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# TARIFF AUTHORITY FOR MAJOR PORTS

G **No. 154** **New Delhi,** **19 May 2014**

## NOTIFICATION

In exercise of the powers conferred under Section 48 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby disposes the proposal received from M/s. Dakshin Bharat Gateway Terminal Private Limited for notification of Scale of Rates for Container Terminal at Berth No.8 at V.O. Chidambaranar Port Trust as in the Order appended hereto.

**(T.S. Balasubramanian)**
Member (Finance)

## TARIFF AUTHORITY FOR MAJOR PORTS
**Case No. TAMP/7/2014-VOCPT**

**M/s. Dakshin Bharat Gateway Terminal Private Limited … Applicant**

**QUORUM:**

(i). Shri. T.S. Balasubramanian, Member (Finance)
(ii). Shri. Chandra Bhan Singh, Member (Economic)

## O R D E R
(Passed on 14th day of February 2014)

This case relates to the proposal received from M/s. Dakshin Bharat Gateway Terminal Private Limited for notification of Scale of Rates for Container Terminal at Berth No.8 at V.O. Chidambaranar Port Trust.

2.1. M/s. Dakshin Bharat Gateway Terminal Private Limited (DBGTPL) vide its letter no.DBGT/TAMP/2014/01 dated 7 January 2014 has requested this Authority to notify its Scale of Rates. The main points made by DBGTPL in its letter are summarized below:

(i). DBGTPL is the concessionaire for conversion of 8th berth as a Container Terminal on Build, Operate and Transfer (BOT) basis at V.O.Chidambaranar Port Trust (VOCPT).

(ii). The tariff setting for the said project was undertaken vide case No.TAMP/34/2008-TPT dated 16 October 2008. DBGTPL has furnished copy of draft proposed Scale of Rates for the project.

(iii). The project is expected to be commissioned in January 2014.

2.2. The DBGTPL vide its above referred letter has requested this Authority to notify its Scale of Rates (SoR) in the Gazette of India.

3.1. The proposal of DBGTPL did not indicate the expected date of commencement of operations. The DBGTPL was, therefore vide our letter dated 16 January 2014 requested to indicate the expected date of commencement of its operation at Berth No.8.

3.2. In response, the DBGTPL vide its email dated 20 January 2014 has informed that it expects to commence the operations by 26 January 2014.

4. A copy of DBGTPL's letter dated 7 January 2014 was forwarded to the VOCPT vide our letter dated 16 January 2014 with a request to ascertain the date of commencement from the operator and also furnish its comments on its proposal of DBGTPL. The VOCPT vide its letter dated 30 January 2014 has furnished its response which is summarized below:

(i). The Draft SOR submitted by M/s. Dakshin Bharat Gateway Terminal Private Ltd., in respect of berth no.8 at V.O. Chidambaranar Port Trust as per clause no 2.9.1 of the Tariff guidelines of 2008 is verified by the VOCPT with the relevant Scale of Rates approved by the Authority vide Order dated 16 October 2008. The escalation factor of 26.15% has been applied on the base upfront tariff for container terminal fixed in 2008.

(ii). VOCPT has suggested changes in schedule of rates rounding off the rates to two decimals for 20’ and above 40’ containers and also for coastal rates. The revised SOR incorporating above changes is enclosed by the port along with its letter dated 30 January 2014.

(iii). Expected date of commencement of operation of M/s. Dakshin Bharat Gateway Terminal Private Ltd. has been sought from the operator and on receipt of information the same will be intimated to TAMP.

5. As per the Concession Agreement, the VOCPT has awarded the project of Conversion of $8^{th}$ berth as a Container Terminal on BOT basis at V.O. Chidambaranar Port to M/s.Dakshin Bharat Gateway Terminal Private Limited (DBGTPL). The Concession Agreement with VOCPT has been signed on 4 September 2012 and the agreement is valid for a period of 30 years from the date of award of concession.

6.1. As per Clause 2.9.1. of the Tariff Guidelines of 2008 for fixation of upfront tariff, the private operator shall approach this Authority for notification of Scale of Rates containing ceiling rates applicable to his operations before commencement of commercial operations as required under Section 48 of the Major Port Trusts (MPT) Act and as per Clause 2.9.2. of tariff guidelines of 2008, the Scale of Rates to be framed by this Authority shall be in line with the tariff caps prescribed for the port and included in the bid document subject to indexation explained in Clause 2.8. Such Scale of Rates and statement of conditions shall be notified by this Authority in the Gazette of India as required by the Major Port Trusts Act, 1963.

6.2. As per clause 2.8 of guidelines for upfront tariff setting for PPP Projects at Major Ports, 2008, the Tariff Caps are to be indexed to inflation but only to an extent of 60% of the variation in Wholesale Price Index (WPI) occurring between 1 January 2008 and 1 January of the relevant year, and the adjusted tariff will come into force from 1 April of the relevant year to 31 March of the following year.

6.3. The base year for the upfront tariff and the corresponding annual escalation with effect from 1 April 2013 were already communicated to all the Major Port Trusts including VOCPT vide our letter No.TAMP/12/2009-Misc. dated 2 April 2013.

6.4. As per paragraph 13.1. of the upfront tariff Order dated 16 October 2008 fixing upfront tariff for the facility in reference, tariff caps have to be indexed to inflation to an extent of 60% of the variation in the WPI occurring between 1 January 2008 and 1 January of the relevant year. Accordingly, the escalation factor to be applied in the case in reference is 26.15% as per our letter dated 2 April 2013 read with para 13.1. of the upfront tariff Order dated 16 October 2008.

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

(i). This Authority has passed an Order No.TAMP/34/2008-TPT dated 16 October 2008 fixing upfront tariff based on the proposal filed by the V.O. Chidambaranar Port Trust (VOCPT) for fixation of upfront tariff for conversion of $8^{th}$ berth as a container terminal on BOT basis at V.O. Chidambaranar Port Trust which was notified in the Gazette of India on 12 November 2008 vide Gazette No.191. The VOCPT has awarded the project of conversion of $8^{th}$ berth as a Container Terminal at berth No.8 on BOT basis at VOCPT to M/s. Dakshin Bharat Gateway Terminal Private Limited (DBGTPL) and entered into a Concession Agreement on 4 September 2012 for a period of 30 years.

(ii). As brought out earlier, Clause 2.9.1. of the Tariff Guidelines of 2008 for fixation of upfront tariff requires the private operator to approach this Authority for notification of the Scale of Rates containing ceiling rates applicable to his operations before commencement of commercial operations. Accordingly, the DBGTPL has approached this Authority with a request to notify the Scale of Rates as required under the Tariff Guidelines of 2008.

(iii). As reported by the DBGTPL, the operator expects to commence commercial operations by 26 January 2014, though the VOCPT is yet to communicate the date of commencement of operation by DGBTPL. Since the operator DBGTPL has already indicated the expected date of commencement of its operating and recognizing that the VOCPT has also sought this information from the operator it is not unreasonable to rely on the position reported by the DBGTPL. This Authority is, therefore, inclined to entertain the proposal of DBGTPL for notification of the Scale of Rates approved in October 2008 subject to adjustment with reference to the indexation of the rates so approved to WPI to the extent of 60%.

(iv). As per Clause 2.9.2. of the Tariff Guidelines of 2008, the Scale of Rates to be framed by this Authority for the private operator as per Clause 2.9.1 should be in line with the tariff caps prescribed for the Port and included in the bid document, subject to indexation as explained earlier. Article 8.1 of the Concession Agreement (C.A.) entered between the VOCPT and DBGTPL governs the levy of the tariff at container terminal at berth No.8 as per the Concession Agreement. As per Article 8.1 of the License Agreement, the Concessionaire i.e. DBGTPL shall be entitled to recover Tariff from the users of the Project Facilities and Services as per the Tariff Notification annexed as Appendix-12. It is seen that Appendix - 12 is the Upfront Tariff approved by this Authority vide Order No.TAMP/34/2008-TPT dated 16 October 2008.

(v). With reference to the indexation of the upfront tariff fixed vide Order dated 16 October 2008 as required under Clause 2.8. of the 2008 Guidelines, an escalation factor of 26.15% is applied on the tariff caps notified in November 2008. The DBGTPL has drawn up the draft proposed SOR applying the escalation factor of 26.15% on the tariff caps notified in November 2008, along with the conditionalities governing the application of rates as prescribed in the said tariff Order. The indexed upfront tariff determined by DBGTPL, is generally found to be in order except for the fact that DBGTPL has rounded off the indexed tariff to the nearest rupee. In the SOR approved by this Authority the indexed tariff is prescribed upto two decimals without rounding off. It is only the tariff items notified vide Order of November 2008 that have been subjected to change in view of the application of applicable escalation factor.

(vi). For the subsequent years as well, the indexation to the extent of 60% of the WPI occurring between 1 January 2008 and January of the relevant year has to be applied with reference to the tariff approved vide Order no.TAMP/34/2008-TPT dated 16 October 2008 and not with reference to the indexed Scale of Rates approved in this Order.

It is, however, relevant to mention that a general note regarding indexation of the tariff caps is not mentioned as a separate note in the upfront tariff Schedule prescribed in the October 2008 Order. Paragraph 13.1. of the Order dated 16 October 2008 clearly indicates that tariff caps will be indexed to inflation but only to an extent of 60% of the variation in the Wholesale Price Index (WPI) occurring between 1 January 2008 and 1 January of the relevant year. Further, such automatic adjustment of tariff caps will be made every year and the adjusted tariff caps will come into force from 1 April of the relevant year to 31 March of the following year is also indicated in the said paragraph 13.1 of the October 2008 Order.

Considering that the indexation of the tariff caps is indicated in the paragraph 13.1 of the October 2008 and also considering that a General Note is prescribed in the upfront tariff schedule of other major port trusts, the following General note to Schedule (2) & (3) is, therefore, incorporated under Schedule 4 of the Scale of Rates approved for DBGTPL in line with the prescription in the Scale of Rates of the BOT operators governed under 2008 tariff guidelines:

**“4. GENERAL NOTE TO SCHEDULE (2) & (3) ABOVE:**

The tariff caps prescribed in the Scale of Rates of Dakshin Bharat Gateway Terminal Private Limited takes into consideration the upfront tariff approved by this Authority vide Order No.TAMP/34/2008-TPT dated 16 October 2008 and applying indexation to the extent of 60% of the variation in Wholesale Price Index (WPI) occurring between 1 January

2008 and 1 January of the relevant year. For the subsequent years as well, upfront tariff approved in the Order No.TAMP/34/2008-TPT dated 16 October 2008 will be indexed to inflation but only to an extent of 60% of the variation in Wholesale Price Index (WPI) occurring between 1 January 2008 and 1 January of the relevant year. Such automatic adjustment of tariff caps will be made every year and the adjusted tariff caps will come into force from 1 April of the relevant year to 31 March of the following year."

(vii). (a). The DBGTPL has, in its draft Scale of Rates, proposed to amend note (iii)(d) under Schedule 1.2 for General Terms & Conditions vis-à-vis the prescription in the upfront tariff Order of 16 October 2008. The modified note (iii) (d) under Schedule 1.2 proposed by DBGTPL is as follows:

"(d) The delay in payment by the users will be counted beyond 20 days from the date of completion of services or on the production of the documents required from the users, whichever is later."

(b). Note (iii) (d) under Schedule 1.2 approved by this Authority in the Scale of Rates for container terminal at berth no.8 at VOCPT vide Order No.TAMP/34/2008-TPT dated 16 October 2008 is as follows:

"(d). The delay in payments by the users will be counted beyond 10 days after the date of raising the bills by the Terminal Operator. This provision shall, however, not apply to the cases where payment is to be made before availing the services as stipulated in the Major Port Trusts Act, 1963 and/or where payment of charges in advance is prescribed in this Scale of Rates."

(c). The DBGTPL has not furnished any clarification/ justification for the proposed amendment to note (iii) (d) of Schedule 1.2 relating to interest for delayed payments/ refunds under General Terms & Conditions of the Scale of Rates approved by this Authority vide Order dated 16 October 2008.

It is relevant to mention that the note (iii) (d) relating to interest on delayed payments prescribed in the October 2008 Order is in line with the prescription in clause 2.18.3. of the 2005 tariff guidelines. Moreover, the said note has been uniformly prescribed in the Scale of Rates approved for all the Major Port Trusts and BOT operators including the BOT operators governed under 2008 guidelines. Hence there is no justification for any deviation in this case. The existing note (iii)(d) under Schedule 1.2 prescribed in the SOR attached to the Order dated 16 October 2008 is retained in the SOR approved for DBGTPL.

(viii). All the other conditionalities governing the application of the rates as approved in the Scale of Rates of the Order dated 16 October 2008 are retained as proposed by the DBGTPL also.

(ix). As per clause 3.8.5 of the 2008 guidelines, if any question arises requiring clarifications or interpretation of the Scale of Rates and the statement of conditions, the matter shall be referred to this Authority and its decision in this regard will be binding on the operator.

(x). The DBGTPL is expected to perform at least at the performance norms brought out in the bid documents / concession agreement. The actual performance of the DBGTPL will be monitored by this Authority. If any complaint regarding quality of service is received, this Authority may enquire into such allegation and forward its findings to the V.O. Chidambaranar Port Trust. If any action is to be taken against the DBGTPL, the V.O. Chidambaranar Port Trust shall initiate appropriate action in accordance with the provisions of the Concession Agreement.

(xi). During the commercial operation at the terminal, within 15 days from the end of every quarter, the DBGTPL is directed to submit to this Authority through the V.O. Chidambaranar Port Trust a report containing the physical and financial performance at berth No.8 during the preceding three months.

7.2. In the result, and for the reasons given above and based on collective application of mind, this Authority approves the Scale of Rates for container terminal at Berth No.8 at VOCPT to be operated by the DBGTPL attached as **Annex**.

7.3. The Scale of Rates notified for DBGTPL will come into force from the date of commencement of commercial operations by DBGTPL at VOCPT.

**(T.S. Balasubramanian)**
Member (Finance)

**ANNEX**

**DAKSHIN BHARAT GATEWAY TERMINAL PRIVATE LIMITED**
**SCALE OF RATES**

## 1.1. DEFINITIONS

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

(i). **"Coastal Vessel"** shall mean any vessel exclusively employed in trading between any Terminal or place in India to any other Port or place in India having a valid coastal license issued by the competent authority.

(ii). **"Container"** shall mean the standard ISO container, suitable for the transport and stacking of cargo and must be capable of being handled as a unit and lifted by a crane with a container spreader.

(iii). **"Demurrage"** shall mean charges payable for storage of cargo in transit area within the Terminal premises beyond free period, as specified in the Scale of Rates.

(iv). "**Foreign-going Vessel**" shall mean any vessel other than a coastal vessel.

(v). **"Free period"** shall mean the period during which cargo/container is allowed storage free of demurrage charges/ground rent and this period shall exclude Customs notified holidays and Terminal's non-operating days.

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

(vii). "**Hazardous container**" shall mean a container containing hazardous goods as classified under International Maritime Organisation (IMO.)

(viii). "**ICD**" shall mean Inland Container Depot.

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

(x). "**Over Dimensional Container**" shall mean a container carrying over dimensional cargo beyond the normal size of standard containers and needing special devices like slings, shackles, lifting beam, etc. Damaged Containers (including boxes having corner casting problem) and Container requiring special devices for lifting is also classified as Over Dimensional Container.

(xi). "**Port"** shall mean V.O. Chidambaranar Port Trust.

(xii). **"Per day**" shall mean a calendar day or part thereof.

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

(xiv). "**Shut Out Container**" shall mean a container, which enters into the Terminal as an export intake for a particular vessel as indicated by the Vessel Identification Advice No.(VIAN) Container Advance Information List (COPRAR) and is not shipped into the particular vessel for reasons whatsoever.

(xv). **Transhipment container**" shall mean any container, which is discharged from one vessel stored in the container Terminal and shipped through another vessel for other port.

## 1.2. GENERAL TERMS & CONDITIONS

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

(ii). (a). A foreign going vessel of Indian Flag having a General Trading Licence can convert to Coastal run on the basis of a Customs Conversion Order.

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

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

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

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

(iii). Interest on delayed payments/refunds.

(a). The user shall pay penal interest on delayed payments of any charge under this Scale of Rates. The rate of interest will be at 2% above the Prime Lending Rate of State Bank of India.

(b). Like wise, the Terminal operator shall pay penal interest on delayed refunds. The rate of interest will be at 2% above the Prime Lending Rate of State Bank of India.

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

(d). The delay in payments by the users will be counted beyond 10 days after the date of raising the bills by the Terminal Operator. This provision shall, however, not apply to the cases where payment is to be made before availing the services as stipulated in the Major Port Trusts Act, 1963 and/or where payment of charges in advance is prescribed in this Scale of Rates.

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

(v). No claims for refund shall be entertained unless the amount refundable is ₹100/- or more. Likewise, Terminal Operator shall not raise any supplementary or under charge bills, if the amount due to Terminal is ₹100/- or less.

(vi). Containers less than and up to 20' in length will be reckoned as one TEU for the purpose of tariff.

(vii). An LCL Container coming in and going out of the Terminal as a unit load will be regarded as an FCL for the purpose of levying charges.

(viii). Users shall not be required to pay charges for delays beyond a reasonable level attributable to the Terminal.

(ix). In case a vessel idles due to breakdown or non-availability of the shore based facilities of Terminal Operator or any other reasons attributable to Terminal Operator, rebate equivalent to berth hire charges payable to the V.O. Chidambaranar Port Trust accrued during the period of idling of vessel shall be allowed by Terminal Operator.

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

(b). The concession will be on all the relevant charges for ship-shore transfer, and transfer from / to quay to / from storage yard as well as wharfage on cargo and containers.

(c). A container from a foreign port landing at VOCPT Berth No. 8 Container Terminal for subsequent transhipment to an Indian port on a coastal voyage or vice versa would be charged at 50% of the transhipment charge prescribed for foreign going vessel and 50% of that prescribed for the coastal category.

(xi). (a). The rates prescribed in this Scale of Rates are ceiling levels; likewise, rebates and discounts are floor levels. The Terminal Operator may, if it so desire, charge lower rates and/ or allow higher rebates and discounts.

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

## CHAPTER-II

## CHARGES FOR CONTAINER OPERATIONS

### 2.1. Charges for normal and reefer containers.

**Note:** The consolidated container handling charges prescribed in Schedule 2.1(A)(i), 2.2, 2.3(A)(i), 2.4(A)(i) include the following elements, viz., stevedoring, handling by quay crane, lashing and unlashing, stowage planning, wharfage on containers and containerized cargo and charges for all other miscellaneous services not specifically prescribed in the Scale of Rates.

**2.1.A. (i). Handling by Quay Crane including lashing/ unlashing**

| Sr. No. | Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20’ in length | Container exceeding 20’ but up to 40’ in length | Container exceeding 40’ in length | Container not exceeding 20’ in length | Container exceeding 20’ but up to 40’ in length | Container exceeding 40’ in length |
| (i). | Loaded Container | 1861.97 | 2792.96 | 3723.95 | 1117.18 | 1675.78 | 2234.37 |
| (ii). | Empty Container | 1861.97 | 2792.96 | 3723.95 | 1117.18 | 1675.78 | 2234.37 |

**2.1.A. (ii). Transportation from QC to Yard & Vice Versa and Handling at Container Yard including lift on/lift off and Delivery/ Receipt to and from Customers.**

| Sr. No. | Particulars | Foreign-Going in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | Loaded Container | 1086.15 | 1629.23 | 2172.30 | 651.69 | 977.54 | 1303.38 |
| (ii). | Empty Container | 775.82 | 1163.73 | 1551.65 | 465.49 | 698.24 | 930.99 |

**2.1.B. Yard to CFS/CFS to yard - Transport and lifts at CFS**

| Sr. No. | Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | Loaded Container | 1293.04 | 1939.56 | 2586.08 | 1293.04 | 1939.56 | 2586.08 |
| (ii). | Empty Container | 1293.04 | 1939.56 | 2586.08 | 1293.04 | 1939.56 | 2586.08 |

**2.1.C. Yard to Truck/ Truck to Yard - For Direct Delivery**

| Sr. No. | Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | Loaded Container | 387.91 | 581.87 | 775.82 | 387.91 | 581.87 | 775.82 |
| (ii). | Empty Container | 387.91 | 581.87 | 775.82 | 387.91 | 581.87 | 775.82 |

**Note:** Normal containers are the general type containers, not falling under any special categories mentioned in subsequent schedules.

**2. 2. <u>Charges for Transhipment containers.</u>**

| Sr. No. | Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | Loaded Container | 2792.96 | 4189.44 | 5585.92 | 1675.78 | 2513.67 | 3351.55 |
| (ii). | Empty Container | 2792.96 | 4189.44 | 5585.92 | 1675.78 | 2513.67 | 3351.55 |

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

### 2.3. <u>Charges for Hazardous containers.</u>

**2.3 A. (i). Handling by Quay Crane including lashing/ unlashing**

| Sr. No. | Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | Loaded Container | 2327.47 | 3491.20 | 4654.94 | 1396.48 | 2094.72 | 2792.96 |

**2.3.A. (ii). Transportation from QC to Yard & Vice Versa and Handling at Container Yard including Lift On/Lift Off and Delivery Receipt to and from Customers.**

| Sr. No. | Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | Loaded Container | 1357.69 | 2036.57 | 2715.38 | 814.61 | 1221.95 | 1629.23 |

**2.3.B. Yard to CFS /CFS to yard– Transport and lifts at CFS**

| Sr. No. | Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | Loaded Container | 1616.30 | 2424.48 | 3232.59 | 1616.30 | 2424.48 | 3232.59 |

**2.3.C. Yard to Truck/ Truck to Yard - For Direct Delivery**

| Sr. No. | Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | Loaded Container | 484.92 | 727.38 | 969.84 | 484.92 | 727.38 | 969.84 |

### 2.4. <u>Charges for Over Dimensional Cargo Containers.</u>

**2.4. A. (i). Handling by Quay Crane including lashing/ unlashing**

| Sr. No. | Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | Loaded | 2327.47 | 3491.20 | 4654.94 | 1396.48 | 2094.72 | 2792.96 |
| (ii). | Empty | 2327.47 | 3491.20 | 4654.94 | 1396.48 | 2094.72 | 2792.96 |

**2.4.A. (ii). Transportation from QC to Yard & Vice Versa and Handling at Container Yard including Lift On/L Off and Delivery/ Receipt to and from Customers.**

| Sr. No. | Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | Loaded | 1357.69 | 2036.57 | 2715.38 | 814.61 | 1221.95 | 1629.23 |
| (ii). | Empty | 969.78 | 1454.64 | 1939.56 | 581.87 | 872.83 | 1163.73 |

**2.4.B. Yard to CFS /CFS to Yard- Transport and lifts at CFS.**

| Sr. No. | Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | Loaded | 1616.30 | 2424.48 | 3232.59 | 1616.30 | 2424.48 | 3232.59 |
| (ii). | Empty | 1616.30 | 2424.48 | 3232.59 | 1616.30 | 2424.48 | 3232.59 |

**2.4.C. Yard to Truck/ Truck to Yard - For Direct Delivery**

| Sr. No. | Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | Loaded | 484.92 | 727.38 | 969.84 | 484.92 | 727.38 | 969.84 |
| (ii). | Empty | 484.92 | 727.38 | 969.84 | 484.92 | 727.38 | 969.84 |

**2.5. <u>Rebates</u>:**

Rebates as follows shall be applicable to users for carrying out various operations with their own arrangements, with the prior written permission of the Terminal Operator when the equipment of the Terminal Operator are not available for some reasons.

| Sr. No. | Description | Foreign Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (a). | If the ship's gears are used for loading / unloading containers from ship to shore or vice versa. | 908.28 | 1362.42 | 1816.56 | 544.97 | 817.45 | 1089.94 |
| (b). | If the Terminal user deploys his own tractor trailer for transporting containers from quay to container yard or container yard to quay. | 189.23 | 283.84 | 378.45 | 113.54 | 170.30 | 227.07 |

| Sr. No. | Description | Foreign Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20’ in length | Container not exceeding 20’ in length | Container exceeding 20’ but up to 40’ in length | Container exceeding 40’ in length | Container exceeding 20’ but up to 40’ in length | Container exceeding 40’ in length |
| (c). | If the Terminal user deploys his own equipment for lifting containers from the container yard to truck and vice versa. | 189.23 | 283.84 | 378.45 | 189.23 | 283.84 | 378.45 |
| (d). | If the Terminal user provides labour for lashing/unlashing operation to container. | 90.83 | 136.24 | 181.66 | 54.50 | 81.75 | 108.99 |

**Notes:**

(1). No rebate will be admissible for back to town containers handled by private equipment.

(2). In case of Sr. No. (d), above rebate shall be limited to the number of containers actually lashed.

**2.6. <u>Charges for handling Hatch Covers of vessels</u>**

| Sr. No. | Particulars | Foreign Going (in ₹) | Coastal (in ₹) |
|---|---|---|---|
| (i). | When placing the hatch cover on the quay | 2384.24 | 1430.54 |
| (ii). | Without placing the hatch cover on the quay | 956.22 | 573.73 |

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

**2.7. <u>Charges for shifting containers within vessel (Restows)</u>**

**(A). Shifting within hatch (without landing and reshipping)**

| Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|
| | Container not exceeding 20’ in length | Container exceeding 20’ but up to 40’ in length | Container exceeding 40’ in length | Container not exceeding 20’ in length | Container exceeding 20’ but up to 40’ in length | Container exceeding 40’ in length |
| Loaded & Empty | 801.05 | 1201.58 | 1602.11 | 480.63 | 720.95 | 961.26 |

**(B). Shifting via quay (shifting by landing on quay and reshipping)**

| Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|
| | Container not exceeding 20’ in length | Container exceeding 20’ but up to 40’ in length | Container exceeding 40’ in length | Container not exceeding 20’ in length | Container exceeding 20’ but up to 40’ in length | Container exceeding 40’ in length |
| Loaded & Empty | 2661.77 | 3992.65 | 5323.53 | 1597.06 | 2395.59 | 3194.12 |

### 2.8. Charges for Shut Out containers.

| Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|
| | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| Loaded & Empty | 1454.64 | 2181.95 | 2909.27 | 1454.64 | 2181.95 | 2909.27 |

**Notes:**

(1). Above charges shall apply where an export container or transshipment container is shut out and delivered out of the Terminal.

(2). In this case, the free storage period will be given to the container in accordance with section 2.10. from the time the container is first received. If the free storage period is exceeded, storage charges shall be calculated after the expiry of the free period up to the time of lift on.

### 2.9. Charges for General services applicable to Reefer containers.

| Sr. No. | Particulars | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
|---|---|---|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | Pre-trip inspection (including supply of electricity) | 1745.92 | 1745.92 | 1745.92 | 1745.92 | 1745.92 | 1745.92 |
| (ii). | Connection or disconnection Services On board a Vessel | 116.06 | 116.06 | 116.06 | 116.06 | 116.06 | 116.06 |
| (iii). | Cleaning of Container | 90.83 | 181.66 | 272.48 | 90.83 | 181.66 | 272.48 |
| (iv). | Supply of electricity (including connection and disconnection, monitoring of temperature at reefer yard) Per container per 4 hours or part thereof | 187.96 | 281.95 | 563.89 | 187.96 | 281.95 | 563.89 |

**Notes**:

(1). The tariff prescribed above does not include parameter setting or repair & maintenance of malfunctioning reefers.

(2). The charges prescribed in the schedule above are also applicable to restow reefer containers.

(3). Pre-trip inspection of the reefer containers, connection or disconnection services on board the vessel and cleaning of containers are optional services and shall be rendered when requested.

(4). Pre-trip inspection of the reefer containers and connection or disconnection services on board the vessels will be uniform irrespective of the length of the containers.

2.10. <u>Dwell time charges.</u>

2.10.A. **Loaded Import containers**

| Sr. No. | Particulars | Rate per container per day or part thereof | | | | | |
|---|---|---|---|---|---|---|---|
| | | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | First 2 Days | Free | Free | Free | Free | Free | Free |
| (ii). | 3 Days to 7 Days | 182.92 | 365.84 | 548.75 | 182.92 | 365.84 | 548.75 |
| (iii). | 8 Days to 15 Days | 365.84 | 731.67 | 1097.51 | 365.84 | 731.67 | 1097.51 |
| (iv). | Thereafter | 731.67 | 1463.34 | 2195.01 | 731.67 | 1463.34 | 2195.01 |

2.10.B. **Loaded Export containers**

| Sr. No. | Particulars | Rate per container per day or part thereof | | | | | |
|---|---|---|---|---|---|---|---|
| | | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | First 4 Days | Free | Free | Free | Free | Free | Free |
| (ii). | 5 Days to 7 Days | 182.92 | 365.84 | 548.75 | 182.92 | 365.84 | 548.75 |
| (iii). | 8 Days to 15 Days | 365.84 | 731.67 | 1097.51 | 365.84 | 731.67 | 1097.51 |
| (iv). | Thereafter | 731.67 | 1463.34 | 2195.01 | 731.67 | 1463.34 | 2195.01 |

2.10.C. **Empty Import or Export containers**

| Sr. No. | Particulars | Rate per container per day or part thereof | | | | | |
|---|---|---|---|---|---|---|---|
| | | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | First 2 Days | Free | Free | Free | Free | Free | Free |
| (ii). | 3 Days to 7 Days | 182.92 | 365.84 | 548.75 | 182.92 | 365.84 | 548.75 |
| (iii). | 8 Days to 15 Days | 365.84 | 731.67 | 1097.51 | 365.84 | 731.67 | 1097.51 |
| (iv). | Thereafter | 731.67 | 1463.34 | 2195.01 | 731.67 | 1463.34 | 2195.01 |

2.10.D. **Transhipment loaded/ empty Containers**

| Sr. No. | Particulars | Rate per container per day or part thereof | | | | | |
|---|---|---|---|---|---|---|---|
| | | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up up to 40' in length | Container exceeding 40' in length |
| (i). | First 15 Days | Free | Free | Free | Free | Free | Free |
| (ii). | 16 Days to 30 Days | 182.92 | 365.84 | 548.75 | 182.92 | 365.84 | 548.75 |
| (iii). | Thereafter | 365.84 | 731.67 | 1097.51 | 365.84 | 731.67 | 1097.51 |

### 2.10.E. Shutout loaded & empty containers

| Sr. No. | Particulars | Rate per container per day or part thereof | | | | | |
|---|---|---|---|---|---|---|---|
| | | Foreign-Going (in ₹) | | | Coastal (in ₹) | | |
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | First 15 Days | 182.92 | 365.84 | 548.75 | 182.92 | 365.84 | 548.75 |
| (ii). | 16 Days to 30 Days | 365.84 | 731.67 | 1097.51 | 365.84 | 731.67 | 1097.51 |
| (iii). | Thereafter | 731.67 | 1463.34 | 2195.01 | 731.67 | 1463.34 | 2195.01 |

**Notes:**

(1). Free dwell-time (storage) period for import containers shall commence from the day after the day of landing of the container and for export containers the free period shall commence from the time container enters the terminal.

(2). For the purpose of calculation of free time, Custom notified holidays and Terminal's non operating days shall be excluded.

(3). Transhipment containers whose status is subsequently changed to local FCL/LCL/ICD shall lose the Concessional storage charges. The storage charges for such containers shall be recovered at par with the relevant import containers storage tariff.

(4). Transhipment containers subsequently changing the mode of dispatch to rail shall be treated as other ICD containers for the purpose of levy of storage fees. In such cases additional shifting charges will be applicable for movement of containers from container yard to ICD yard.

(5). The users will not have to pay storage charges for the period during which the Terminal operator is not in a position to deliver/ shift the containers when requested by the users.

(6). Normal import containers subsequently changing the mode of dispatch to rail will enjoy the free period applicable to normal import containers only.

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

(8). (i). Dwell time charges for Hazardous containers shall attract 1.25 times the normal applicable charges.

(ii). For Over Dimensional Containers, storage charge shall be based on actual number of ground slots the respective container occupies under the respective slab as given above.

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

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

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

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

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

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

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

## CHAPTER-III

### 3.1. Charges for miscellaneous services

| Sr. No. | Particulars | Rate (in ₹) | | |
|---|---|---|---|---|
| | | Container not exceeding 20' in length | Container exceeding 20' but up to 40' in length | Container exceeding 40' in length |
| (i). | Fixing/removal of seal | 252.30 | 252.30 | 252.30 |
| (ii). | Lift on/lift off in the CY | 819.98 | 1229.96 | 1639.95 |
| (iii). | Charges for shifting within the Terminal | 1009.20 | 1513.80 | 2018.40 |
| (iv). | Shifting of containers within the Terminal for customs inspection | 1135.35 | 1703.03 | 2270.70 |
| (v). | Stacking of containers in the designated yard for customs examination | 346.91 | 510.91 | 681.21 |
| (vi). | Direct loading | 630.75 | 946.13 | 946.13 |
| (vii). | Reshuffling | 1072.28 | 1608.41 | 1608.41 |
| (viii). | Change of shipment status | 693.83 | 1040.74 | 1040.74 |
| (ix). | Change of container status | 567.68 | 567.68 | 567.68 |
| (x). | Cancellation of document | 378.45 | 378.45 | 378.45 |
| (xi). | Visitor entries pass (Cost per pass)<br>(a). Yearly<br>(b). Monthly<br>(c). Daily | <br>252.30<br>63.08<br>25.23 | | |
| (xii). | Photography (Cost per day)<br>(a). For Shooting/ Filming<br>(b). For Photography of goods<br>(c). For Photography of operations | <br>16399.50<br>807.36<br>4919.85 | | |

### 3.2. Charges for supply of fresh water alongside the container berths.

| Particulars | Rate (in ₹) |
|---|---|
| Per 1000 Liters or part thereof | 378.45 |

### 4. GENERAL NOTE TO SCHEDULE (2) & (3) ABOVE:

The tariff caps prescribed in the Scale of Rates of Dakshin Bharat Gateway Terminal Private Limited takes into consideration the upfront tariff approved by this Authority vide Order No. TAMP/34/2008-TPT dated 16 October 2008 and applying indexation to the extent of 60% of the variation in Wholesale Price Index (WPI) occurring between 1 January 2008 and 1 January of the relevant year. For the subsequent years as well, upfront tariff approved in the Order No.TAMP/34/2008-TPT dated 16 October 2008 will be indexed to inflation but only to an extent of 60% of the variation in Wholesale Price Index (WPI) occurring between 1 January 2008 and 1 January of the relevant year. Such automatic adjustment of tariff caps will be made every year and the adjusted tariff caps will come into force from 1 April of the relevant year to 31 March of the following year."

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