.44	40.73		24.44	40.73	M.T		552541	1631075	135.04	664.34	0%

	5	Granites and marbles	13.50	22.50	14.85	24.75		14.85	24.75	M.T						0%
	6	Metals (Ferrous / non- ferrous) (including plates, pig iron, steel pipes, Wire Rod Coils, other steel coils)	22.50	37.50	24.75	41.26		24.75	41.26	M.T		1817	144346	0.45	59.56	0%
	7	Metal scrap	27.00	45.00	56.79	94.65		56.79	94.65	M.T			503536	0.00	476.60	0%
	8	Animals (small)	9.00	15.00	9.90	16.50		9.90	16.50	Nos.						0%
	9	Animals (big)	18.00	30.00	19.80	33.00		19.80	33.00	Nos.						0%
	10	Animal products, bone meal, hides and skins	9.00	15.00	9.90	16.50		9.90	16.50	M.T						0%
	11	Oil cakes and fodder	9.00	15.00	26.84	44.74		26.84	44.74	M.T			1682847	0.00	752.91	0%
	12	Waste paper and newsprint	18.00	30.00	19.80	33.00		19.80	33.00	M.T						0%
	13	Construction material and sand	10.13	16.88	11.14	18.56		11.14	18.56	M.T				0.00	0.00	0.00%
	14	Coal and coke (including firewood)	15.12	25.20	23.90	39.84		23.90	39.84	M.T			13871085	0.00	5526.24	0%
	15	Wood, timber and bamboo	18.00	30.00	19.80	33.00		19.80	33.00	Cu. M.						0%
	16	Jute & jute products and coir products	13.50	22.50	14.85	24.75		14.85	24.75	M.T						0%
	17	Cotton including cotton waste	13.50	22.50	14.85	24.75		14.85	24.75	M.T						0%
	18	Salt	9.00	15.00	19.98	33.30		19.98	33.30	M.T		410987	6069096	82.12	2021.01	0.00%
	19	Sugar	9.00	15.00	26.75	44.59		26.75	44.59	M.T			207797	0.00	92.66	0%
	20	Synthetic resin and wood pulp	27.00	45.00	29.70	49.51		29.70	49.51	M.T						0%
	21	Arms, ammunition, explosives and defence stores	58.50	97.50	64.36	107.26		64.36	107.26	M.T						0%
	22	Dry chemicals including soda ash, HDPE, PVC, LDPE etc.	13.50	22.50	14.85	24.75		14.85	24.75	M.T						0%
	23	Fruits, nuts, tapioca, coconut, copra, tamarind seeds etc.	0.585%	0.975%	0.644%	1.073%		0.644%	1.073%	Ad. Volorem				0.00	0.00	0%
	24	Aggregates and stone chips						16.98	28.32				246900	0.00	69.92	New commodity, Earlier included in Misc.
	25	All other unspecified goods	31.50	52.50	43.45	72.42		43.45	72.42	M.T		46747	1208234	20.31	875.00	0%
	C															
	1	Packing materials, ships' dunnage, ships' fittings fodder accompanying live stock and not manifested as cargo.	Free					Free								
	2	Postal articles, Diplomatic mail, bonafide crew's lugguage and personnel effects accompanying them, personnel baggage and military equipment accompanying military personnel moving on duty.	Free					Free								
	3	Bunkers for central and state government launches engaged in anti-smuggling activities	Free					Free								
	4	Bonafide ship's stores including ship's provision	Rs. 950 per shipping bill		Rs. 1045.13 per shipping bill			Rs. 1045.13 per shipping bill								0%
	5	Ship's Bunkers	50% of normal wharfage		50% of normal wharfage			50% of normal wharfage								
	(C)	**DEMURRAGE CHARGES- FREE PERIOD**														
	1	General Cargo														
		Imports	5 days		5 days			5 days								
		Exports	15 days		15 days			15 days								
	2	Timber Logs														
		Imports	8 days		8 days			8 days								
		Exports	--		--			--								
	3	Export cargo to be stuffed into containers														
		Imports	--		--			--								
		Exports	15 days		15 days			15 days								
	4	Export cargo taken back for any reason														
		Imports	--		--			--								
		Exports	15 days		15 days			15 days								
	5	Hazardous goods														
		Imports	3 days		3 days			3 days								
		Exports	3 days		3 days			3 days								
	(D)	**DEMURRAGE CHARGES**								Per M.T or part thereof per day or part thereof						
	(a)	**Covered area**														
	1	1st Week	3.75		4.13			4.13						86.87	781.86	0%
	2	2nd Week	5.63		6.19			6.19								0%

	3	3rd Week	7.50		8.25			8.25								0%
	4	4th Week	15.00		16.50			16.50								0%
	5	5th Week	30.00		33.00			33.00								0%
	6	6th Week	60.00		66.01			66.01								0%
	7	7th week and above	120.00		132.02			132.02								0%
		Open area														
	1	1st Week	1.88		2.06			2.06								0%
	2	2nd Week	2.85		3.14			3.14								0%
	3	3rd Week	3.75		4.13			4.13								0%
	4	4th Week	7.50		8.25			8.25								0%
	5	5th Week	15.00		16.50			16.50								0%
	6	6th Week	30.00		33.00			33.00								0%
	7	7th week and above	60.00		66.01			66.01								0%
	(b)	**Schedule of Demurrage charges on motor vehicles or any other equipments**														
		Import Cargo														
		(i). For the first 7 days	18.50		20.35			20.35								0%
		(ii). For the next 10 days	37.00		40.71			40.71								0%
		(iii). For the next 13 days	55.50		61.06			61.06								0%
		(iv). Thereafter	112.50		123.77			123.77								0%
		Export cargo and Transhipment cargo														
		(i). For the first 7 days	18.50		20.35			20.35								0%
		(ii). For the next 3 days	37.00		40.71			40.71								0%
		(iii). Thereafter	112.50		123.77			123.77								0%
	(E)	**DWELL TIME CHARGES**								Rate per container per day or part thereof						
		Upto 20' Container														
		First 07 days	Free	Free	Free	Free		Free	Free							
		08 to 15 days	24.72	0.60	27.20	0.66		27.20	0.66					0.00	0.00	0%
		16 to 30 days	49.44	1.20	54.39	1.32		54.39	1.32							0%
		31 to 45 days	74.16	1.80	81.59	1.98		81.59	1.98							0%
		Above 45 days	148.32	3.60	163.17	3.96		163.17	3.96							0%
		Above 20' but upto 40' Container														
		First 07 days			Free	Free										
		08 to 15 days	49.44	1.20	54.39	1.32		54.39	1.32							0%
		16 to 30 days	98.88	2.40	108.78	2.64		108.78	2.64							0%
		31 to 45 days	148.32	3.60	163.17	3.96		163.17	3.96							0%
		Above 45 days	296.64	7.20	326.35	7.92		326.35	7.92							0%
		above 40' Container														
		First 07 days			Free	Free										
		08 to 15 days	74.16	1.80	81.59	1.98		81.59	1.98							0%
		16 to 30 days	148.32	3.60	163.17	3.96		163.17	3.96							0%
		31 to 45 days	222.48	5.40	244.76	5.94		244.76	5.94							0%
		Above 45 days	444.96	10.80	489.52	11.88		489.52	11.88							0%
	(F)	**CHARGES FOR SUPPLY OF ELECTRICITY TO REEFER CONTAINERS**								Rate per container per 4 hours or part thereof						
		Upto 20' Container	169.95	4.13	186.97	4.54		186.97	4.54							0%
		Above 20' but upto 40'	254.93	6.19	280.45	6.81		280.45	6.81							0%
		above 40' Container	339.90	8.25	373.94	9.08		373.94	9.08							0%
	(G)	**LICENCE (STORAGE FEES ON GENERAL CARGO)**	**Rate (In Rs)**							Rate per 10 sq. mtr. or parth thereof per month or part thereof						
	1	**For Open Space**														
		Kutchha Plots (uncemented/unasphalted)														Period of occupation Approved by TAMP vide Order dt. 19.03.2018
		Upto 2 months	84.00		92.41			92.41						475.53	4279.75	0%
		More than 2 months to 3 months	168.00		184.82			184.82								0%
		More than 3 months to 6 months	210.00		231.03			231.03								0%
		Beyond 6 months	252.00		277.24			277.24								0%

		Pucca Plots (cemented asphalted)														
		Upto 2 months	144.00		158.42			158.42								0%
		More than 2 months to 3 months	288.00		316.84			316.84								0%
		More than 3 months to 6 months	360.00		396.05			396.05								0%
		Beyond 6 months	432.00		475.26			475.26								0%
		Bins and raised plinth														
		Upto 2 months	168.00		184.82			184.82								0%
		More than 2 months to 3 months	336.00		369.65			369.65								0%
		More than 3 months to 6 months	420.00		462.06			462.06								0%
		Beyond 6 months	504.00		554.47			554.47								0%
	2	**For Covered Space**														
		Upto 2 months	279.00		306.94			306.94						48.55	436.99	0%
		More than 2 months to 3 months	558.00		613.88			613.88								0%
		More than 3 months to 6 months	697.50		767.35			767.35								0%
		Beyond 6 months	837.00		920.82			920.82								0%
	(H)	**CHARGES FOR PARKING OF CARGO HANDLING EQUIPMENT LIKE HMC'S CRANES, GRABS, FORKLIFTS, PAY-LOADERS, TRAILORS, LOOSE GEAR, HMC's CRANES GRABS, CRANES ETC.**														
	a	**Monthly charges**														
	1	COVERED AREA	83.70		92.08			92.08		Per sq. metre or part thereof per **Month** or part						0%
	2	OPEN AREA	43.20		47.53			47.53								0%
	b	**Weekly charges**														
	1	COVERED AREA						23.02		Per sq. metre or part thereof per **Week** or part						-
	2	OPEN AREA						11.88								-
	(I)	**CHARGES FOR OFFICE ACCOMODATION (INSIDE PORT AREA)**	90.00		99.01			99.01		Per sq. metre or part thereof per						0%
	(J)	**SPECIAL PORT SERVICE CHARGES ON RAIL BOUND/ RAIL BORNE CARGO PASSING THROUGH THE PORT**	5.00		5.50			5.50		per ton or part thereof				12.98	116.80	0.00%
	(K)	**HIRE CHARGES FOR MOBILE CRANES, FORKLIFTS ETC. FOR CARGO HANDLING PURPOSE**														
	1	Forklift truck of capacity upto 3 tonnes	312.48 (Subject to minimum of Rs. 624.96)	520.80 (Subject to minimum of Rs. 1041.60)	343.77 (Subject to minimum of 687.54)	572.95 (Subject to minimum of 1145.91)		343.77 (Subject to minimum of 687.54)	572.95 (Subject to minimum of 1145.91)					0.00	0.00	0%
	2	Forklift truck of capacity above 3 tonnes upto 5 tonnes	347.08 (Subject to minimum of Rs. 694.16)	578.46 (Subject to minimum of Rs. 1156.92)	381.84 (Subject to minimum of 763.67)	636.39 (Subject to minimum of 1272.78)		381.84 (Subject to minimum of	636.39 (Subject to minimum of							0%
	3	Pay loader (Front End loader)	392.83 (Subject to minimum of Rs. 785.66)	654.72 (Subject to minimum of Rs. 1309.44)	432.17 (Subject to minimum of 864.34)	720.28 (Subject to minimum of 1440.57)		432.17 (Subject to minimum of	720.28 (Subject to minimum of							0%
	4	Tractor (capcity upto 10 tonne)	310.25 (Subject to minimum of Rs. 620.50)	517.08 (Subject to minimum of Rs. 1034.16)	341.32(Subject to minimum of 682.64)	568.86 (Subject to minimum of 1137.72)		341.32(Subject to minimum of 682.64)	568.86 (Subject to minimum of							0%
	(L)	**WEIGHMENT CHARGES**														
	1	For use of weigh bridge by trucks & other small vehicles	37.50			41.26		41.26		Per vehicle				40.48	364.31	0%
	2	For use of weigh bridge by Trailors and other large vehicles	75.00			82.51		82.51		Per vehicle						0%
	3	For hiring weights only	18.00			19.80		19.80		For set per day or part thereof						0%

	4	For issuing weighment certificate	90.00		99.01			99.01		Per consignment						0%
	5	For use of InMotion Weighbridge for cargo loaded in Railway wagons														New service
		(i) Loaded wagon						110.00		Per wagon		22164		24.38		
		(ii) Empty wagon						55.00				22164		12.19		
	(M)	**CHARGES FOR HIRE OF MOBILE**														
		HARBOUR CRANE OF 60 TONNE														
		CAPACITY														
	(I)	**For Dry Bulk Cargo**														
		Average daily crane performance (in Metric Tonne) (rate per tonne in Rs.)														
		7000-7999	14.71	24.51	16.19	26.97		16.19	26.97					120.89	1087.99	0%
		8000-8999	15.58	25.95	17.13	28.55		17.13	28.55							0%
		9000-9999	16.44	27.40	18.08	30.14		18.08	30.14							0%
		10000	17.30	28.84	19.03	31.73		19.03	31.73							0%
		10001-11000	18.16	30.28	19.98	33.31		19.98	33.31							0%
		11001- 12000	19.04	31.73	20.94	34.90		20.94	34.90							0%
		12001-13000	19.90	33.16	21.89	36.48		21.89	36.48							0%
	(II)	**For Break- bulk cargo**														
	1	**Steel and Bagged Cargo**														
		Average daily crane performance (in Metric tonne) (ceiling rate per tonne (in Rs.)														
		3000-3999	41.10	68.50	45.22	75.36		45.22	75.36							0%
		4000	43.26	72.10	47.59	79.32		47.59	79.32							0%
		4001-5000	45.43	75.70	49.97	83.28		49.97	83.28							0%
	2	**Other Break Bulk Cargo including Timber Logs**														
		Average daily crane performance (in Metric tonne) (ceiling rate per tonne (in Rs.)														
		1500-2499	65.64	109.40	72.21	120.36		72.21	120.36							0%
		2500	69.10	115.16	76.02	126.69		76.02	126.69							0%
		2501-3500	72.55	120.93	79.82	133.03		79.82	133.03							0%
	(N)	**Charges for use of Harbour Mobile Crane (HMC) of 120Tcapacity**														
	(i)	**For Shredded Scrap**														
		Average daily crane performance (in Metric Tonne)														
		Upto 7996			58.08	96.78				MT						
		7997			**61.13**	**101.87**				MT						
		7998-8997			64.19	106.97				MT						
		8998-9997			67.24	112.07				MT						
	(ii)	**For Project cargo**														
		Average daily crane performance(in Metric Tonne)														
		Upto 4199			115.29	192.15				MT						
		4200			**121.35**	**202.26**				MT						
		4201-5200			127.42	212.38				MT						
		5201-6200			133.49	222.48				MT						
	(iii)	**For Other bulk cargo**														
		Average daily crane performance(in Metric Tonne)														
		Upto 13506			35.84	59.75				MT						
		13507			**37.73**	**62.90**				MT						
		13508-14507			39.62	66.04				MT						
		14508-15507			41.51	69.19				MT						
	(iv)	**For Other break bulk cargo**														
		Average daily crane performance(in Metric Tonne)														
		Upto 6400			75.65	126.09				MT						
		6401			**79.64**	**132.72**				MT						
		6402-7401			83.62	139.35				MT						
		7402-8402			87.60	145.99				MT						

	(v)	**For Heavy Melting Scrap (HMS)**														
		Average daily crane performance(in Metric Tonne)														
		Upto 4031			115.16	191.94				MT						
		4032			**121.23**	**202.04**				MT						
		4033-5032			127.29	212.16				MT						
		5033-6032			133.35	222.25				MT						
	(vi)	**For Thermal Coal**														
		Average daily crane performance(in Metric Tonne)														
		Upto 14497			54.75	54.75				MT						
		14498			**57.63**	**57.63**				MT						
		14499-15498			60.51	60.51				MT						
		15499-16498			63.39	63.39				MT						
	(vii)	**(a) For Salt**														
		Average daily crane performance(in Metric Tonne)														
		Upto 15505			31.23	52.04				MT						
		15506			**32.87**	**54.78**				MT						
		15507-16506			34.51	57.53				MT						
		16507-17506			36.15	60.25				MT						
		(b) For Iron Ore														
		Average daily crane performance(in Metric Tonne)														
		Upto 15505			51.20	51.20				MT						
		15506			**53.90**	**53.90**				MT						
		15507-16506			56.58	56.58				MT						
		16507-17506			59.28	59.28				MT						
	(viii)	**For Food grains, pet coke, met coke**														
		Average daily crane performance(in Metric Tonne)														
		Upto 9004			53.77	89.63				MT						
		9005			**56.60**	**94.33**				MT						
		9006-10005			59.43	99.05				MT						
		10006-11005			62.26	103.78				MT						
	(ix)	**For Steel coils**														
		Average daily crane performance(in Metric Tonne)														
		Upto 10314			46.94	78.23				MT						
		10315			**49.41**	**82.36**				MT						
		10316-11315			51.87	86.48				MT						
		11316-12315			54.35	90.59				MT						
	(x)	**For Gypsum, MOP, Fertilizer (DAP+ urea)**														
		Average daily crane performance(in Metric Tonne)														
		Upto 12498			38.74	64.56				MT						
		12499			**40.78**	**67.96**				MT						
		12500-13499			42.81	71.36				MT						
		13500-14599			44.86	74.77				MT						
	(xi)	**For Timber logs**														
		Average daily crane performance(in Metric Tonne)														
		Upto 3174			151.29	252.13				MT						
		3175			**159.24**	**265.40**				MT						
		3176-4175			167.21	278.69				MT						
		4176-5175			175.17	291.95				MT						
	(N)	**Charges for use of Harbour Mobile Crane (HMC) of 120Tcapacity**														
	(i)	**For Shredded Scrap**						67.24	112.07		0.00	0.00				
	(ii)	**For Project cargo**						133.49	222.48		0.00	0.00				
	(iii)	**For Pet coke & Other bulk cargo,**						41.51	69.19		0.00	0.00				
	(iv)	**For Other break bulk cargo**						87.60	145.99		0.00	0.00				
	(v)	**For Heavy Melting Scrap (HMS)**						133.35	222.25		0.00	0.00				
	(vi)	**For Coal**						63.39	63.39		0.00	0.00				

	(vii)	**(a) For Salt**						36.15	60.25		0.00	0.00				
		(b) For Iron Ore						59.28	59.28		0.00	0.00				
	(viii)	**For Food grains, met coke**						62.26	103.78		0.00	0.00				
	(ix)	**For Steel coils**						54.35	90.59		0.00	0.00				
	(x)	**For Gypsum, MOP, Fertilizer (DAP+ urea)**						44.86	74.77		0.00	0.00				
	(xi)	**For Timber logs**						175.17	291.95		0.00	0.00				
	(O)	**SCHEDULE OF CHARGES FOR USING THE AUTOMATED BAGGING AND RAKE LOADING OF FERTILIZERS AT GODOWN NO.34 INSIDE CARGO JETTY AREA**													521.46	
	1	Hire charges of mechanized bagging and rake loading facility at Deendayal Port (For 1st 2 years of commencement of operations)						158.86		MT	0.00	0.00		0.00	0.00	
	2	Hire charges of mechanized bagging and rake loading facility at Deendayal Port (From 3rd year onwards from the commencement of operations)						160.57		MT	0.00	0.00		0.00	0.00	
	(P)	**CHARGES FOR DIRTY BALLAST TANK, TRANSFER/INTER-TRANSFER OF POL PRODUCTS.**														
	1	For use of dirty ballast tanks of 4000 tones capacity	23250.00		25578.28			25578.28		per shift of 8 hours & or part thereof						0%
	2 (i)	Transfer of POL products from Dirty Ballast Tank in Old Kandla to the HPCL terminal Kharirohar and vice versa through KPT's 12" dia pipelines	8293.50		9124.02			9124.02		per shift of 8 hours & or part thereof						0%
	(ii)	Diesel operated pump (600 HP) connected with 12"dia pipeline	876.00		963.72			963.72		Per hour or part thereof						0%
	(iii)	Electric pumps (519 HP) with 12"dia pipeline	507.00		557.77			557.77		Per hour or part thereof						0%
	(iv)	Electric pumps (519 HP) with 16/2"dia pipeline	505.50		556.12			556.12		Per hour or part thereof						0%
	3	Inter-transfer of POL products from M/s. IOC fore shore terminal to Oil companies at Kharirohar and vice versa through Kandla Port Trust	16117.50		17731.52			17731.52		per shift of 8 hours & or part thereof						0%
III		**MISCELLANEOUS CHARGES**														
	(A)	**FRESH WATER CHARGES**	78.34	3.17	86.18	3.49		86.18	3.49	Rate per Kilolitre or part thereof				2.21	19.91	0%
			(Subject to minimum charges for 100 Kls.													
	(B)	**CHARGES FOR ISSUE OF ENTRY PERMIT, TOKEN, CERTIFICATE & STATISTICAL STATEMENTS**														
	1	Charges for issue of permanent entry permit and token	112.50		123.77			123.77						4.47	40.27	0%
	2	Charges for issue of certificate and Statistical statements by Traffic and Marine department	75.00		82.51			82.51								0%
	(C)	**CHARGES FOR VEHICLE FOR PLYING IN DOCKS.**														
	1	Taxis														
		i) Rate per day	11.25		12.38			12.38						3.47	31.27	0%
		ii) Rate per month	112.50		123.77			123.77								0%
		iii) Rate per year	375.00		412.55			412.55								0%
	2	Auto rickshaws														
		i) Rate per day	9.00		9.90			9.90								0%
		ii) Rate per month	45.00		49.51			49.51								0%
		iii) Rate per year	150.00		165.02			165.02								0%

	3	Carts														
		i) Rate per day	2.25		2.48			2.48								0%
		ii) Rate per month	22.50		24.75			24.75								0%
		iii) Rate per year	67.50		74.26			74.26								0%
	4	Mobile cargo handling equipment (mobile cranes, forklift, FEL etc.)														
		i) Rate per day	30.00		33.00			33.00								0%
		ii) Rate per month	750.00		825.11			825.11								0%
		iii) Rate per year	---													
	(D) (i)	**CHARGES FOR HIRE OF ELECTRIC WHARF CRANES, IF HIRED FOR OTHER THAN CARFO OPERATION, TO AND FROM SHIPS/BARGES**	720.00	1200.00	792.10	1320.17		792.10	1320.17							0%
	(E)	**Removal of Hazardous waste/ Sludge**						790.00		Rate per M.T.		0	4374		34.55	
									TOTAL CARGO & MISC. INCOME					**2607.18**	**32660.33**	
III		**RATES FOR TUNA PORT (BARGE JETTY OF DPT)**														Proposal already sent to TAMP in Mar'18.
	A	**SCHEDULE 1 - PORT DUES**														
	1	VESSELS OF 10 GRT & UPWARDS (EXCEPT FISHING BOATS)	**10.5175**	**0.4255**	**1.3687**	**0.0978**		**1.5057**	**0.1032**	Rate per GRT or part thereof		0.00	58413	0.00	**4.19**	
	2	SAILING VESSELS OF 10 GRT & UPWARDS (EXCEPT FISHING BOATS)			**1.1732**	**0.0587**		**1.2906**	**0.0619**	Rate per GRT or part thereof		0.00	0.00	0.00	0.00	
	B	**SCHEDULE II - BERTH HIRE CHARGES**														
	1	VESSELS ABOVE 10 GRT	0.225	0.0092	**0.0391**	**0.0025**		**0.0430**	**0.0026**	Rate per GRT per Hour or part thereof		0.00	58413	0.00	**17.81**	
	C	**SCHEDULE III - BEACHING CHARGES**														
	1	BEACHING CHARGES	2.61	0.11	**0.3911**	**0.0196**		**0.4302**	**0.0206**	Rate per NRT per month or part thereof		0.00	0.00	0.00	0.00	
		ANCHORAGE CHARGES														
		Sea going mechanically propelled vessels														
		(a) Kandla OTB														
		(b) Inner Anchorage (per GRT)	**0.0255**	**0.0010**	**0.0255**	**0.0010**		**0.0281**	**0.0011**			0.00	58413	0.00	**10.28**	
	D	**SCHEDULE IV - WHARFAGE CHARGES**														
	A.	**Liquid (in bulk)**														
	1	POL products in bulk other than crude oil	50.00	50.00	**50.00**	**50.00**		**55.01**	**55.01**	Per M.T.		0.00	0.00	0.00	0.00	
	2	Other liquid cargo including bunkers	30.00	50.00	**30.00**	**50.00**		**33.00**	**55.01**	Per M.T.		0.00	0.00	0.00	0.00	
	B.	**Dry Cargoes**														
	1	Fertilizer and raw material including sulphur	20.16	33.60	**20.16**	**33.60**		**22.18**	**53.47**	Per M.T.		0.00	0.00	0.00	0.00	
	2	Foodgrains, cereals, pulses and oilseeds	-	-	-	-				Per M.T.						
		(I). BULK	**9.00**	**15.00**	**9.00**	**15.00**		**9.90**	**33.00**			0.00	0.00	0.00	0.00	
		(II) BREAK BULK	**5.40**	**9.00**	**5.40**	**9.00**		**5.94**	**26.40**			0.00	0.00	0.00	0.00	

	3	Cement and clinker	13.50	22.50	**13.50**	**22.50**		**14.85**	**41.26**	Per M.T.		0.00	0.00	0.00	0.00	
	4	Ores and minerals (in all forms)	10.13	16.88	**10.13**	**16.88**		**11.14**	**35.07**	Per M.T.		0.00	0.00	0.00	0.00	
	5	Granites and marbles	13.50	22.50	**13.50**	**22.50**		**14.85**	**41.26**	Per M.T.		0.00	0.00	0.00	0.00	
	6	Metals (Ferrous/non-ferrous & metals scrap including pipes, plates, pig iron, coil sheet & cokes)	22.50	37.50	**22.50**	**37.50**		**24.75**	**57.76**	Per M.T.		0.00	0.00	0.00	0.00	
	7	**Animals including chicken, sheep & goats**	9.00	15.00	**3.91**	**6.52**		**4.30**	**23.67**	Each		**0**	**5508**	**0.00**	**1.30**	
	8	**Animals (other than above)**	18.00	30.00	**9.39**	**15.64**		**10.33**	**33.71**	Each		0.00	0.00	0.00	0.00	
	9	**Animal products, bone meal, hides and skins**	9.00	15.00	**5.87**	**9.78**		**6.45**	**27.26**	Per M.T.		**0**	**315**	**0.00**	**0.09**	
	10	Oil cakes and fodder	9.00	15.00	**9.00**	**15.00**		**9.90**	**33.00**	Per M.T.		0.00	0.00	0.00	0.00	
	11	Waste paper and newsprint	18.00	30.00	**18.00**	**30.00**		**19.80**	**49.51**	Per M.T.		0.00	0.00	0.00	0.00	
	12	Construction material and sand	10.13	16.88	**10.13**	**16.88**		**11.14**	**35.07**	Per M.T.		0.00	0.00	0.00	0.00	
	13	Coal and coke (including firewood)	15.12	25.20	**15.12**	**25.20**		**16.63**	**44.23**	Per M.T.		0.00	0.00	0.00	0.00	
	14	Wood, timber and bamboo	18.00	30.00	**18.00**	**30.00**		**19.80**	**49.51**	Per M.T.		0.00	0.00	0.00	0.00	
	15	Jute & jute products and coir products	13.50	22.50	**13.50**	**22.50**		**14.85**	**41.26**	Per M.T.		0.00	0.00	0.00	0.00	
	16	Cotton including cotton waste	13.50	22.50	**13.50**	**22.50**		**14.85**	**41.26**	Per M.T.		0.00	0.00	0.00	0.00	
	17	Salt	9.00	15.00	**9.00**	**15.00**		**9.90**	**33.00**	Per M.T.		0.00	0.00	0.00	0.00	
	18	Sugar	9.00	15.00	**9.00**	**15.00**		**9.90**	**33.00**	Per M.T.		0.00	0.00	0.00	0.00	
	19	Asbestos	**-**	**-**	-	-										
	20	Synthetic resin and wood pulp	27.00	45.00	**27.00**	**45.00**		**29.70**	**66.01**	Per M.T.		0.00	0.00	0.00	0.00	
	21	Arms, ammunition, explosives and defence stores	58.50	97.50	**58.50**	**97.50**		**64.36**	**123.77**	Per M.T.		0.00	0.00	0.00	0.00	
	22	Dry chemicals including soda ash, HDPE, etc.	13.50	22.50	**13.50**	**22.50**		**14.85**	**41.26**	Per M.T.		0.00	0.00	0.00	0.00	
	23	Other unspecified goods	31.50	52.50	**31.50**	**52.50**		**34.65**	**74.26**	Per M.T.		0.00	0.00	0.00	0.00	
	E	**STORAGE FEES ON GENERAL CARGO**														
		For Open Space														
	1	Kutchha Plots (uncemented/unasphalted)	252.00							Rate per 10 sq. Mtr. Or part thereof per **month** or part thereof						
		0 - 60 days			**23.34**			**28.25**				0.00		0.00		
		61 - 90 days			**46.68**			**56.50**				0.00		0.00		
		91 - 180 days			**58.35**			**70.63**				0.00		0.00		
		Beyond 180 days			**70.03**			**77.04**				0.00		0.00		
		Pucca Plots (cemented asphalted)														
		0 - 60 days			**144.00**			158.42				0.00		0.00		
		61 - 90 days			**288.00**			316.84				0.00		0.00		
		91 - 180 days			**360.00**			396.05				0.00		0.00		
		Beyond 180 days			**432.00**			475.26				0.00		0.00		
		Bins and raised plinth														
		0 - 60 days			**168.00**			184.82				0.00		0.00		
		61 - 90 days			**336.00**			369.65				0.00		0.00		
		91 - 180 days			**420.00**			462.06				0.00		0.00		
		Beyond 180 days			**504.00**			554.47				0.00		0.00		
	2	For Covered Space														
		0 - 60 days			**279.00**			306.94				0.00		0.00		
		61 - 90 days			**558.00**			613.88				0.00		0.00		
		91 - 180 days			**697.50**			767.35				0.00		0.00		
		Beyond 180 days			**837.00**			920.82				0.00		0.00		
	3	Storage of timber on board			**1.96**			2.16		Rate per 10 sq. Mtr. Or part thereof per **day** or part thereof		0.00		0.00		
	F	**SCHEDULE VI - TROLLEY HIRE CHARGES**			**19.55**			21.51		Rate per day or part thereof		0.00		0.00		
									TOTAL OF TUNA INCOME					**0.00**	**33.66**	

IV		**PROPOSED VADINAR SOR**														
I		**VESSEL RELATED CHARGES**														
	(A)	**PORT DUES**	**2.1625**	**0.0875**	**2.3791**	**0.0963**		2.38	0.096	Rate per GRT		5708115	31017751	135.80	2073.97	0%
	(B)	**PILOTAGE CHARGES**								Rate per GRT						
	1	Upto 30000 GRT	12.4414	0.5033	13.6873	0.5536		13.69	0.554			2136073	1180185	292.37	453.85	0%
	2	30001- 60000 GRT	Rs.3,82,421 + Rs. 10.1707 per GRT over 30000 GRT	U.S$ 15,468.75 +U.S$ 0.4113 PER GRT over 30000 GRT	Rs.4,20,717.05 + Rs. 11.189 per GRT over 30000 GRT	US $ 17017.82 + US $ 0.4525 Per GRT over 30000 GRT		Rs.4,20,717.05 + Rs. 11.189 per GRT over 30000 GRT	US $ 17017.82 + US $ 0.4525 Per GRT over 30000 GRT			2823213	5721128	365.36	2063.76	0%
	3	ABOVE 60000 GRT	Rs. 6,87,544 + Rs. 8.948 per GRT over 60000 GRT	U.S$ 27,806.25 +U.S$ 0.3620 PER GRT over 60000 GRT	Rs.7,56,395.40 + Rs. 9.8440 per GRT over 60000 GRT	US $ 30590.80 + US $ 0.3982 Per GRT over 60000 GRT		Rs.7,56,395.40 + Rs. 9.8440 per GRT over 60000 GRT	US $ 30590.80 + US $ 0.3982 Per GRT over 60000 GRT			748829	24116438	85.32	7614.92	0%
	(C)	**MISC. PILOTAGE CHARGES**														
	1	Inward or outward pilotage cancellation fees (with notice of less than 3 hours)	8254.35	333.91	9080.95	367.35		9080.95	367.353			5708115	31017751	40.71	366.37	0%
	2	Pilot going to Pilot Station to pilot incoming vessel and returns back dur to non-arrival of vessel	13619.82	550.96	14983.73	606.14		14983.73	606.138							0%
	3	Pilot boarding an outgoing vessel or leaving in the craft for the vessel in mooring or stream for pilotage and has to return back dur to non-readines of vessel.	13619.82	550.96	14983.73	606.14		14983.73	606.138							0%
	4	Cancellation of shifting of vessel (with notice of less than 3 months)	18817.02	772.19	20701.38	849.51		20701.38	849.514							0%
	5	Service rendered by Pilot to a vessel at OTB/Pilot Station for double banking etc.	25% of Pilotage fees					25% of Pilotage fees								0%
	6	Attendance fees if pilot is required to attend a ship at the request of the mater or the agent or by the KPTs authorized official for work other than piloting the ship in or out of the harbour or other than berthing or unberthing or shifting of vessel.	1395.75 per hour or part thereof	56.46 per hour or part thereof	1535.53 per hour or part thereof	62.12 per hour or part thereof		1535.53 per hour or part thereof	62.12 per hour or part thereof							0%
	7	Pilot detained in the Port Lauch for more than half an hour before boarding the vessel	2241.48 per hour or part thereof	90.68 per hour or part thereof	2465.95 per hour or part thereof	99.76 per hour or part thereof		2465.95 per hour or part thereof	99.76 per hour or part thereof							0%
	8	Pilot detained ion board the vessel to be piloted in or out or shifted for more than 15	6998.54 per hour or part thereof	283.11 per hour or part thereof	7699.38 per hour or part thereof	311.46 per hour or part thereof		7699.38 per hour or part thereof	311.46 per hour or part thereof							0%
	(D)	**BERTH HIRE CHARGES**								RATE per GRT per 1 hour or part thereof						
		(a) 1. General Cargo Berths	0.2300	0.0092	0.2530	0.0101		0.13	0.005				0.00	0.16	1.44	-
		2. Liquid Cargo Berths	0.1600	0.0064	0.1760	0.0071		0.18	0.007				0.00	0.00	0.00	0%
		TOWAGE CHARGES	20591.025	832.970	22653.03	916.38		22653.03	916.384	RATE per 1 hour or part thereof		5708115	31017751	660.42	5943.75	0%
	(E)	**MOORING CHARGES**	0.0144	0.0006	0.0159	0.0006		0.0159	0.0006	RATE per GRT per 1 hour or part thereof		5708115	31017751	50.97	458.75	0%
	(F)	**ANCHORAGE CHARGES**								RATE per 1 hour or part thereof		5708115	31017751			
	1	Sea going mechanically propelled vessels														
		(a) Kandla OTB	8.2194	0.3325	9.0425	0.3658		9.0425	0.3658					1.26	11.38	0%
		(b) Inner Anchorage (per GRT)	0.0172	0.0007	0.0189	0.0008		0.0189	0.0008							0%
		(c)Crafts other then sea going vessels	3.2185	0.1302	3.5408	0.1432		3.5408	0.1432							0%

	(G)	**TRANSHIPMENT/LIGHTERAGE FEES FOR VESSELS LYING ON THEIR OWN ANCHORS**								RATE per GRT per 30 days or part thereof		5708115	31017751			
	1	Mother vessel (vessels arriving with cargo to be transferred)	2.5956	0.1050	2.8555	0.1155		2.8555	0.1155							0%
	2	Daughter vessel (vessels receiving cargo)	0.6489	0.0262	0.7139	0.0288		0.7139	0.0288							0%
	(H)	**BEACHING CHARGES**	1.7613	0.0713	1.9376	0.0784		1.9376	0.0784			5708115	31017751	0	0.00	0%
	(I)	**CHARGES FOR USE OF PORT FLOATING CRAFTS**														
	1	Crafts														
		Upto - 200 B.H.P	1228.80	49.71	1351.85	54.69		1351.85	54.687	Per hour or part thereof						0%
		201 - 400 B.H.P	3553.50	143.75	3909.35	158.15		3909.35	158.145							0%
		401 - 1500 B.H.P	4323.54	174.90	4756.50	192.41		4756.50	192.415							0%
		1501 - 2000 B.H.P	16879.13	682.81	18569.42	751.19		18569.42	751.190							0%
		Above 2000 B.H.P	17767.5(subject to a minimum of Rs.53302.50)	718.75(subject to a minimum of US $ 2156.25)	19546.76 (subject to a minimum of Rs.58640.27)	790.73 (subject to a minimum of US$ 2372.18)		19546.76 (subject to a minimum of Rs.58640.27)	790.73 (subject to a minimum of US$ 2372.18)							0%
	2	Fire fighting craft	65425.98	2646.68	71977.80	2911.72		71977.80	2911.723	per block of 8 hours or part thereof						0%
	3	Water barge "Bhimsen"	5768.04	233.34	6345.66	256.70		6345.66	256.701	Per hour or part thereof						0%
	(J)	**FRESH WATER CHARGES**	52.931	2.141	58.232	2.356		58.23	2.356	Rate per Kilolitre or part thereof						0%
			(Subject to minimum charges for 100 Kls.													
II	**(A)**	**WHARFAGE CHARGES**														
		FOR BULK & CONTAINERISED CARGO														
	A.	Liquid (in bulk)														
	1	POL and products														
	a)	Crude Oil	18.00	18.00	19.80	19.80		19.80	19.80	M.T			25739705	0.00	5097.12	0%
	b)	POL Products	50.00	50.00	55.01	55.01		55.01	55.01	M.T				0.00	0.00	0%
					TOTAL VADINAR INCOME FURNISHED BY THE DPT									**1632.36**	**24085.29**	
					TRANSHIPMENT - IOC CRUDE INADVERTENTLY MISSED BY DPT AND CONSIDERED BY THE TAMP									**50.24**		
					GRAND TOTAL									**6393.85**	**113733.00**	
					ACTUAL CONTAINER INCOME IN 18-19									**917.72**	**1752.84**	
					TOTAL ESTIMATED REVENUE AT THE PROPOSED TARIFF									**122797.42**		
									TRAFFIC 2018-19			**COASTAL**	**FOREIGN**			
									DRY TRAFFIC handled by KPT			1489475	33993116			
									LIQUID KANDLA			2310525	12141175			
									IOCL traffic - OOT			0	25739705			
									Transhipment - IOC crude			507384				
									TOTAL TRAFFIC			**4307384**	**71873996**			
									GRAND TOTAL			**76181380**				

Annex-III

Form No.5

Comparison of existing SOR and conditionalities vis-à-vis proposed tariff and conditionalities furnished by Deendayal Port Trust (DPT) and modified by TAMP

Existing SOR	Proposed by DPT	Remarks by DPT	Analysis by TAMP
CHAPTER – I **Definitions and General Terms & Conditions**	**CHAPTER – I** **Definitions and General Terms & Conditions**		
1.1. Definitions - General	**1.1. Definitions - General**		
(viii). "Month" shall mean a period of time extending from one date to a corresponding date in the next calendar month. [Order No.TAMP/18/2016-KPT dated 19 March 2018 amending the existing SOR based on proposal of DPT]	---	---	The definition of a "Month" was approved by this Authority vide amendment Order No.TAMP/18/2016-KPT dated 19 March 2018 based on proposal of DPT while amending the storage charge from days to month. It appears that port has inadvertently missed to incorporate the said definition prescribed in the existing SOR. The definition of month prescribed in the existing SOR is relevant and hence continue to be prescribed in the proposed SOR as well.
CHAPTER - II **VESSEL RELATED CHARGES**	**CHAPTER - II** **VESSEL RELATED CHARGES**		
Schedule 1: Schedule of Port Dues	**Schedule 1: Schedule of Port Dues**		
Note nos.6 and 7 : (6). Port dues shall be levied at 50% of the above rates in the following cases: (i). Vessel entering the port for taking any provisions, **water bunker**, etc. for her own consumption. (ii). Telegraph vessel.	**Note nos.6 and 7 :** (6). Port dues shall be levied at 50% of the above rates in the following cases: (i). Vessel entering the port for taking any provisions, **water**, etc. for her own consumption. (ii). Telegraph vessel.	Indian Ports Association (IPA) has stated that the tariff charged by DPT and Customs at DPT reportedly are high at DPT and trade desires simplification of the tariff structure and standardization of Tariff structure at all Major Ports. IPA has, therefore, requested to look into the matter and put a mechanism in place which will give impetus to the bunkering	Relying on the justification furnished by the port, modifications proposed by the port in existing note no.6 (i) and insertion of proposed note 7(iii) is approved.

(7). No Port dues shall be chargeable in respect of: (i). any pleasure-yacht; or, (ii). any vessel which having left any port is compelled to re-enter it by stress of weather or in consequence of having sustained any damage.	(7). No Port dues shall be chargeable in respect of: (i). any pleasure-yacht; or, (ii). any vessel which having left any port is compelled to re-enter it by stress of weather or in consequence of having sustained any damage. **(iii). Vessel entering the port for taking Bunker for her own consumption.**	business.	
---	**Note no.10:** Single Port dues on Per Visit / Call at Port shall be levied, in case vessel arrives at different terminals i.e. Kandla, Tuna and Vadinar. However, highest rate amongst all Terminals shall be levied, where the vessel has carried out cargo handling operations.	Port Dues are to be collected once for every Port visit irrespective of handling at different terminals of the port since port dues are to be levied per visit not per terminal. There is no additional revenue likely to accrue which can be captured in revenue estimation. Inserted for smooth operational requirement and to achieve better performance.	The existing and the proposed SOR prescribes different port dues for different terminals i.e. Kandla, Tuna and Vadinar. The port dues is leviable per each entry. The proposal is to levy the single port dues irrespective of handling done at different terminals applying the highest of the port dues of Kandla division, Vadinar division or Tuna Port. None of the port users have objected to the proposed note. In view of the above position and for the reasons furnished by the port, the proposed note is approved.
---	**Note no.11 under the Schedule 1. Port Dues:** **Note no.23 under the Schedule 2.1 and 2.2 relating to Pilotage Fees:** **Note no.9 under the Schedule 3.1. A and 3.1.B relating to Berth Hire Charges** "Following rebates to Container vessels is approved till 31.12.2020:	The revenue impact of offering such rebates till December 2020, has been captured in the Revenue Estimation by considering the actual income towards Vessel Related Charges (VRC) during the year 2018-19. Also, the said note may be incorporated under the Schedule of Port Dues in the revised SOR.	As per clause 7.1 of the Tariff Policy, 2018, the rates prescribed in the Scale of Rates are ceiling levels. The ports may, if they so desire charge lower rates. The DPT may exercise the flexibility to charge lower rates and/ or allow higher rebates and discounts. The DPT proposes to prescribe the notes relating to rebate in

<table>
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<tr><td>(i)</td><td>Foreign Container Vessels</td><td>Upto 40000 GRT</td><td>50%</td></tr>
<tr><td>(ii)</td><td>Foreign Container Vessels</td><td>40001 to 65000 GRT</td><td>75%</td></tr>
<tr><td>(iii)</td><td>Foreign Container Vessels</td><td>65001 GRT onwards</td><td>80%</td></tr>
<tr><td>(iv)</td><td>Coastal Container Vessels</td><td></td><td>40% on the prevailing charges of coastal vessels</td></tr>
</table>
</td>
<td></td>
<td>Port Dues, Pilotage fee and Berth Hire explicitly in the proposed SOR. The said rebate has been approved by the Board of Trustees of the DPT. The rebate is proposed to be allowed by DPT till 31.12.2020. In view of explicit provision of rebate proposed by the port which will bring transparency and also since the impact on the revenue estimates is captured by the DPT, the proposed note in each of the said schedules is approved subject to minor language correction. The words “is approved” are replaced with “shall be granted”.</td>
</tr>
<tr>
<td>Schedule 2.2: Miscellaneous Pilotage Fees</td>
<td>Schedule 2.2: Miscellaneous Pilotage Fees</td>
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<tr>
<td>Note No.5:

(5). No charges shall be levied for shifting of a vessel for port convenience.

(i). “Port convenience” is defined to mean the following:
[(a) to (r) prescribed in existing SOR]

---</td>
<td>Note No.5:

(5). No charges shall be levied for shifting of a vessel for port convenience.
(i). “Port convenience” is defined to mean the following:
[(a) to (r) as per the existing SOR continued in the proposed SOR]

(s). Shifting of vessels in order to avoid multiple shifting in the following day/s will be considered as shifting for Port convenience.</td>
<td>There are occasions when export vessel having permissible sailing draught of the more than 10 meters may be directly berthed at deep draught berth by shifting a vessel having a lesser draft working in deep draught berth. Such shifting may be considered as port convenience in</td>
<td>Based on detailed justification furnished by the port and since proposed note is to avoid multiple shifting and intends to optimise the use of berthing facility of the port, the note proposed by the port is approved.</td>
</tr>
</table>

		order to avoid multiple shifting in the following day. This is inserted based on the request made by the Kandla Port Steamship Agent's Association (KPSAA).	
	(t). Shifting of vessels in order to accommodate vessel declared for clean cargo berth will be considered as shifting for Port convenience.	Salt which is second major commodity exported from DPT i.e., 7.5 MMT (FY 17-18) and Agriculture Products like soya meal, rapeseed meal, castor oil meal used for humans/ animals consumption require clean berth. When these vessels are compelled to berth where dirty cargo i.e. coal, iron, ore, copper concentrate, imported clay, aluminia etc., have been handled, the cargo will get contaminated and same may get rejected by Importers. Many occasions, vessels have to wait to avail clean berth though dirty cargo berths were lying vacant or have to pay shifting charges in order to avail clean cargo berths. As a trade promotion measure and commitment to contamination free berths, a vessel declared for clean cargo berth should be provided clean cargo berth by shifting the vessel which can work in any berth. Such shifting of vessel needs to be considered in Port Account. This is proposed for insertion based on the request made by KPSAA.	Based on the detailed justification furnished by the port, the note proposed by the port is approved.
---	(u) Shifting of vessel due to cargo accommodation, as storage provided by Port for full manifested quantity will be considered as shifting for Port convenience.	DPT berths are divided in two parts i.e, northern berths (berth 1 to 10) and southern berths (berth 13 to 16). M/s Kandla International Container Terminal Private Limited (KICTPL) (berth 11 and 12) is sandwiched in between. There is no passage to	Based on the justification furnished by the port, and recognising that port intends to optimise the use of berthing facility which is a scarce resource, the proposed new note is approved.

		access northern berths to southern berths and vice-versa and all three parts of the DPT berth having separate Custom Bond Area. Export cargo accommodation is provided by port on availability of space, nature of cargo, cargo restriction, crane berths requirement, availability covered space, fertilizers bagging plant, draft requirements, clean cargo berths and requirement of MHC etc. Vessel prefer to occupy the berth where cargo is accommodated by port at northern or southern berths and on the other side the berths may be idling and the agents are not willing to pay shifting charges and prefer to wait till required berth is falling vacant. In order to utilise idling infrastructure, vessel required to be shifted is on Port Account and hence proposed conditionality.	
Note No.9: Any Pilotage carried out with restricted engine power **with the assistance of the Tug** shall be charged at one and half times of the said piloting charges and for piloting a vessel under "cold move" pilotage fees shall be levied at double the rates of the said pilotage charges prescribed in the Schedule of Pilotage fees.	**Note No.9:** Any Pilotage carried out with restricted engine power shall be charged at one and half times of the said piloting charges and for piloting a vessel under "cold move" **with the assistance of the Tug**, Pilotage fees shall be levied at double the rates of the said pilotage charges prescribed in the Schedule of Pilotage fees.	Operational requirement.	The port has proposed modification in the existing note to take care of operational requirement. The modified note proposed by the port is, therefore, approved.
Note No.14: The rates specified in this schedule are for Pilotage from **upto 3.22 kilometers (two miles) seaward of the Pilot station (Outer Tuna Buoy)** If, however, the vessel requires the Pilot to Board the vessel beyond a point 3.22 kms. seaward from the pilot station (Outer Tuna Buoy), Pilotage fees at double the rates as specified in this	**Note No.14:** The rates specified in this schedule are for Pilotage from **upto First set of Buoys (Nos.2 & 3 for Kandla & Fairway Buoy for Tuna Tekra). If, however, the vessel requires the Pilot to Board the vessel beyond this point**, Pilotage fees at double the rates as specified in this schedule shall be levied. Boarding of	Operational requirement.	The port has proposed modification in the existing note to take care of operational requirement. The modified note proposed by the port is, therefore, approved.

schedule shall be levied. Boarding of Pilots shall be restricted to maximum of 9.66 kilometers (6 miles) seaward from Pilot Station (Outer Tuna Buoy).	pilots shall be restricted to maximum of 9.66 kilometers (6 miles) seaward from pilot Station (Outer Tuna Buoy).		
Note No.16: The Agent will file the inward/outward / shifting Pilot Memo with a notice of 4 hours. Amendment of the Pilot memo within three hours is allowed if the changes are made for the same tidal. However, if changes required for next tide, cancellation memo would be required to be filed with a notice of 3 hours.	**Note No.16:** The Agent will file the inward / outward / shifting pilot memo with a notice of 4 hours. Amendment of the pilot memo within three hours is allowed if the changes are made for the same tide. However, if changes required for next tide, cancellation memo would be required to be filed with a **minimum** notice of 3 hours.	Based on request of KPSAA existing note is modified by adding the word **"minimum"** in the last sentence. The proposed conditionality stipulates that no amendment will be allowed within 3 hours of demand of the pilot. Beyond 3 hours, amendment of pilot memo will be accepted.	The proposed modification by the DPT of prescription of minimum three hours' notice in the last sentence is based on the suggestion made by the user association. The same is approved.
Note No.21: Charges of tugs and other equipments used during piloting is covered under the Pilotage charges for any number of equipments /crafts used. **However, any special request from the vessel would be chargeable.**	**Note No.21:** Charges of tugs and other equipments used during piloting is covered under the Pilotage charges for any number of equipments / crafts used. **Usage of equipments / crafts due to defect in vessel would be chargeable.**	For smooth operational requirement and to achieve better performance.	The proposed modification is stated to be for smooth operational requirement and to achieve better performance. The proposed modified note is, therefore, approved.
---	**Note No.22:** In case of improper / unsafe Pilot ladder, improper Boarding/ disembarking arrangements, inability to provide Combination Ladder when Free Board of vessel is greater than 9 mtrs following charges @ 500 $ for Foreign vessel and Rs.20,000/- for coastal vessels will be levied.	Kandla Port Customs House Agents Association (KPCHAA) had requested to add "if vessel do not correct ladder after/on advice from Pilot and Master express inability to correct ladder position of Penalty USD100/- for foreign or ₹2000/- for coastal may be imposed. The DPT has, however, not accepted the said request of KPCHAA stating that many vessels with dangerous ladders threaten Pilot's life. If Pilot ladder is not as per requirement, Vessel cannot enter Port and can be referred for inspection. Port has experienced that vessels are coming to Kandla with improper / unsafe ladder which may result in any untoward incident for Pilots while	Based on the reasoning and justification given by the port and recognising that the proposed note is for safety of pilots, the same is approved.

		boarding/un boarding the vessel. Hence, these charges are proposed for safety of Pilots.	
3**.1. A. SCHEDULE OF BERTH HIRE CHARGES FOR GENERAL CARGO AND LIQUID CARGO BERTHS AT KANDLA DIVISION.** **Notes** (2) Berth Hire charge for non-crane general cargo berths shall be levied at 50% of the rates prescribed in this Schedule.	**3.1. A. SCHEDULE OF BERTH HIRE CHARGES FOR NON CRANE GENERAL CARGO BERTHS AND LIQUID CARGO BERTHS AT KANDLA DIVISION.** **Notes** **2. (i) In above Schedule 3.1.A, Berth hire charges are for Non- Crane Berth. When DPT ELL Shore cranes are used, 200% of Berth Hire charges shall be levied.**	--- In the Schedule of Berth hire charges, the rates proposed have been modified, i.e. Rates are proposed now for Non-crane berth and if shore crane is utilized then 200% (190% in original proposal) of the Non-crane berth hire charges shall be levied. In the original proposal non crane berth hire charges was proposed to be increased by 5% which is withdrawn in the final revised proposal.	The existing SOR at schedule 3.1.A prescribes berth hire charges for general cargo berths and Liquid berths for Kandla Division. Note 2 in the existing SOR stipulates that berth hire for non–crane general cargo berths shall be levied at 50% of rates prescribed in the said schedule. In the proposed SOR, the port has now proposed rates for Non-crane berth. As per note 2(i) in the proposed SOR, if DPT ELL shore cranes are used, then 200% of the Non-crane berth hire charges shall be levied. Since the berth hire charges are prescribed for non-crane berths, the proposed note to levy 200% of the non-crane berth for use of DPT cranes will correspond to the existing indexed rate. Hence the proposed note no.2(i) is approved in place of the existing note no.2. Consequent to above, the title of the schedule is also proposed to be modified by the DPT. The same is approved.
	Note No.2 (ii): When ship is berthed at crane berths, when no shore crane is used on account of non-availability / breakdown /	In order to have better utilisation of all berths, revenue generation and rationalisation of berth hire charges the proposed conditionality is	The general principle is that users are not charged for services not provided by the port. The port has proposed

<table>
<tr><td></td><td>commodity restriction / non-requirement of crane due to any reason etc. berth hire charges shall be levied for Non-crane berth. Booking of shore crane is not mandatory for the port users.</td><td>introduced.</td><td>this new condition which is in line with this principle and hence is approved.</td></tr>
<tr><td></td><td>Note No.2 (iii):
In case vessel working with ship cranes is required to use DPT ELL shore cranes for cargo loading / unloading operation for partial period due to any reason, Crane Berth Hire Charges shall be applicable proportionately for the number of shifts the DPT ELL Shore Cranes have worked, irrespective of number of cranes used.</td><td>New condition is incorporated based on suggestion made by the KPSAA.</td><td>Note proposed by the DPT is approved.</td></tr>
<tr><td>Note No.8:
Vessel Berthed at shore Crane Berth and not allowed to use the shore Cranes by the Port due to commodity restrictions, such Vessels will be charged Berth Hire at the rate of non-shore Crane Berth.</td><td>Deleted.</td><td>As new condition (2) (iii) is proposed, existing note no.8 is proposed to be deleted.</td><td>The proposed deletion is approved in view of insertion of note no.2(iii) which takes care of this point.</td></tr>
<tr><td>---</td><td>3.1.C LIGHTERAGE DUES AT OTB / ANCHORAGE:
<table><tr><th>Particulars</th><th>Unit</th><th>Coastal (₹)</th><th>Foreign (US$)</th></tr><tr><td>Lighterage charges at OTB / Anchorage</td><td>Per GRT per hour</td><td>0.04</td><td>0.001</td></tr></table>Note No.1:

The Lighterage dues shall not be levied on the vessels engaged in mid-stream discharge for
(i) vessels which discharges part cargo for reducing the draft of the vessel for calling at the Berths of DPT,
(ii) Vessels which receive cargo brought by the barges loaded from the DPT berths for up toping. The lighterage charge is not applicable for the cargo bounded for IFFCO barge jetty.</td><td>Since there is opportunity loss due to non-applicability of pilotage and berth hire charges to vessel handling full cargo in mid-stream / at anchorage, new rate and conditionalities are proposed under this schedule. The proposed rates in the final revised proposal are based on the rate prescribed in the existing SOR of VOCPT flowing from clause 7.6.1 of the Tariff Policy which allows adoption of rate from the SOR of other major port for new cargo service/ facility.
IFFCO has requested not to levy the proposed Lighterage charges as this item is not included in the Agreement entered between DPT and IFFCO. The port has, therefore, added a provision under note (ii) to exclude cargo of IFFCO from this levy.</td><td>Based on detailed justification furnished by the port and since the proposed rate is adoption of the existing rate approved by this Authority for V. O. Chidambaranar Port Trust (VOCPT) vide Order No.TAMP/12/2017-VOCPT dated 24 May 2017 and is in line with clause 7.6.1 of the Tariff Policy 2018, the proposed rate is approved along with the proposed conditionalities. This has been elaborately dealt with in the analysis also.</td></tr>
</table>

<table>
<tr><td>General Notes relating to Schedules 3.1 to 3.5:</td><td>General Notes relating to Schedules 3.1 to 3.5:</td><td></td><td></td></tr>
<tr><td>Note No.6 (i):
Berth hire shall stop 4 hours after the time of the vessel signaling its readiness to sail. The time limit prescribed for cessation of berth hire shall exclude the ship's waiting time for want of favorable tidal conditions or on account of inclement weather or due to absence of night navigation facilities.</td><td>Note No.6 (i):
Berth hire shall stop 4 hrs after the time of the vessel signalizing its readiness to sail irrespective of any factors excepting due to defect of vessel.</td><td>Based on suggestion made by the KPSAA, this modification is proposed.</td><td>The conditionality prescribed in the existing SOR is as per clause 10.6.1 of the Working Guidelines 2018 and is uniformly prescribed in the SOR of all the Major Port Trusts. There is no extra ordinary circumstance brought out by the port for the proposed modification only in the case of DPT. Hence, the existing note is continued to be prescribed in the revised SOR.</td></tr>
<tr><td>---</td><td>Note No.9:
Vessels which enter the Port for not handling any Cargo and lays up in the Port without the Approval of the Port shall be charged ₹8000 and US$ 200 per 1 Hour or Part thereof for Coastal and Foreign Vessel respectively both at Kandla and Vadinar.</td><td>Port has noticed that Vessels are visiting Kandla without approval of Port (due to no business for vessels, layup for long, litigation etc.) resulting in Navigational and Environmental hazard at DPT. Such vessels also desert their crew subjecting them to miserable existence on board at the mercy of Port and Seamen welfare for their basic survival needs. In order to avoid entry of such vessels, these charges are proposed. This is not a new service/ cargo/ equipment/ facility. This is penalty which is fixed as deterrent and is proposed to be high enough to prevent such occurrence in future.</td><td>Based on the detailed justification furnished by the port and since the proposed tariff is to act as a deterrent and is for safety of port and seamen, the proposed new conditionality is approved.</td></tr>
<tr><td>---</td><td>3.6. Schedule of Charges for carrying Bollard pull test
<table><tr><th></th><th>Coastal Rates (In ₹)</th><th>Foreign rates (In $)</th></tr><tr><td>Charges for carrying Bollard Pull test</td><td>11893.86</td><td>434.72</td></tr></table></td><td>Introduction of Bollard Pull test is approved by the Board vide Board Resolution No.101 of Board meeting held on 14 December 2018.

The charges have been introduced based on Tariff of MBPT.</td><td>The port has newly proposed this schedule adopting the rates as approved by this Authority in the SOR of Mumbai Port Trust (MBPT) for similar services approved vide Order No.TAMP/78/2015-MBPT dated 21 June 2016 and is with</td></tr>
</table>

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<tr><td></td><td></td><td></td><td>the approval of the Board of Trustees of the DPT. The DPT has also estimated revenue for this service in Form-3. In view of the above position and recognizing that the methodology adopted by the port is one of the methods prescribed in the Tariff Guidelines for proposing tariff for new service, the rate for this new services is approved as proposed by the port. Same approach was followed in case of New Mangalore Port Trust (NMPT).</td></tr>
<tr><td><u>CHAPTER - III</u>
<u>CARGO RELATED CHARGES</u></td><td><u>CHAPTER - III</u>
<u>CARGO RELATED CHARGES</u></td><td></td><td></td></tr>
<tr><td>1. SCHEDULE OF WHARFAGE CHARGES</td><td>1. SCHEDULE OF WHARFAGE CHARGES</td><td></td><td></td></tr>
<tr><td>---</td><td>(B). Dry Cargoes (Bulk):
<table>
<tr><th>Sr. No.</th><th>Particulars of commodities</th><th>Unit</th><th>Coastal Rates (In ₹)</th><th>Foreign rates (In ₹)</th></tr>
<tr><td>24</td><td>Aggregates and chips</td><td>MT</td><td>16.98</td><td>28.32</td></tr>
</table></td><td>Port users who are engaged in export of stone chips & aggregates have given representations. They have submitted that the stone chips in bulk are being loaded from Kandla for the past two years due to bulk availability of cargo within the vicinity of DPT. Due to large availability of cargo and export potential of this cargo they can increase the volume by another 2.0 million per annum resulting employment to labour forces, Transport, Increase in business within port. The value of the cargo is very less and the wharfage levied by port (based on wharfage rate for unspecified goods at ₹31.50 per tonne) is on very higher side and hence they have requested DPT to reduce the wharfage charges by 50%</td><td>Based on detailed justification furnished by the port for the proposed new wharfage rate, and recognising that the port has also captured revenue estimates therefrom in Form -3, proposed rate is approved.</td></tr>
</table>

		of the present tariff to compete in the international market and also increase the volume of DPT. The port has justified the proposed rate stating that aggregates like construction material and stone chips give higher productivity nearly 20000 tonnes per day. Hence wharfage rates for new item has been proposed.	
---	**(C). Dry Cargoes (Break Bulk):** 31 | Wharfage charges on Motor vehicles or any other equipments passing through the Port III | Motor Vehicles except Motor cycles: A By RO-RO System | Per vehicle | 1,080 | 1,800	To attract Ro-Ro traffic at DPT, wharfage charges for Ro-Ro cargo is proposed to be introduced at par with wharfage rate at western ports of India like Cochin or Mangalore port. At present, charges related to Ro-Ro at Cochin are ₹1080/- per vehicle (coastal) and ₹1800.00/- per vehicle (foreign). Whereas in DPT, applicable wharfage charges [is in the range of ₹2200/- per vehicle upto 1400 cc and ₹8400/- per vehicle above 1400 cc for export] are almost double. Hence, wharfage charge for RORO Cargo is proposed to be kept same at par with the wharfage applicable at COPT. Only in respect of motor vehicle except motor cycle through RO-RO transportation, flat rate based on COPT has been proposed.	In the existing SOR, no separate wharfage rate for RO-RO service is prescribed. The proposed flat rate for Motor vehicles (except Motor cycles) by Ro-Ro system is same as approved by this Authority for Cochin Port Trust (COPT) vide Order No.TAMP/58/2016 dated 27 February 2016. In view of the above position and recognizing that the methodology adopted by the port is one of the methods prescribed in the Tariff Guidelines for proposing tariff for new service, the rate for this new services is approved as proposed by the port.
Note No.1: The rates of wharfage charges prescribed above in their application to cargoes other than Bulk, i.e. break bulk and non-containerised cargo shall be charged Rs.10.80/- per MT for Coastal and Rs.18/- per MT for Foreign cargo for supply of Port Labour in addition to the above rates.	Deleted.	As the existing rate have already been included in respective Proposed Break Bulk rates, the existing note is proposed for deletion. It is to confirm that there is no duplication on levy for supply of port labour for break bulk and containerized cargo.	In the revised proposed SOR, the existing rate of on board labour prescribed in schedule 3 under Chapter III and the rate as per note no.1 for break bulk and non-containerised cargo under the wharfage schedule have been merged and composite wharfage rate is proposed by the port. Hence

			the proposed deletion is approved as same is covered in wharfage rate.
Note No.6: Wharfage charges shall be leviable on the goods actually exported. Cargo brought into the Port for export, if removed for any reason, with prior written permission of Customs Department, a fee equivalent to wharfage charges applicable for such cargo, is payable irrespective of the cargo stored on transit or rental terms.	**Note No.6:** Wharfage charges shall be leviable on the goods actually exported. Cargo brought into the Port for export, if removed for any reason, with prior written permission of Customs Department, a fee equivalent to **50%** wharfage charges applicable for bulk cargo and **75%** wharfage charges applicable for break-bulk cargo, is payable irrespective of the cargo stored on transit or rental terms.	For smooth operational requirement and to achieve better performance.	Based on reasons given by the port, the modification proposed by the DPT in the existing note is approved.
---	**Note No.15:** An amount of ₹145/- per container will be levied on all containers (except transhipment and coastal) handled at the Major Port Trusts and terminals operating thereat towards Mandatory User Charge (MUC) for the Logistics Data Bank (LDB) service to be rendered by DMICDC.	Noted please.	This Authority has recently vide Order No.TAMP/12/2019-MUC dated 24 July 2019, approved revised Mandatory User Charges (MUC) for DMICDC's Logistics Data Bank (LDB) project across all the Major Port Trusts and BOT operators operating thereat. Therefore, the revised MUC on containers for the Logistics Data Bank Service rendered by Delhi-Mumbai Industrial Corridor Development Corporation (DMICDC) approved by this Authority for a period of two years as per the common adoption Order by all Major Port Trusts and BOT terminals thereat shall be applicable in case of DPT also. Hence note proposed by the DPT is suitably modified and prescribed in the revised SOR of DPT under Chapter III as Note no.15 in this

			regard as prescribed in other Major Port Trusts viz., NMPT, COPT, VOCPT etc.
---	**Note No.16:** The booking of Port labours as per NIT manning scale.	In order to do away with notional bookings, it is proposed that on board labour charges may be merged with wharfage charges.	The proposed note need not form part of the SOR as it is not a tariff related matter. As per Clause 7.4 of the Tariff Policy 2018, the DPT to ensure that there shall be no notional booking of labour and other similar notional charges levied by the port.
2. SCHEDULE OF DEMURRAGE CHARGES **2.1. Free Period**	**2. SCHEDULE OF DEMURRAGE CHARGES** **2.1. Free Period**		
Note No.9: Unclaimed goods when sold by the Port Administration under the rules in force, a free period of **7 days** shall be allowed from the date of acceptance of the bid by the KPT.	**Note No.9:** Unclaimed goods when sold by the Port Administration under the rules in force, a free period of **30 days** shall be allowed from the date of acceptance of the bid by the DPT.	For smooth operational requirement.	Based on reason given by the port, proposed modification is approved.
---	**Note No.11:** Demurrage Charges on cargo handed over by the importer or CHA ceases from the date of issue of Customs NOC to auction the cargo.	Many times, importer or exporter abandon / surrender / relinquish the title of goods due to reasons like customs duty, price fluctuations, contamination of the cargo, miss declaration or legal matters involved in import or export. As per current practice, port is raising the bill on the demurrage charges / ground rent on plot continuously and due to relinquishment of the goods the importer/exporter fails to make the payment of port charges. Hence it is proposed to collect the dues of the port from the users till the date of issue of NOC from Customs Department is received to auction the cargo. Further as per the note no 12, whenever the goods are detained/ seized/	Based on reasons given by the port, proposed notes is approved.
---	**Note No.12:** Whenever the goods are detained/ seized/ confiscated by the Customs Department after landing of goods, the demurrage/ ground rent charges will cease to apply from date of seizure till release of seizure from the Customs Department.		
2.5. LICENCE (STORAGE) FEES ON GENERAL CARGO	**2.6. LICENCE (STORAGE) FEES ON GENERAL CARGO**		
---	**Note No.8:** Rental charges on cargo handled over by the importer or CHA ceases from the date		Based on reasons given by the port, proposed note is approved.

<table>
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<td>of issue of Customs NOC to auction the cargo.</td>
<td>confiscated by the Customs Department after landing of goods, the demurrage/ ground rent charges will cease to apply from date of seizure till release of seizure from the Customs Department.</td>
<td></td>
</tr>
<tr>
<td>2.6. (b). CHARGES FOR PARKING OF CARGO HANDLING EQUIPMENT LIKE HMC'S CRANES, GRABS, FORKLIFTS, PAY-LOADERS, TRAILORS, LOOSE GEAR, HMC's CRANES GRABS, CRANES ETC.</td>
<td>2.6. (b). CHARGES FOR PARKING OF CARGO HANDLING EQUIPMENT LIKE HMC'S CRANES, GRABS, FORKLIFTS, PAY-LOADERS, TRAILORS, LOOSE GEAR, HMC's CRANES GRABS, CRANES ETC.</td>
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<tr>
<td><table>
<tr><th>Basis of charge</th><th>Covered area</th><th>Open area</th></tr>
<tr><td>Per sq. metre or part thereof per month or part thereof</td><td>₹83.70</td><td>₹43.20</td></tr>
</table></td>
<td><table>
<tr><th>Basis of charge</th><th>Covered area</th><th>Open area</th></tr>
<tr><td>(i). Per sq. metre or part thereof per month or part thereof</td><td>92.08</td><td>47.53</td></tr>
<tr><td>(ii). Per sq. metre or part thereof per week or part thereof</td><td>23.02</td><td>11.88</td></tr>
</table></td>
<td>As per Schedule 2.6(b) under chapter 3 of the existing SOR, basis of charge of the said service is "per Sq, Mt. or part thereof per month or part thereof".
In the current proposal, in addition to basis of charge as per month, weekly charge has been introduced. Combined revenue for both month as well as week has been captured in the revenue estimation.</td>
<td>Weekly charges proposed for the said service are $1/4^{th}$ of monthly charges for concerned service. The port has confirmed that revenue estimate captures the impact thereof.
In view of the above and clarification given by the DPT, the proposed rate for week basis along with existing rate on month basis is approved.</td>
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<td>3. CHARGES FOR COMPOSITE RATE FOR ON BOARD LABOUR OF CARGO HANDLING DIVISION</td>
<td>Deleted.</td>
<td>This schedule is deleted and the rates for on board labour have been merged into wharfage rate for each commodity of dry bulk and break bulk cargo.
At DPT, presently, wharfage and OBLC charges are levied on per tonne basis. Port is in process of implementing Stevedoring and Shore handling Regulation and NIT award on manning scale for cargo handling operation. In order to do away with notional bookings, it is proposed that the on board labour charges may be merged with wharfage charges. In order to avoid multiplicity of payments collection of revenue is simplified without affecting the revenue of the</td>
<td>Based on reasons given by the DPT and as rates are merged with respective wharfage charges, the proposal of DPT regarding deletion of schedule of charges for Composite rate for supply of On Board Labour of Cargo Handling Division is approved by this Authority.</td>
</tr>
</table>

		port. Similar simplification of wharfage charges is made at COPT.	
<u>CHAPTER IV</u> <u>MISCELLANEOUS CHARGES</u>	**<u>CHAPTER IV</u> <u>MISCELLANEOUS CHARGES</u>**		
4. SCHEDULE OF WEIGHMENT CHARGES:	**4. SCHEDULE OF WEIGHMENT CHARGES:**		
---	5. For use of InMotion Weighbridge for cargo loaded in Railway wagons — Per wagon (i). Loaded wagon — 110.00 (ii). Empty wagon — 55.00	DPT has installed 3 nos. of In-Motion Weighbridge and proposed rates are based on CHPT SOR.	The rate proposed by the port are same as approved by this Authority for Chennai Port Trust (CHPT) vide Order No.TAMP/21/2018-CHPT dated 08 June 2018. In view of the above position and recognizing that the methodology adopted by the port is one of the methods prescribed in the Tariff Guidelines for proposing tariff for new service, the rate for this new service is approved as proposed by the port. The port has included the revenue estimate for this item in Form-3.
---	**Note No.3:** Whenever User does not utilise Weighbridge, on account of rail borne cargo, no weighment charges are leviable. This is applicable to all weighbridges in Port area.	For weighment of Rail borne cargo, in motion weighbridge is installed.	Based on reason given by the port, proposed note is approved.
6. SCHEDULE OF CHARGES FOR USE OF PORT FLOATING CRAFT:	**6. SCHEDULE OF CHARGES FOR USE OF PORT FLOATING CRAFT:**		
---	**Note No.9:** Hire charges for Port craft for boarding of transportation of Personnel (Boarding officer, surveyor etc.) from Jetty to vessel and back will be levied at ₹5000/- for Coastal vessel and $185 for Foreign	DPT is supposed to provide a launch with GRT between 401 to 1500 BHP, for boarding or transportation of Personnel (Boarding officer, surveyor etc.). Whenever such launches are not available, higher powered crafts/tugs	Based on reasons given by the DPT, proposed note is approved.

	vessel, per hour or part thereof , subject to minimum of 2 hours.	are provided. Hence proposed conditionality in introduced.	
10. Charges for Hire of Mobile Harbour Crane of 60 tonne Capacity:	**10. Charges for Hire of Mobile Harbour Crane of 60 tonne Capacity:**		
Note No.1: The formula for calculation of average berth-day output is as follows: Total Quantity loaded / unloaded by the MHC / Total time taken from vessel commencement to completion *24	**Note No.1:** The formula for calculation of average berth-day output is as follows: Total Quantity loaded/unloaded by the MHC/ Total time taken from commencement to completion of **loading / discharging of cargo** * 24	To ease out of calculation of average berth-day output and to make it more understandable following modification is proposed.	The existing formula appears to be incomplete. Hence proposed modification to make it explicit is approved.
---	**Note No.(viii):** For supply of MHC for other than cargo operations the charges @ ₹10,000/- per hour or part thereof shall be levied.	New note should be added in Charges of hire of Harbour Mobile Crane of 60 tonne capacity.	The proposed note prescribes tariff arrangement for use of HMC other than cargo operations. Hence the proposed note for port owned HMC of 60T is approved.
---	**Note No.(ix):** Deposit paid in advance for booking of MHC shall be refunded if not supplied by port due to unavailability of the crane.	It is observed that the party has booked the MHC and paid advance amount for rendering the service but due to any reason like non availability, crane breakdown or any other issues HMC was not supplied by the DPT. In such an event, it takes more time to process the application and refund the deposit of the user. Hence for ease of doing business and to facilitate the trade with easy booking and refund process, proposed conditionalities are introduced. Kandla Stevedores Association Limited (KSAL) has stated the proposed amount should not be charged when the vessel does not berth for whatever reasons and loading/ unloading operations cannot be carried out. In this regard, the DPT has clarified that being a tidal port, the berthing and sailing of vessel depends on the tide	The proposed note no (ix) is for benefit of trade and for ease of business and goes with the principle that user shall not be charges for the services not provided. The proposed note is, therefore, approved.
---	**Note No.(x):** Charge of ₹50,000/- per crane when crane has been supplied and not used by the port user. The charge shall not be chargeable in case the vessel does not berth as scheduled for any reasons.		In note no.(x), the port proposes to charge of ₹50,000/- per crane when crane has been supplied and not used by the port use. Further, the said rate is not proposed to be charged in case the vessel does not berth as scheduled for any reasons. Based on the justification furnished by the port, proposed note is approved subject to minor modification. The words “any reasons” to be replaced with “any operational reasons for example like tide”

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<td>and also loading and unloading of the vessel may get affected due to various operational reasons. On such occasions, the scheduled vessels may not berth which is not in the control of stevedores
The last sentence is, therefore, added based on the suggestion made by KSAL.</td>
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<tr>
<td>11. Charges for use of Harbour Mobile Crane (HMC) of 120T capacity:</td>
<td>11. Charges for use of Harbour Mobile Crane (HMC) of 120T capacity:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[Rate for 120T HMC owned by DPT was approved by the Authority based on the proposal of DPT following normative approach vide Order No.TAMP/29/2018-DPT dated 31 July 2018. The rates approved are linked to performance level prescribed therein. The rates are subject to annual indexation to an extent of 60% of the variation in Wholesale Price Index (WPI) and valid for a period of 5 years i.e. till 07 May 2023.]

Notes:
(i) to (x) governing rate for 120 T HMC to be deployed by private service provider also prescribed in the said Order.</td>
<td>
<table>
<tr><th rowspan="2">Sr. No.</th><th rowspan="2">Commodity</th><th colspan="2">Ceiling rate per tonne (in ₹)</th></tr>
<tr><th>Foreign</th><th>Coastal</th></tr>
<tr><td></td><td>Shredded scrap</td><td>112.07</td><td>67.24</td></tr>
<tr><td>2</td><td>Project cargo</td><td>222.48</td><td>133.49</td></tr>
<tr><td>3</td><td>Pet coke & other Bulk cargo</td><td>69.19</td><td>41.51</td></tr>
<tr><td>4</td><td>Other Break bulk cargo</td><td>145.99</td><td>87.60</td></tr>
<tr><td>5</td><td>Heavy Melting scrap (HMS)</td><td>222.25</td><td>133.35</td></tr>
<tr><td>6</td><td>Coal</td><td>63.39</td><td>63.39</td></tr>
<tr><td>7</td><td>Salt</td><td>60.25</td><td>36.15</td></tr>
<tr><td>8</td><td>Iron ore</td><td>59.28</td><td>59.28</td></tr>
<tr><td>9</td><td>Food grains, Met coke</td><td>103.78</td><td>62.26</td></tr>
<tr><td>10</td><td>Steel coils</td><td>90.59</td><td>54.35</td></tr>
<tr><td>11</td><td>Gypsum, MOP, Fertilizer (DAP + Urea)</td><td>74.77</td><td>44.86</td></tr>
<tr><td>12</td><td>Timber logs</td><td>291.95</td><td>175.17</td></tr>
</table>
Notes:
[Existing notes (i) to (x) deleted by DPT.]</td>
<td>To encourage the Port Users for high performance and high productivity the Port has fixed the base rate for any quantity handled by MHC crane for different cargo. Hence, as the total annual requirement from the project is based on the ceiling rate only, the ceiling rate has been frozen at two higher ceiling rate (i.e, with 10% increase in base ceiling rate) for each cargo. This will help the port to achieve economy of scale with handling more cargo & more earnings. The higher productivity will help in reduction of turn-around time of vessel as well it will increase the wharfage, marine & pilotage charges collected by handling of more vessels. Hence, these conditionalities have no relevance, therefore have been removed.</td>
<td rowspan="3">For detailed reasons given in para 12(xiv) of the analysis, a note is prescribed to state that the rates along with conditionalities as approved in the Order dated 31 July 2018 shall continue.

The DPT is, however, allowed, if necessary, to come up with a separate proposal for the port owned HMC following normative approach within two months from the date of notification of this Order in the Gazette of India. The port shall give adequate reasoning and justification for the proposal when valid rate for port owned 120T HMC till May 2023 prevails. The three new notes proposed by the DPT at for 120T HMC at par with the new notes proposed for port owned 60T HMC, may be incorporated by the DPT while filing the separate proposal.</td>
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<td>New notes proposed by DPT
Note No.(i):
For supply of MHC for other than cargo operations the charges @ ₹10,000/- per hour or part thereof shall be levied.</td>
<td rowspan="2">Justification commonly furnished by DPT for 60T port owned HMC and for 120 T HMC</td>
</tr>
<tr>
<td>---</td>
<td>Note No.(ii):</td>
</tr>
</table>

	Deposit paid in advance for booking of MHC shall be refunded if not supplied by port due to unavailability of the crane.		
---	**Note No.(iii):** Charge of ₹50,000/- per crane when crane has been supplied and not used by the port user. The charge shall not be chargeable in case the vessel does not berth as scheduled for any reasons.		
12. SCHEDULE OF CHARGES FOR USING THE AUTOMATED BAGGING AND RAKE LOADING OF FERTILIZERS AT GODOWN NO.34 INSIDE CARGO JETTY AREA:	**12. SCHEDULE OF CHARGES FOR USING THE AUTOMATED BAGGING AND RAKE LOADING OF FERTILIZERS AT GODOWN NO.34 INSIDE CARGO JETTY AREA:**		
Note No.(2): If the facility is not available for any reason such as being non-operational being pre-occupied etc., DPT **is** permit the users to avail other facilities within or outside the Port. Such permissions will be issued by the DPT.	**Note No.(2):** If the facility is not available for any reason such as being non-operational, being pre-occupied **or fertilizer is imported for industrial purpose, shortage of storage space in port godowns, when rake is indented loading for multiple varieties of fertilisers etc.** DPT **may** permit the users to avail other facilities within or outside the port, such permissions will be issued by DPT.	Clarification furnished by the DPT brought out in para 12(x) of the Order.	Based on request of Rishi Shipping and clarification furnished by the DPT and reasons explained in para 12(x) of Order, proposed modification is approved. Revenue estimation for this item is also captured in Form-3.
[Para 11.2. of the Order No.TAMP/33/2018-DPT dated 18 January 2019 approved by the Authority for fixation of tariff for automated bagging and rake loading of fertilizers at godown no.34 inside cargo jetty area of DPT stipulates that since the Operation and Maintenance contract given to Rishi Shipping for operation and maintenance is for eight years and tariff proposed by the DPT is norm based, the rate approved is made coterminus with the Operation and Maintenance contract given by DPT]	**Note No.(5):** The validity of proposed service shall be till the period of contract for operation and maintenance of proposed service.	The DPT has proposed insertion of the said note to fall in line with para 11.2 of the Order No.TAMP/33/2018-DPT dated 18 January 2019.	The note no.(5) proposed by the DPT is approved.

<table>
<tr><td>---</td><td>(13) Removal of Hazardous waste / Sludge.
Removal of Hazardous waste / Sludge:<table><tr><th>Description</th><th>Unit</th><th>Charge payable</th></tr><tr><td>Removal of Hazardous waste / Sludge</td><td>Per ton or part thereof</td><td>790.00</td></tr></table></td><td>Included by the DPT in the final revised proposal.</td><td>It is understood that the proposed rate is for miscellaneous services and not of mandatory nature. The port has also captured the revenue impact of the proposed rate in Form 3. The proposed rate is, therefore, approved.</td></tr>
<tr><td><u>CHAPTER V
RATE FOR TUNA PORT</u></td><td><u>Chapter V
RATES FOR TUNA PORT (BARGE JETTY OF DPT)</u></td><td></td><td></td></tr>
<tr><td>1. SCHEDULE OF PORT DUES</td><td>1. SCHEDULE OF PORT DUES</td><td></td><td></td></tr>
<tr><td>To be inserted.</td><td>Note No.1:
Port Dues will be charged based on the status of the vessel at the time of its entry into the port limits.</td><td>---</td><td>The existing and proposed general condition at 1.2. (iv) stipulates that the status of the vessel, as borne out by its certification by the Customs or the Director General of Shipping, shall be the deciding factor for classifying into ‘coastal’ or ‘foreign-going’ category for the purpose of levying vessel related charges; and, the nature of cargo or its origin will not be of any relevance for this purpose. The port has not given any reasons for proposing separate note exclusively for port dues at Tuna Port which is also not found to be in line with the general prescription. That being so, separate note for port dues for Tuna port need not be prescribed. Tuna port will be governed by the general condition at 1.2 (iv).</td></tr>
<tr><td>4. SCHEDULE OF WHARFAGE CHARGES:</td><td>4. SCHEDULE OF WHARFAGE CHARGES:</td><td></td><td></td></tr>
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<tr>
<td>Note No.1:
Break Bulk Cargo shall be charged ₹15/- per MT for supply of Port Labour in addition to above rates. (As proposed in proposal sent in March 18.)</td>
<td>Deleted.</td>
<td>As the existing rates for supply of port labour for Break Bulk cargo have been merged into the proposed wharfage for Tuna Port.</td>
<td>Based on clarification furnished by the port, the proposed deletion appears to be in order and hence is approved.</td>
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<td>Note No.1:
Wharfage charges shall be levied on the goods actually exported.</td>
<td>---</td>
<td>Proposed note is approved.</td>
</tr>
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<td>5 SCHEDULE OF STORAGE FEES ON GENERAL CARGO</td>
<td>5 SCHEDULE OF STORAGE FEES ON GENERAL CARGO</td>
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<td><table>
<tr><td>(iii)</td><td>Bins and raised plinth</td><td></td></tr>
<tr><td></td><td>Upto 2 months</td><td>184.82</td></tr>
<tr><td></td><td>More than 2 months to 3 months</td><td>369.65</td></tr>
<tr><td></td><td>More than 3 months to 6 months</td><td>462.06</td></tr>
<tr><td></td><td>Beyond 6 months</td><td>554.47</td></tr>
</table></td>
<td>---</td>
<td>For Kandla Division, the existing as well as the proposed SOR at schedule 2.5.(A) Storage fee for open space for general cargo includes prescription of rate for Bins and raised Plinth. The port proposes to adopt the same existing rate applicable for Kandla division for Tuna port. The proposed tariff item is approved.</td>
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<tr>
<td><u>CHAPTER VA</u>

TARIFF FOR MARINE RELATED SERVICES PROVIDED BY KANDLA PORT TRUST (KPT) AT DRY BULK TERMINAL COMMISSIONED BY AKBTPL AT TUNA / TEKRA</td>
<td>Deleted.</td>
<td colspan="2">This has been elaborately dealt with in the analysis at para 12(xv). Proposal of DPT for the reasons stated therein is approved. In the General Terms and Condition at 1.2, a note (xx) is inserted stating that applicable Vessel Related Charges of Kandla Division shall apply for dry bulk terminal commissioned by AKBTPL at Tuna/ Tekra to avoid any ambiguity.</td>
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SUMMARY OF THE COMMENTS RECEIVED FROM THE PORT USERS/ ORGANISATION BODIES/PRIVATE TERMINALS / BOT OPERATORS AND ARGUMENTS MADE IN THIS CASE DURING THE JOINT HEARING BEFORE THE AUTHORITY

F.No. TAMP/28/2019-DPT - Proposal from the Deendayal Port Trust for general revision of its Scale of Rates.

1. A summary of the comment of users / user organisation / BOT operators and response of DPT is tabulated below:

Sl. No.	Gist of the Comments received from the users / user organisations	Reply furnished by DPT
I	**Rishi Shipping (RS)**	
(i).	M/s.Rishi Shipping strongly object the Proposal to make it mandatory for using Bagging facility created by Port in NG.34. Due to this stipulation, the importers can't shift bulk cargo and bagged cargo freely from port to load the rakes placed outside port in Railway yard and ultimately they will stop using DPT for future consignment for following reasons:-	The request is considered to a limited extent. The fertilizer imported for industrial purpose may require different size of packing and are also dispatched in piecemeal to different locations of the country; hence may not suitable for rake loading. Port has limited storage facility. Port handles an average of more than 2.5 MMTPA from berth nos.1 to 10. Hence, import quantity of fertilizer by different port users is more than storage space available with the port. Capacity of bagging facility at NG.34 is 1.4 MMTPA which cannot cater the present requirement of the trade. The rakes are intended by the importers for loading m multiple verities of fertilizer based on demand from hinterland. Bagging of multiple cargoes at a time may lead to contamination and rejection of the cargo. With reference to their request following is recommended to be changed in Chapter IV (Miscellaneous Charges) Clause 12 Schedule of charges for using the automated bagging and rake loading of fertilisers at godown no.34 inside cargo jetty area, at note (2) as under- "If the facility is not available for any reason such as being non-operational, being pre-occupied or fertilizer is imported for industrial purpose, shortage of storage space in port godowns, when rake is indented for loading multiple varieties of fertilisers etc., DPT may permit the users to avail other facilities within or outside the port. Such permissions will be issued by DPT."
(ii).	At any given time, maximum about 4.00 lakh MT of fertilizer will have to be stored in the port warehouses depending on the vessel arrival. Whereas the storage capacity available inside the port is about 1.5 lakh MT. Unless the port is prepared to give storage facility for the entire quantity, it is unfair to make it mandatory to for utilization the bagging plant facility.	
(iii).	The storage of fertilizer is allowed for only 2 months on rental basis and for the remaining period demurrage charged on the cargo which is not viable to importers.	
(iv).	Rishi Shipping, therefore, requests port not to impose such Mandatory use condition in the SOR, in the common interest of the port, otherwise port will not handle more than one million tones cargo in a year at DPT.	
II	**Kandla Port Customs House Agents Association**	
(i).	(a). Proposed changes - Item 11 - Chapter II Scheule2.2 Notes (16) - Present system of allotment of berth / shifting / sailing of vessel being followed in practice be allowed to be continued, as same is finalised in berthing Meeting and accepted. It is the perfect system having complete transparency – a step in ease of doing business with DPT, free from any mal-practices. Hence, submission of Pilot Memo etc. to be deleted.	(a). The existing note-16 is modified as under in proposed revised proposal as under- "The Agent will file the inward / outward / shifting pilot memo with a notice of 4 hours. Amendment of the pilot memo within three hours is allowed if the changes are made for the same tide. However, if changes required for next tide, cancellation memo

	(b). Proposed addition: a] Wrong / inadmissible shifting levied/recovered from Users – The communications from Users on the subject needs to be responded immediately – delay and/or non-response of Users communication defeat the aim of transparancy in port working.	would be required to be filed with a minimum notice of 3 hours” The proposed conditionality stipulates that no amendment will be allowed within 3 hours of demand of the pilot. Beyond 3Hours amendment will be accepted. (b). Not acceptable. It is denied that wrong shifting levied on users.
(ii).	Item 13 Chapter II Schedule 2.2 Notes (22) – to be added – “if vessel do not correct ladder after/on advice from Pilot and Master expresses inability to correct ladder position – quantum of Penalty USD 100/- and/or ₹2000/- be imposed.” Penalty is root cause of undesirable practice and to be avoided”.	No change. Not acceptable as many vessels with dangerous ladders threaten Pilot’s life. If Pilot ladder is not as per requirement, Vessel cannot enter Port and can be referred to Flag slate/Port slate for inspection.
(iii).	(a). Item 38 to 43 Chapter IV Schedule 11, & 13 - it is penalty – please add “If users ignore the notice from Traffic Division and violation continues”. DPT is having system of permission-raj, hence concerned desk to obtain undertaking while extending permission – since imposing penalty without prior notice and/or knowledge will turn to unjust actions. (b). Chapter -1 Item 1.2 (viii) to add: If marine bills not released within 20 days of sailing of vessel – either interest @ 15% will be paid till the date of release of bill to users or 5% rebate on bill amount to be given. (It is general grievance of the Users that Marine bills are not released in time, with the result that the foreign-owners could not be updated of vessels disbursement. In every port users meeting, it is agenda No.1 from Users side that Marine bills are not released in time. There are cases where release of marine bills are pending since 2008-2009 onwards for no fault of users. Hence if above addition is permitted, machinery will work fast and valued time of port users meeting will be saved/foreign-owners will not have grievance on this account from DPT). (c). If PCS is not working – it is to be notified to users on Whatsapp Group and no interest to be charged for reasonable delay in obtaining demand drafts alternatively port account details be given for users depositing and in port account directly.	(a). Unreasonable, hence not acceptable. (b). Not acceptable. (c). In case the party is unable to make payments online and need to take Demand Draft for payment, the SLA finalized by IPA, New Delhi for PCS 1.x need to be referred.
III	**Vadinar Oil Terminal Limited**	
(i).	Since 2016, revision in SOR WPI Indexation is being applied year on year basis, including for revision on wharfage POL there is no rationale of increase by another 12% on POL product wharfage, in the proposed SOR.	In the Revised proposal sent to TAMP on 20.8.2019, no Hike has been proposed for POL product by DPT.
(ii).	VOTL had already submitted their comments (vide VOTL letter VOTL/TAMP/2017/01 dated 08.12.2017, VOTL/TAMP/2018/01 dated 08.02.2018 and other correspondences and the hearing) on the proposal during the process of approving this rate, that different rate for same commodity to be handled at different facility is not justified. However the same was not considered by TAMP.	Not acceptable.

IV	**Indian Farmers Fertiliser Co-operative Limited**	
(i).	New rate is being proposed by DPT for the vessels which discharge full cargo at OTB / Anchorage and proposed charges 0.1562 $ per GRT. IFFCO operations are covered under Concession Agreement dated 17 February 2011 between KPT and IKLL. In the said Concession Agreement no lighterage charges for the vessels discharging cargo for IFFCO is provided and therefore such lighterage charges shall not be made applicable for IFFCO vessels discharging full cargo at OTB.	The request is considered as, the new charges for lighterage is added in proposed SOR because of the opportunity loss due to non-applicability of pilotage and berth hire charges to the vessel handling full cargo in mid-stream /at anchorage. However, in case of cargo bounded for IFFCO barge jetty, it has no option but to lighter the entire import quantity in mid-stream as the IFFCO barge jetty is designed for the same purpose as a captive barge jetty. There is no way that vessel with manifested quantity of 50000 MT can be berthed at barge jetty which is designed to handle only barges with maximum 3000 to 4000 MT only. Hence there is no opportunity loss if lighterage cargo is bounded for IFFCO barge jetty. Hence in Chapter-II, Clause 3.1.C Lighterage dues at OTB/Anchorage, at note 1, (ii) following is included- "The lighterage charge is not applicable for the cargo bounded for IFFCO barge jetty.
(ii).	Further port has included the notional labour charges in the port wharfage and increased the wharfage from ₹36.96 per MT to ₹61.26 per MT. The difference of amount is ₹24.30 PMT is in lieu of the notional gang charges loaded for the clients in port. In case of IFFCO the notional labour charges were never charged and it was exempted. Therefore, in the wharfage of IFFCO cargo the increase of notional gang charges now is not called for. Therefore, IFFCO cargo discharged in OTB be exempted from additional notional gag charges of ₹24.30 PMT loaded on barges for common trade.	The issue regarding non-payment of On-board Labour Charges for the vessels discharged at OTB and unloaded at IFFCO Barge Jetty has been referred to IPA for its recommendation; however, reply from IPA is awaited. Hence, the request of IFFCO to exempt On-board Labour Charges cannot be considered at this stage. On receipt of recommendations from IPA on the issue, the same will be considered suitably. IFFCO has to pay the wharfage charges as proposed in the forth-coming SOR.
V	**Kandla Stevedores Association Ltd.**	
(i).	In Chapter IV, Sr. No.10 (Charges for Hire of Mobile Harbour Crane of 60 tonne capacity) under Notes at sub para (x) and in Chapter IV, Sr. No.11 (Charges for use of Harbour Mobile Crane (HMC) of 120T capacity) under Notes at sub para (iii) the following may be added at the end of the existing sentence/s: "These charges shall not be chargeable incase the vessel does not berth as scheduled for any reasons whatsoever and/ or due to bad/ inclement weather due which unloading/ loading operations cannot be carried out".	DPT being a tidal port, the berthing and sailing of vessel depends on the tide and also loading and unloading of the vessel may get affected due to various operational reasons. Such occasions, the scheduled vessels may not berth which are not in the control of stevedores. Hence it is not appropriate to penalize the port users for booking the MHC and not utilizing it. In Chapter V, Sr. No.10 (Charges for Hire of Mobile Harbour Crane of 60 tonne capacity) under notes at sub para (X) and Chapter IV, Sr. No.11 (Charges for use of Harbour Mobile Crane (HMC) of 120 tonne capacity) under notes at sub para (iii) is modified as under: Charges of ₹50,000/- per crane when crane has been supplied and not used by the port users. The charge shall not be chargeable in case the vessel does not berth as scheduled for any reasons".

(ii).	In Chapter-II Clause 3.1.A, at note (2) a sub-clause (iii) may be added as follows: In case a vessel working with ship cranes is required to use DPT ELL Shore Crane/s for partial period due break down of Ships Crane/s or for any other reason, Shore Crane Berth Hire charges shall be levied proportionately for the Number of Hours the DPT ELL Shore Cranes have worked.	The request may be considered since the vessels using shore crane for loading of sugar, rice in bags etc. are staying for long time at berth due to less productivity. In such occasions ship crane may go out of order or for increasing productivity stevedores may engage more number of cranes including shore crane. The same will be beneficial to the port as well as trade. In Chapter-II Clause 3.1 of note (2) a sub-clause (iii) should be added as under- "In case vessel working with ship cranes is required to use DPT ELL shore cranes for cargo loading / unloading operation for partial period due to any reason, Crane Berth Hire Charges shall be applicable proportionately for the number of shifts the DPT ELL Shore Cranes have worked, irrespective of number of cranes used".
VI	**Kandla Port Steamship Agent's Association (KPSAA)**	
(i).	In Chapter II Schedule 2.2. Notes (16), the following suggestions: The Agent will file the inward/ outward/ shifting Pilot Memo with a notice of 4 hours. Amendment of the Pilot memo ~~**except**~~ within three hours is allowed if the changes are made for the same tide. However, if changes required for next tidal, cancellation memo would be required to be filed with a **minimum** notice of 3 hours. Remarks: Deletion of "except" and Addition of "minimum".	Correction is agreed to. The existing note-16 is modified as under in proposed revised proposal as under- "The Agent will file the inward / outward / shifting pilot memo with a notice of 4 hours. Amendment of the pilot memo within three hours is allowed if the changes are made for the same tide. However, if changes required for next tide, cancellation memo would be required to be filed with a minimum notice of 3 hours" The proposed conditionality stipulates that no amendment will be allowed within 3 hours of demand of the pilot. Beyond 3Hours amendment will be accepted.
(ii).	In Chapter II Schedule 3.1.B Note(2)(i), the following suggestions: In the above Schedule 3.1.A, Berth hire charges are for Non-Crane Berth. When **DPT ELL** Shore cranes are used, 190% of Berth Hire charges shall be levied. **Crane berth hire charges to be levied only during the period which DPT ELL cranes are used.** Remarks: Insertion of "DPT ELL" and "Crane berth hire charges to be levied only during the period which DPT ELL cranes are used".	Clause 3.1. at note (2) a sub-clause (i) is recommended to change as under for better clarification in proposed SOR – "In above Schedule 3.1.A, Berth hire charges are for Non- Crane Berth. When DPT ELL Shore cranes are used, 200% of Berth Hire charges shall be levied".
(iii).	In Chapter II Schedule 3.1.B Note (2)(ii), the following suggestions: When ship is berthed at Crane berths, where no shore crane is used on account of non-availability / breakdown/ commodity restriction/ non requirement of crane due to vessels having ~~**better**~~ **suitable** crane	Clause 3.1. at note (2) a sub-clause (ii) is recommended to change as under for better clarification in proposed SOR – "When ship is berthed at crane berths, when no shore crane is used on account of non-availability/breakdown/commodity restriction/non requirement of crane due to

	than shore crane etc., berth hire charges shall be levied for Non-crane berth. Booking of Shore cranes is not mandatory for the port users. Remarks: Replacing "better" with "suitable".	any reason etc. berth hire charges shall be levied for Non-crane berth. Booking of shore crane is not mandatory for the port users."
(iv).	In Chapter II Schedule 2.2 Notes (5) (s), the following suggestions: Shifting of vessels in order to avoid multiple shifting in the following **day's will be considered as shifting for Port convenience**. Remarks: Adding "day's will be considered as shifting for Port convenience".	(s), (t), (u) is recommended to change as under for better clarification in proposed SOR- (s) Shifting of vessels in order to avoid multiple shifting in the following day/s will be considered as shifting for Port convenience. (t) Shifting of vessels in order to accommodate vessel declared for clean cargo berth will be considered as shifting for Port convenience. (u) Shifting of vessel due to cargo accommodation, as storage provided by Port for full manifested quantity will be considered as shifting for Port convenience.
(v).	In Chapter II Schedule 2.2 Notes (5) (t), the following suggestions: Shifting of vessels in order to accommodate vessel declared for clean cargo berth **will be considered as shifting for Port convenience**. Remarks: Adding "will be considered as shifting for Port convenience".	
(vi).	In Chapter II Schedule 2.2 Notes (5) (u), the following suggestions: Shifting of vessel due to cargo accommodation as storage provided by Port for full manifested quantity **will be considered as shifting for Port convenience**. Remarks: Adding "will be considered as shifting for Port convenience".	
(vii).	In Chapter II Schedule 3.1 General Notes (3.1 to 3.5)(6)(i), the following suggestions: Berth hire shall stop 4 hours after the time of the vessel signaling its readiness to sail **irrespective of any factors excepting due to defect of the vessel.** ~~**The time limit prescribed for cessation of berth hire shall exclude the ship's waiting time for want of favorable tidal conditions or on account of inclement weather or due to absence of night navigation facilities.**~~ Remarks: Deletion "The time limit prescribed for cessation of berth hire shall exclude the ship's waiting time for want of favorable tidal conditions or on account of inclement weather or due to absence of night navigation facilities." Adding "irrespective of any factors excepting due to defect of the vessel"	The suggestion is agreed to. The modified conditionality is proposed as under- 6 (i). Berth hire shall stop 4 hrs after the time of the vessel signalizing its readiness to sail irrespective of any factors excepting due to defect of vessel.

(viii).	In Chapter II Schedule 3.1 A Notes (2) (iii), the following to be inserted: **In case a vessel working with ship crane is required to use DPT ELL shore crane for partial period due breakdown of ship's crane or for any other reasons, shore crane berth hire shall be levied proportionally for the number of hours the DPT ELL shore crane have worked.**	In Chapter- II Clause 3.1 at note (2) a sub-clause (iii) following should be added as under- "In case vessel working with ship cranes is required to use DPT ELL shore cranes for cargo loading/unloading operation for partial period due to any reason, Crane Berth Hire Charges shall be applicable proportionately for the number of shifts the DPT ELL Shore Cranes have worked, irrespective of number of cranes used".
(ix).	In Schedule 3.1.C Lighterage Dues at OTB/Anchorage, the foreign rates should be replaced with US$ instead of ₹.	Necessary correction has been made in proposed revised SOR.

2. A joint hearing in this case was held on 19 July 2019 at the DPT premises. The DPT made a brief Power Point presentation of its proposal. At the joint hearing, the DPT and the concerned users/ user organizations have made the following submissions:

Deendayal Port Trust (DPT)

(i). Briefly explain the proposal. We have not sought increase in VRC, storage fees, demurrage and miscellaneous charges.

(ii). We proposed to merge on-board labour charges and shore labour charges with wharfage rates of respective commodities.

(iii). We have introduced new levy towards lighterage at OTB and Anchorage. We have also introduced weigh bridge charges for loading of cargo in wagons.

(iv). If shore crane is used in non-crane berth, 190% of the non-crane berth hire charges shall be levied.

(v). Per ton rate for cargo handled by 120 Ton HMC is proposed rather than linking the rate to performance standard, with 10% increase in base ceiling rate for each cargo.

(vi). We have removed the pet coke from the "Food grains, Met coke, Pet coke" category and added to the cargo category of "other bulk cargo" since productivity of "Pet coke" is similar to "other bulk cargo".

(vii). Port dues and Pilotage charges for Tuna Tekra will be at par with the Kandla rates.

(viii). Increase in wharfage charges are in the range of 2% to 20%.

(ix). Our ARR is ₹1,10,786.19 lakhs. Revenue at the proposed rates will be ₹1,10,610.69 lakhs. This leaves a revenue gap of ₹175.50 lakhs.

(x), We request TAMP to approve the proposed Scale of Rates.

Vadinar Oil Terminal Limited (VOTL)
Nayara Energy

(i). We handle 30% traffic of DPT.

(ii). The Scale of Rates was last revised in August 2016. WPI indexation is also applied every year. There is no rationale to increase wharfage for POL product by 12%. It will have an annual impact of ₹4 crores.

(iii). Tariff Guidelines, 2018 is for considering average expenditure for 3 years, 16% return on capital investment, working capital and CWIP. There has been no increase in investment and operating expenditure at Vadinar. Even then, 12%

increase is proposed for POL wharfage in addition to year on year increase due to indexation. Please maintain existing rates for Vadinar.

(iv). Different rate for same commodity handled at different facility is not justified. We have already represented to Ministry in this regard. We again put our request on record that different rate for handling crude at jetty is not justified.

Rishi Shipping

(i). We have two objections. One is the condition that all users handling Fertilizers at DPT at jetty no.1 to 10 should use the automated bagging and rake loading facility mandatorily. About 3 Million Tonnes fertilizer is imported in DPT. About 4 lakh ton has to be stored in port warehouses. But storage capacity is only 1.5 lakh ton. Unless port gives storage facility for 4 lakh quantity, don't make the usage of the facility mandatory. Packing and despatch of cargo is based on user requirement. At times, cargo has to stay for longer period. We should have discretion as to decide which cargo should be inside for bagging and where the cargo should go outside after bagging. Secondly, coal dust pollutes the fertilizer cargo.

Kandla Stevedores Association Limited (KSAL)

(i). We compliment the port for not increasing the rates and merging the stevedoring rates with wharfage.

(ii). For lighterage dues at OTB/ Anchorage [clause 3.1c], the unit of levy for foreign vessel may be corrected as US $ instead of ₹. It is a clerical error.

(iii). In the Schedule of wharfage, some cargoes have been classified incorrectly, in bulk and break bulk category. Suitable corrections may be carried out prior to finalization of the Schedule. We are giving the wharfage schedule highlighting the correction.

(iv). Charges shown for foreign cargo and coastal cargo handled by 120T HMC has got inter changed. Please correct it.

(v). When 60T HMC or 120T HMC is supplied by port and not used by user, a charge of ₹50,000 is proposed to be levied. This amount should not be charged when the vessel does not berth for whatever reasons and loading/ unloading operations cannot be carried out.

(vi). Berth hire charges for non-crane berth have been proposed. When shore cranes are used, 190% berth hire charges are proposed to be levied. In case, a vessel working with ship crane is required to use shore crane of DPT for partial period due to break down of ship crane or for any other reason, shore crane berth hire charges should be levied proportionately for the number of hours shore cranes was used.

(vii). For shut out cargo, 50% of wharfage rate may be levied and not 100%.
(viii). The Scale of Rates may be given prospective effect and not retrospective effect.

Kandla Port Steamship Agent's Association

(i). We thank the port for not increasing vessel related charges. However, due to US $ appreciation and indexation of tariff there is 20% increase in vessel related charges. We are not able to compete in the market. Please reduce vessel related charges.

(ii). The existing provision states that berth hire shall stop 4 hours after the time of the vessel signaling its readiness to sail. The time limit prescribed for cessation of berth hire shall exclude the ship's waiting time for want of favourable tidal condition on account of inclement weather or due to absence of night navigation facilities. In spite of this provision, port is charging berth hire after 4 hours after the time of the vessel signaling its readiness to sail when the vessel could not said due to weather condition. Berth hire should stop 4 hours after the time of the vessel signaling its readiness to sail irrespective of any factors excepting due to defect of vessel. Port should not charge if the reason for overstayal is attributable to the port.

(iii). We have given a list of corrections/ additions in the proposed Scale of Rates covering VRC issues.
[The KPSAA has furnished a copy of its letter dated 17 July 2019 addressed to Chairman, DPT. DPT agrees to examine the corrections/ additions suggested by KPSAA.]

Indian Farmers Fertilizer Co-operative Ltd. (IFFCO)

(i). Port has proposed lighterage charges at OTB/ Anchorage which discharge full cargo at OTB/ Anchorage. As per the Agreement entered between DPT and IFFCO, no lighterage charges for vessels discharging cargo for IFFCO is provided. Therefore, such charges should not be made applicable for IFFCO vessels discharging full cargo at OTB.

(ii). The increase in wharfage for Fertilizers is on account of notional labour gang charges loaded for the users of the port. IFFCO cargo was never charged with notional labour gang charges and it was exempted. IFFCO cargo discharged at OTB should be exempted from additional notional gang charge.
[Rishi Shipping: We are Fertilizer handling agents for IFFCO. IFFCO should be excluded from lighterage charges and notional gang labour charges.]

Adani Kandla Bulk Terminal Ltd. (AKBTL)

(i). We acknowledge and thank the DPT for making the vessel related charges of Kandla Division applicable for the vessels visiting our terminal at Tuna. We assure DPT that there will be phenomenal increase in volume of cargo at our terminal on account of this measure. In the VRC schedule, a line may be added that it will be applicable for our terminal at Tuna.

Chairman, DPT:We thank the Trade for active participation in the joint hearing proceedings and constructive suggestion. There must be a fine balance between interest of DPT and Trade. We will try to accommodate the suggestions as far as possible and recommend to TAMP. We request TAMP to consider our recommendations.

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