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Tariff Authority for Major Ports

G.No.401 **New Delhi,** **3 November 2016**

NOTIFICATION

In exercise of the powers conferred by Section 48 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby disposes of the proposal received from the V.O. Chidambaranar Port Trust for fixation of Reference Tariff for development of North Cargo Berth-IV for handling Container and Clean Cargo under PPP mode on DBFOT basis at the VOCPT as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports
Case No. TAMP/36/2016-VOCPT

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

O R D E R
(Passed on this 02nd day of September 2016)

This case relates to the proposal dated 30 June 2016 received from the V.O. Chidambaranar Port Trust (VOCPT) for fixation of Reference Tariff for development of North Cargo Berth-IV for handling Container and Clean Cargo under PPP mode on DBFOT basis at the VOCPT.

2. The main submissions made by the VOCPT in the proposal are summarized below:

(i). The North Cargo Berth-IV with the estimated traffic of 9.15 MTPA to handle Thermal Coal (7.36 MTPA) and Copper Concentrate (1.79 MTPA) was tendered and awarded to M/s.Transstroy Private Ltd., Due to issue relating to Concession Agreement and as the party did not comply with conditions precedent the award has been terminated with the approval of Competent Authority.

(ii). A fresh study has been undertaken through M/s. WAPCOS (Govt. of India Undertaking, Gurgaon) and in the feasibility report it has been suggested that the NCB-IV may be earmarked for handling of Container and clean cargo with capacity of 8.62 MTPA. The process of obtaining the SFC clearance is initiated and is being submitted to Ministry shortly.

(iii). In this background, a proposal for fixation of Reference Tariff for the above berth to handle containerized cargo and clean cargo is submitted to the Authority for sanction.

(iv). The port has estimated the Optimal Capacity of the Terminal of 0.6 Million TEUs for containers and 2.32 Million Tonne per Annum (MTPA) for clean cargo viz. break bulk cargo and other cargo as given below:

(a). **<u>Optimal Capacity for container handling by Gantry Crane</u>**:

(i). **Optimal Quay Capacity:** The annual optimum quay capacity is determined as 0.60 MTEU per annum by considering following parameters:

Sr. No.	Parameters	Values suggested by Port
A	Number of Gantry Cranes for work in a year	3
B	Number of Working Hours of Gantry Cranes in a year	8760 (24 x 365= 8760)
C	Average Number of moves per gantry Crane (moves/hour)	25
D	TEU Ratio	1.3
E	Optimal Capacity ratio	70%
Optimal quay capacity = 3 X 25 X 8760 X 1.3 X 70% = 597870 TEUs = 0.60 MTEU		

(ii). **<u>Optimal stack yard capacity</u>**: The optimum stack yard capacity for container is determined as 0.65 Million TEUs per annum as tabulated under:

Sr. No.	Parameters	Norms	Values suggested by Port
G	Total Ground Slots in TEU	720 TEUs/ ha	360 TEUs/ ha
H	Average Stack Height	2.5	3.0

Sr. No.	Parameters	Norms	Values suggested by Port
P	Period in Number of Days	365 days	365 days
S	Surge factor	1.3	1.3
D	Average Dwell Time	4 days for Export 3 days for Import	3 days
	Total Available Area		10 ha*
Optimal Yard capacity = 613200 TEU = 0.6 Million TEUs			

* 6.0 ha reclaimed land is already available with VOCPT near cooling channel and remaining 4.0 ha will be made available after reclaiming area adjacent to the already reclaimed land.

(iii). **The optimal capacity for container handling is considered as lower of the two capacities i.e. 0.6 lakh TEUs**

(b). **<u>Optimal capacity for handling Break Bulk cargo by Harbour Mobile Crane</u>** based on the norms prescribed in the TAMP order No.TAMP/16/2010-TPT dt.23.7.2010 for upgradation of Mechanical Handling Infrastructure:-

Sl. No	Parameters	Break bulk cargo
I.	Handling rate for Break Bulk cargo	6000 Tonnes/day
II	Cargo handling rate in tonnes/hour (Sl.No.I/(24 hours*70% utilization Norm)	357
III	Working hours per annum	4000 hours
	Optimal capacity of HMC (Sl. No.II*III)	1428000 1.42MMTPA

Sl. No	Parameters	Other cargo
I.	Handling rate for other cargo	3750 Tonnes/day
II	Cargo handling rate in tonnes/hour (Sl.No.I/(24 hours*70% utilization Norms)	223
III	Working hours per annum	4000 hours
	Optimal capacity of HMC (Sl. No.II*III)	892000 0.89MMTPA

[Subsequently, the port has furnished revised optimal capacity for handling break bulk cargo and other cargo which is brought out in the subsequent paragraphs.]

(v). The port has furnished details of equipment proposed for Container handling and one no. of 120 T HMC for handling Clean cargo.

(vi). The total capital cost of the project is estimated at ₹515.18 crores of which ₹84.45 crores is for berthing services, ₹430.73 crores is towards Container handling and Clean cargo handling.

(vii). The provisions of the Reference Tariff Guidelines, 2013 have been examined and it is found that the upfront tariff prescribed by this Authority vide Order No.TAMP/34/2008-TPT dated 16 October 2008 for VIII Berth Container Terminal at VOCPT is found suitable in respect of tariff for container handling operations for this project by applying relevant WPI of 35.08%.

(viii). As regards clean cargo, the tariff approved by this Authority for 100 T Harbour Mobile Crane (HMC) vide Order No. TAMP/16/2010-TPT dated 23 July 2010, is found suitable for adoption after considering applicable WPI of 25.67%. Among clean cargo also, it is assumed that 80% break bulk cargo and remaining 20% cargo will be other cargo viz., Machineries, Granite etc., The handling rate for break bulk at 6,000 MT per day and 3,750 MT per day for other cargoes is considered as per the TAMP order dated 23 July 2010 of HMC approved earlier.

(ix). As far as the berth hire charges is concerned, the Berth which was already constructed by the port was given to PPP operator and berth hire charges to be levied and collected by PPP operator is not available for adoption. Therefore, the tariff for the same is not available in the VIII berth upfront tariff. Hence, the tariff for berth hire charges is proposed separately and worked out based on the total revenue requirement in respect of berthing activity in the ratio is 3:1 for the container vessel and other clean cargo vessel respectively since out of total 400 Mtr. Quay length 300 mtr will be utilized for handling container vessel with the deployment of 3 Nos. of RTGS crane and remaining 100 mtr. Quay length will be utilized for handling clean cargo through one number of 120T HMC.

(x). The capital cost, operating cost and Annual Revenue Requirement (ARR) estimated for berthing service by VOCPT is given below:

Sl. No.	**Particulars**	**Estimates**
(i)	**Capital Cost for Calculation of Berth Hire**	**₹ in crores**
	Cost for construction of berth	75.00
	3% Contingencies and 7% Supervision charges on Base cost	**7.50**
	Work contract tax (4% on 65% of civil Base cost	**1.95**
	Total Capital Cost for Calculation of Berth Hire	**84.45**
(ii)	**Operating Cost for calculation of Berth hire**	**₹ in lakhs**
	a) Repairs and Maintenance cost (1% of construction of berth ₹8485 lakhs)	84.45
	b) Depreciation (3.34% of ₹8485 lakhs)	282.06
	c) Insurance (1% of ₹8485 lakhs)	84.45
	Total Operating cost for calculation of Berth hire	**450.96**
	Berth hire charges	
	Revenue Requirement	**(₹ in Lakhs)**
	(a) Total Operating cost	450.96
	(b) Return on Capital Employed @ 16% on gross fixed assets	1,351.20
	Total Revenue Requirement for Berth hire charges	**1,802.16**

The total revenue requirement estimated for berthing services at ₹18.02 crores is apportioned i.e. ₹13.52 ($3/4^{th}$) crores for container handling vessels and remaining $1/4^{th}$ i.e., ₹4. 50 crores for clean cargo handling vessels. Based on the above, and arrival pattern of vessel in the past years in respect of average GRT and Parcel size, the berth hire is worked out following Upfront Tariff Guidelines 2008. The VOCPT has furnished detailed calculation in support thereof. The berth hire rate proposed by VOCPT is given below:

Berth Hire Charges

Sr. No.	**Vessels**	**Unit**	**Foreign (In ₹)**	**Coastal (In ₹)**
1	Container vessels	Rate Per GRT/hr or part thereof	0.34	0.20
2	Clean cargo vessels	-do-	0.28	0.17

(xi). Performance Standards are as envisaged in the tariff order for 8th berth Container Terminal and HMC Order approved on 16 October 2008 and 23 July 2010 respectively. The performance standards along with the conditions proposed by the VOCPT are as given below:

(a). Gross Berth Output:
In the case of containers the crane rate shall be measured by dividing total number of TEUs lifted on/off from ships by the elapsed crane time. The elapsed crane time is the total allocated crane hours less operational and non-operational delays.

The norms for Gross Berth Output for Containers are as follows:

CONTAINER	**NORMS**
Main line vessels	25 moves per hour
Feeder vessels	17 moves per hour

Note:- Weightage in case of a shortfall in meeting the prescribed performance standard - 50%

Cargo (Break Bulk)	Norms
Steel & Bagged cargo	6000 T/day
Others	3750 T/day

For break bulk clean cargoes using HMC, concessionaire shall unconditionally guarantee the Minimum Guaranteed Availability of 90% per crane per month.

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

CONTAINER	NORMS
Import at Terminal	4 days
Export at Terminal	2 days

[The Port has subsequently furnished modified Performance Standards for Transit storage time of containers which is brought out in subsequent paragraph.]
Weightage in case of a shortfall in meeting the prescribed performance standard - 25%

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

SL.NO	CONTAINER	NORMS
(i). (ii).	Trailer for container (single operation) Trailer for container(double operation)	2 hours 4 hours
(i). (ii).	Rake for ICD container(Single operation) Rake for ICD container (Double operation)	6 hours 12 hours

Weightage in case of a shortfall in meeting the prescribed performance standard - 25%.

(d). **Performance Evaluation and calculation of liquidated damages for container handling:**
Performance evaluation shall be made on a quarterly review of the reports furnished by the Concessionaire and/or the records of the Concessionaire and/or by an enquiry by the Concessioning Authority. The Concessionaire shall be liable to pay liquidated damages determined at the rate of 1% (one per cent) of the Gross Revenue of the respective quarter for every shortfall of 10% (ten per cent) in the average performance which shall be assessed in the following manner.

Each Performance Standard is calculated as an average in the manner indicated above. The actual average performance vis-à-vis a standard will be evaluated against the prescribed standard. The shortfall will be computed as a percentage of the prescribed standard. The shortfall in respect of each performance standard will have a weightage assigned to it. The overall shortfall in average performance shall be assessed as the aggregate of the weighted shortfalls in respect of each of the performance standards. For example, if there is a shortfall in Gross Berth Output by x%, Transit Storage Dwell Time by y% and Turn round time for receipt/delivery operations by z% and the weightage assigned to such shortfalls is 0.7, 0.2 and 0.1 respectively, then the overall shortfall in average performance will be (0.7x + 0.2 y + 0.1 z)%.

(e). **Performance Evaluation and calculation of liquidated damages for handling clean cargoes:**

(i). Penalty if Minimum Guaranteed Availability is not achieved
Since the hire of crane is based on tonnage, 25% of revenue share applicable to shortfall in working hours below 90% multiplied by normative tonnage (lowest tonnage among various cargo groups) and multiplied by the rate applicable for normative tonnage under the head "Foreign" will be collected as penalty.

(ii). Penalty if the Minimum Guaranteed Efficiency is not achieved
Penalty will be levied for the short fall in the Minimum Guaranteed Efficiency at a rate of 25% of the revenue share corresponding to the short fall in the tonnage multiplied by the rate applicable for normative tonnage under the head "Foreign".

3.1. The Ministry of Shipping (MOS) under cover of its letter No.PR-14019/16/2012-PG dated 31 July 2013 has issued 'Guidelines for Determination of Tariff for Projects at Major Ports, 2013 under Section 111 of the Major Port Trusts Act, 1963 on 31 July 2013. In compliance of the policy directives issued by the (MOS) under Section 111 of the MPT Act, 1963, the said Guidelines were notified vide Notification No. TAMP/18/2013-Misc. in the Gazette of India on 8 August 2013, vide Gazette no.214. The said Guidelines were made effective from 31 July 2013.

3.2. (i). Clause 2.2 of the said Tariff Guidelines of 2013, which is relevant, in this case is reproduced below:

"*The Reference Tariff ("the Reference Tariff") for each commodity/ category of commodities and each service/ category of service or combination of service or services, as the case may be, shall be determined by TAMP for each Port based on a proposal from the concerned major Port. Such proposal shall contain the proposed Reference Tariff and "Performance Standards". The Reference Tariff will be the highest tariff fixed for that commodity in the concerned major Port Trust under the 2008 Tariff Guidelines. While adopting the highest tariff, the base rate set under the Tariff Guidelines, 2008 shall be escalated to the extent of 60% of WPI per annum, as provided in the said guidelines for the period between 1st January of the year in which the said tariff was originally notified and 1st January of the subsequent relevant year when the Reference Tariff for the particular project in question is being notified. On receipt of the proposal, TAMP shall notify the Reference Tariff and Performance Standards within 15 days of receipt*."

(ii). From the aforesaid proposal of VOCPT , it is seen that the VOCPT has proposed the development of existing North Cargo Berth-IV (NCB-IV) to enable handling Container and clean cargo under PPP mode on DBFOT basis at VOCPT.

3.3. In respect of handling charges and storages charge for container handling operations, the VOCPT has proposed to adopt the upfront tariff fixed for Berth No.VIII for container terminal approved by this Authority vide Order No.TAMP/34/2008-TPT dated 16 October, 2008 at VOCPT applying applicable indexation of 35.08%. For handling clean cargo using HMC of 120T proposed for deployment at the NCB-IV, the VOCPT has proposed handling charges adopting the upfront hire charges of 100T HMC approved by this Authority vide Order No.TAMP/16/2010-TPT dated 23 July 2010, after applying applicable escalation factor of 25.67%. With regard to berth hire charges, the VOCPT has proposed separate tariff based on capital cost of construction of berth no.NCB-IV and considering the vessel parameters of the proposed berth.

4.1. On the scrutiny of the proposal, the VOCPT was requested vide our letter dated 19 July 2016 to furnish information / clarifications on a few points. The VOCPT has, vide its email dated 26 July 2016, responded with revised berth hire calculation and revised performance standards for break bulk cargo. However, since there was still some inconsistency found in the revised berth hire calculation furnished by VOCPT vide its email dated 26 July 2016, the same was pointed out vide our letter dated 5 August 2016. The VOCPT in response has furnished revised berth hire calculation for container handling and has furnished revised Performance Standards vide its email dated 8 August 2016. A summary of the information / clarification sought by us and response of VOCPT thereon is tabulated below:

<table>
<tr><th>Sl. No.</th><th>Information / Clarification sought by us</th><th>Information / clarification furnished by VOCPT</th></tr>
<tr><td>(i).</td><td><u>Charges for Break bulk and other cargo using 120T HMC</u>

(a). The proposal of VOCPT at para 9 under Serial No. 2. Project Specifications states that the port proposes deployment of one number of 120 Tonne Harbour Mobile Crane (HMC) for handling of clean cargo. Whereas, the upfront tariff adopted by VOCPT is of 100 Tonne HMC approved by the Authority vide Order No.TAMP/16/2010-TPT dated 23 July 2010. The proposed tariff of ₹73.14/tonne for (foreign) for break bulk cargo is with reference to benchmark performance of 6000T/ day and ₹117.09/tonne proposed for (foreign) other cargo is with reference to benchmark performance of 3750 T/day. The proposed corresponding rate for benchmark performance is of 100T HMC. Undisputably, 120 Tonne HMC proposed to be deployed can achieve higher productivity. Therefore, VOCPT to justify the proposed adopted rate of 100T HMC benchmarked with the lower performance level of 100T HMC.</td><td>

In the order No. TAMP/50/2011-VOCPT dt.19.01.2012, Gazette No.65 dt. 14.03.2012 vide para No.9.4 TAMP stated that tariff linked to productivity will automatically take care of the differences in the capacity, as a higher capacity crane is expected to return a better productivity in terms of handling rate.

Hence the tariff fixed in the Order No.TAMP/16/2010-TPT dated 23.07.2010, Gazette No.201 dated 12.08.2010 is considered for the present proposal of deployment of 120 Tonne Harbour Mobile Crane for avoiding the difference in the tariff in the same Port for the same operation.</td></tr>
<tr><td></td><td>(b). The port may also confirm that at the proposed rate adopted by the port for 100T HMC, the BOT operator will be in a position to meet the revenue requirement for 120 Tonne HMC which is proposed to be deployed in this project, instead of 100 Tonne HMC.</td><td>It is confirmed that the Proposed rate for the 120 Tonne HMC will meet out the revenue requirement since the operator will collect charges in the higher slab according to the performance of 120 Tonne HMC as indicated in the upfront tariff order on Up-gradation of mechanical handling equipments (HMC 2 Nos. of 120 Tonne each) in VOCPT.</td></tr>
<tr><td>(ii).</td><td><u>Performance Standards</u></td><td></td></tr>
<tr><td></td><td>(a). The VOCPT has proposed Performance Standards of 6000T/ hour for steel and bagged cargo and 3750 T/day for other cargo. The proposed performance standards is the performance standards approved by the Authority for 100T HMC. Undisputably, 120 Tonne HMC proposed to be deployed can achieve higher productivity.</td><td>The performance standards for the Proposed HMC may be adopted as per the Order No.TAMP/11/2016-KPT dated 30 March 2016 is as follows :-

<table><tr><th>Cargo (Break Bulk)</th><th>Norms</th></tr><tr><td>Steel & Bagged cargo</td><td>6400 T/day</td></tr><tr><td>Others</td><td>4000 T/day</td></tr></table></td></tr>
</table>

<table>
<tr><td></td><td>Therefore, prescription of performance standards relevant for 100T HMC to 120T HMC is a mismatch. As the VOCPT may be well aware, as per clause 2.9 of the Reference Tariff Guidelines of 2013, the BOT operator is entitled for 15% Performance Linked Tariff hike for achievement of performance as per clause 2.9 of the said guidelines. The port may review its proposal in the light of the above observation on mismatch in the performance standard. It may be examined how far it is justifiable to allow the BOT operator to reap the benefit of 15% hike in tariff for achievement of lower performance standard with a higher capacity crane. Review of performance standards may also entail review of the rate for the corresponding performance standards.</td><td>[The berth hire calculation is also revised by the VOCPT adopting the above improved handling rate for 120T HMC.]</td></tr>
<tr><td></td><td>(b). With reference to point (i) (a) above and (ii) (a) above, reference is drawn to Order No.TAMP/11/2016-KPT dated 30 March 2016 recently passed by the Authority for 124 tonne HMC at KPT following the principles 2008 guidelines. The port may explore the possibility to adopt the rate approved for 124 tonne HMC at KPT with corresponding Performance Standards as the HMC proposed for deployment at VOCPT is also of closer to similar capacity.</td><td>The tariff fixed in the Order No. TAMP/16/2010-TPT dated 23.07.2010, is considered for the present proposal of deployment of 120 Tonne Harbour Mobile Crane to avoid the difference in the tariff in the same Port at different berths for the same type of cargo. Further the equipments proposed in the Kandla Port Trust order is different from the present proposal like additional two grabs (45Tonne) and Power Booster. Besides, the Annual Revenue Requirement in KPT order is distributed among dry bulk, break bulk and other cargo. This is not similar to current port's proposal to handle clean cargoes alone. Hence the proposal of the Port to adopt the rate for HMC fixed by the Authority in Order notified vide Gazette No.201 dated12.8.2010 distinctly for Dry Bulk, Break bulk (steel& bagged cargo and others) is found appropriate.</td></tr>
<tr><td></td><td>(c). The fulcrum of the Reference Tariff Guidelines is to reward the BOT operator for achievement of predetermined Performance Standards.

Though the VOCPT envisages Performance Standards as per Tariff order for the 8th Container Terminal and the Tariff order relating to HMC, the provision regarding Performance Linked Tariff as prescribed under the tariff guidelines of 2013 has not been proposed by the VOCPT.</td><td>Provisions as furnished in general notes to Schedule (2) to (4).</td></tr>
<tr><td>(iii).</td><td><u>Berth Hire Charges</u>:</td><td></td></tr>
<tr><td></td><td>(a). The port to furnish the working for optimal capacity calculation for containers at 6 lakhs TEUs/ annum and break bulk and other cargo at 14,18,025 tonnes/ annum considered in the berth hire calculation.</td><td>Optimal Quay Capacity for containers is as tabulated under:-
<table>
<tr><th>Sr. No.</th><th>Parameters</th><th>Values suggested by Port</th></tr>
<tr><td>A</td><td>Number of Gantry Cranes deployed for work in a year</td><td>3</td></tr>
<tr><td>B</td><td>Number of Working Hours of Gantry Cranes in a year</td><td>8760
(24 x 365= 8760)</td></tr>
</table></td></tr>
</table>

<table>
<tr><td></td><td></td><td>
<table>
<tr><td>C</td><td>Average Number of moves per gantry Cranes (moves/hour)</td><td>25</td></tr>
<tr><td>D</td><td>TEU Ratio</td><td>1.3</td></tr>
<tr><td>E</td><td>Optimal Capacity ratio</td><td>70%</td></tr>
<tr><td colspan="3">Optimal quay capacity = A X B X C X D X E
= 597870 TEUs
= 0.60 MTEU</td></tr>
</table>

Optimal capacity of break bulk and other cargo is as follows:-
<table>
<tr><td></td><td>Working furnished in the Application dt.30.6.2016</td><td>Revised working as per Sl.No.ii(a)</td></tr>
<tr><td>Handling rate of Brake bulk cargo per day</td><td>6000 Tonnes/day</td><td>6400 Tonnes/day</td></tr>
<tr><td>Handling rate of other cargo per day</td><td>3750 Tonnes/day</td><td>4000 Tonnes/day</td></tr>
<tr><td>Ratio of Break bulk cargo</td><td>80%</td><td>80%</td></tr>
<tr><td>Ratio of other cargo</td><td>20%</td><td>20%</td></tr>
<tr><td>Optimal capacity</td><td>0.70X (0.80X6,000) + (0.20X3,750)X365

=14,18,025 Tonnes</td><td>0.70 X (0.80X6,400)+(0.20X4,000)X365
= 15,12,560 Tonnes</td></tr>
</table>
</td></tr>
<tr><td></td><td>(b). As per the norms prescribed in the 2008 guidelines, the handling rate is 25/moves/hour quay crane. Explain the basis of considering the container handling productivity at 1638 TEUs/day with detailed working. Confirm that it is as per the handling rate norm of 25 TEUs per hour / quay crane prescribed in the 2008 guidelines.</td><td>The basis of considering the container handling productivity at 1638 TEUs/day is as follows :-
Number of Gantry Cranes to be deployed - 3
Productivity per day = 3 X 25 moves/hr X 24hrs X 1.3 X 0.7
= 1638 TEUs/day

It is confirmed that the handling rate is as per the norms of 25 TEUs per hour/quay crane as prescribed in the 2008 Guidelines</td></tr>
<tr><td></td><td>(c). The handling rate for break bulk and other cargo considered in the berth hire calculation to be reviewed in the light of our observation at point (ii)(a) above.</td><td>The handling rate for break bulk cargo and other cargo has been modified in the berth hire calculation is furnished.</td></tr>
<tr><td></td><td>(d). (i). As per the norms prescribed for berth hire calculation under 2008 guidelines, the number of days and number of hours at 70% utilisation comes to 255.5 days (i.e. 365 * 70%) / 6123 hours (i.e. 365 * 24 * 70%). Whereas, the berth hire calculation for container vessels furnished by the VOCPT is for 365 berth days and number of berth hours at 8760. These parameters are not found as per the norms prescribed in the 2008 guidelines. The VOCPT is requested to re-look and make necessary correction to comply with the norms prescribed in the 2008 guidelines.

For clean cargo, the berth hire calculation furnished by the port is for 265 berth days and for 6353 number of berth hours. The</td><td>The berth hire calculation for container vessels has been modified based on the 2008 guidelines.

The berth hire for clean cargo calculated based on the actual parameters is also furnished.</td></tr>
</table>

	VOCPT to modify these parameters to be in line with the norms prescribed in 2008 guidelines in view of our observation at the above point. (ii). Since the revised calculation of Berth Hire furnished by VOCPT vide its letter dated 26 July 2016 was still found to be inconsistent, the following points were again brought out to VOCPT vide our letter dated 5 August 2016 with a request to response by return email: (a). The number of berth days and berth hours in the revised berth hire calculation of break bulk cargo and other cargo is 265 days and 6360 hours instead of 255.5 days and 6132 hours as per norms which is pointed out in our letter dated 19 July 2016. (b). Modified berth hire calculation for container vessels is not attached. While furnishing the working, the port to ensure that the working days and working hours are 255.5 days (i.e 365 days X 70%) and 6132 hours (365 days X 70% X 24 hours) as against 366 working days considered by VOCPT in its original proposal. The Performance Standards for container terminal may also be reviewed in line with the handling rate considered for berth hire calculation at 25 moves / crane / hour.	 [The VOCPT vide its email dated 8 August 2016 has furnished revised berth hire calculation for container vessel and revised Performance Standards which are brought it in subsequent paragraphs.]
	(e). The port has assumed 2 vessels; one of Container vessel (300 mtrs) and one of Clean cargo vessel (100 mtrs) can be berthed in the proposed NCB-IV. The port is requested to again confirm that two vessels can be handled, simultaneously at the proposed Berth length of 400 mtrs as assumed by the VOCPT for arriving at the berth hire calculation.	It is confirmed that if necessary two vessels can be handled simultaneously at the proposed berth length of 400 mtrs.
	(f). The share of foreign and coastal vessel in respect of container vessels and clean cargo vessels may be furnished.	100% foreign vessels in respect of containers and clean cargo is considered.
	(g). While arriving at the berth hire for coastal vessel, it is seen that the port has not considered the impact of coastal concessional rate in arriving at the foreign rate. That being so, the BOT operator will not be in a position to achieve the estimated Annual Revenue Requirement (ARR) from Berth Services. Therefore, the port to take into account the share of foreign vessel and coastal vessel and consider the impact of coastal concessional rate for coastal vessel for container and clean cargo while arriving at the proposed berth hire charges for foreign going vessels.	As stated above, 100% foreign vessels in respect of containers and clean cargo is considered, hence the consideration on impact of coastal concessional rate for coastal vessel for container and clean cargo does not arise.
(iv).	<u>Scale of Rates</u>:	

	(a). The port to propose suitable provision regarding Performance Linked Tariff as prescribed in the reference tariff approved for other PPP projects in line with the provisions in the tariff guidelines of 2013.	The following notes are proposed as General Notes to schedule (2) to (4) relating to performance standards: (i). The tariff caps will be indexed to inflation but only to an extent of 60% of the variation in Wholesale Price Index (WPI) occurring between 1st January 2016 and 1st January of the relevant year. Such automatic adjustment of tariff caps will be made every year and the adjusted tariff caps will come into force from 1st April of the relevant year to 31st March of the following year. (ii). From the date of Commercial Operation (CoD) till 31st March of the same financial year, the tariff would be limited to the indexed Reference Tariff relevant to that year, which would be the ceiling. The aforesaid Reference Tariff shall be automatically revised every year based on an indexation as provided in para 2.2 of the tariff guidelines of 2013 which will be applicable for the entire licence period. However, the Licensee would be free to propose a tariff along with Performance Standards (the "Performance Linked Tariff") from the second year of operation onwards, over and above the indexed Reference Tariff for the relevant financial year, at least 90 days before the 1st April of the ensuing financial year. Such Performance Linked Tariff shall not be higher than 15% over and above the indexed Reference Tariff for that relevant financial year (and this will be the Tariff Cap). The Performance Linked Tariff would come into force from the first day of the following financial year and would be applicable for the entire financial year.
	(b). The VOCPT has proposed that berth hire charges will be levied by the BOT operator. That being so, the relevance of Condition No.(ix) proposed under "General Terms & Conditions" may be clarified. Prescription of the following provision appears to be appropriate. "No berth hire shall be levied for the period when the vessel idles at its berth for continuous one hour or more due to break down of terminal operator's equipment or power or for any other reasons attributable to the terminal operator."	The clause (ix) under "General Terms & Conditions" is to be replaced by the following :- "No berth hire shall be levied for the period when the vessel idles at its berth for continuous one hour or more due to break down of terminal operator's equipment or power or for any other reasons attributable to the terminal operator."
	(c). The relevance of each conditionality governing the application of rates may be reviewed	The relevance of each conditionality governing the application of rates has been reviewed and are included.

4.2. As stated above, the VOCPT vide its email dated 8 August 2016 has furnished revised berth hire calculation for container for 255 days instead of 366 days furnished by the port earlier. To summarise, the revised berth hire charge proposed by the VOCPT and the revised performance standards (revised for break bulk cargo) proposed by the VOCPT vide its email dated 26 July 2016 are given below:

(i). **Revised Berth Hire proposed by VOCPT is as follows**:

For Container:

Particulars	Foreign-going Vessel (In ₹)	Coastal-going Vessel (In ₹)
Container Vessels	0.49	0.29
Clean Cargo Vessels	0.28	0.17

(ii). **Performance Standards:**

The norms for Gross Berth Output for Containers are as follows:

CONTAINER	NORMS
Main line vessels	25 moves per hour
Feeder vessels	22 moves per hour

Note:- Weightage in case of a shortfall in meeting the prescribed performance standard - 50%

Clean Cargo

Cargo (Break Bulk)	Norms
Steel & Bagged cargo	6400 T/day
Others	4000 T/day

For break bulk clean cargoes using HMC, concessionaire shall unconditionally guarantee the Minimum Guaranteed Availability of 90% per crane per month [*The other notes relating to performance standards are proposed to be retained as given in its original proposal and hence not reiterated*].

4.3. In the SOR proposed by the port, the rate for using HMC was sought for Break bulk cargo and other cargo. Subsequently, the VOCPT vide its email dated 10 August 2016 has proposed to modify the nomenclature of cargo in the proposed SOR proposing rate of Break Bulk Cargo using HMC for (i). Steel and Bagged Cargo and (ii). Other Cargo. The proposed nomenclature is in line with the nomenclature of cargo for which Performance Standards are proposed and also in line with the adopted reference tariff Order.

4.4. Subsequently, the VOCPT vide its email dated 16 August 2016 has proposed to modify the Performance Standards of Transit Storage Dwell Time for containers as follows:

Container	Norms
Import at Terminal	2 days
Export at Terminal	4 days

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

(i). This Authority had passed an Order No. TAMP/32/2011-VOCPT dated 19 January 2012 fixing upfront tariff for handling bulk cargo viz. Thermal Coal and Copper Concentrate at North Cargo Berth (NCB)-IV of the V.O. Chidambaranar Port Trust (VOCPT) based on the guidelines for upfront tariff setting for PPP Projects at Major Port Trust, 2008.

(ii). As brought out in the earlier paragraphs, the project for NCB IV was tendered and awarded by the VOCPT to M/s.Transstroy Private Ltd. However, due to issue relating to Concession Agreement and as the party did not comply with conditions precedent the award, the VOCPT has reported that the Concession Agreement has been terminated with the approval of Competent Authority. Based on fresh study undertaken by the port and based on the feasibility report, the NCB-IV is now proposed to be earmarked for handling of Container and clean cargo viz. break bulk and other cargo. In this context, the port has filed the proposal seeking reference tariff under the tariff guidelines of 2013.

It can be seen from the factual position contained in this Order that the original proposal filed by the VOCPT dated 30 June 2016 was not in line with the provisions in the reference tariff guidelines. The gaps in their proposal were pointed out vide our letters dated 19 July 2016 and 5 August 2016. The port has responded vide its email dated 26 July 2016 and 8 August 2016 along with revised berth hire calculation. The last modification in the proposal was received from the VOCPT vide its email dated 16 August 2016. This case could be finalised only after the receipt of the requisite information/ clarification and revised berth hire supported with revised calculation.

(iii). As brought out earlier, Clause 2.2. of the Revised Tariff Guidelines of 2013, *inter alia*, stipulates that the Reference Tariff to be proposed by the port will be the highest tariff fixed for that commodity in the concerned Major Port Trust under the 2008 Tariff Guidelines.

(iv). (a). The berth length of NCB- IV envisaged by the port is 400 mtrs. The port has assumed 2 vessels; one of Container vessel (300 mtrs.) and one of Clean cargo vessel (100 mtrs.) can be berthed in the proposed NCB-IV. For container handling, the port has proposed to adopt the upfront tariff fixed for container terminal at Berth No.VIII at VOCPT approved by this Authority vide Order No.TAMP/34/2008-TPT dated 16 October, 2008 after applying applicable indexation factor of 35.08%.

(b). For handling break bulk cargo viz. steel and bagged cargo and other cargo using HMC of 120T proposed for deployment at the NCB-IV, the VOCPT has proposed to adopt the upfront charges of 100T HMC approved by this Authority vide Order No.TAMP/16/2010-TPT dated 23 July 2010 at VOCPT, after applying applicable escalation factor of 25.67%.

(c). As far as the berth hire charge is concerned, the berth No.VIII which was already constructed by the port and given to PPP operator port collects berth hire. Therefore, berth hire charges is not available for adoption in 16 October 2008 Order. No berth hire charge is prescribed in the 100T HMC Order approved on 23 July 2010. Therefore, the tariff for berth hire charge is worked out based on the total revenue requirement in respect of berthing activity and proposed separately for the container vessel and clean cargo vessel.

(d). The proposal of the port is not a pure adoption case as stipulated in the clause 2.2. of the Reference Tariff Guidelines. As far as handling charges are concerned, the proposal of the port is based on adoption of upfront tariff approved in its own port from two different orders for two different cargo groups. For berth hire, the port has furnished working following the principles and the general practice followed for arriving at the berth charges. As far as berth hire charge is concerned the port has followed the norms prescribed in the 2008 guidelines and the vessel parameters considered by the port are reported to be based on actuals. The tariff guidelines of 2008 requires this Authority to rely on the capital cost estimates as furnished by the port. In view of the above position and since the core item i.e. cargo handling charge is based on adopted upfront tariff and the proposed berth hire is following the norms prescribed in the 2008 guidelines and the vessel parameters considered by the port are reported to be based on actuals which have to be relied upon by this Authority, the usual consultation process was not initiated as it is not required to be done in the adoption cases.

(v). (a). The proposal of VOCPT for handling break bulk and other cargo is by deployment of one number of 120 Tonne Harbour Mobile Crane (HMC) for handling of clean cargo. Whereas, the upfront tariff adopted by VOCPT is of 100 Tonne HMC approved by this Authority vide Order No.TAMP/16/2010-TPT dated 23 July 2010.

(b). The proposed adopted tariff of ₹73.14/tonne for (foreign) for break bulk cargo is with reference to benchmark performance of 6000T/ day and ₹117.09/tonne proposed for (foreign) other cargo is with reference to benchmark performance of 3750 T/day. The proposed corresponding rate is for benchmark performance of 100T HMC. Since 120 Tonne HMC proposed to be deployed can achieve higher productivity than a 100T HMC, the VOCPT was requested to justify the proposed adopted rate of 100T HMC benchmarked with the lower performance level of 100T HMC. Reference was drawn to Order No.TAMP/11/2016-KPT dated 30 March 2016 passed by this Authority for 124 tonne HMC at KPT following the principles 2008 guidelines with a request to the port to explore the possibility to adopt the rate approved for 124 tonne HMC at KPT with corresponding Performance Standards as the HMC proposed for deployment at VOCPT is also of closer to similar capacity.

(c). The port has, however, proposed to retain its proposal to adopt the upfront tariff fixed for 100T HMC in its port. The argument put forth by the port is that the upfront tariff approved by this Authority for 100T HMC at VOCPT vide Order dated 23 July 2010 prescribes tariff linked to productivity with higher tariff for higher productivity level which will automatically take care of the differences in the capacity, as a higher capacity crane is expected to return a better productivity in terms of handling rate. The port has also confirmed that at the proposed adopted rate the operator will meet out the revenue requirement since the operator will be in a position to collect charges in the higher slab according to the performance achievable by 120 Tonne HMC. Further, the port has stated that the upfront tariff of the said Order is adopted for the present proposal of deployment of 120 Tonne HMC for avoiding the difference in the tariff in the same Port for the same operation. Significantly, the benchmark level of Performance Standards proposed by VOCPT for handling bagged cargo at 6400 Tonne per day and for handling other cargo at 4000 Tonnes per day by 124 Tonne HMC are at a higher level as compared to the benchmark or a 100 Tonne crane and are at par with Performance Standards for prescribed for 120 Tonne HMC at KPT. Based on the clarification furnished by the port, the proposal of the port to adopt the handling rate approved in upfront tariff Order of 23 July 2010 for handling clean cargo viz. break bulk and other cargo is accepted.

It is relevant here to state that in the cases relating to fixation of upfront tariff disposed by this Authority so far, the upfront tariff has been fixed either for a dedicated container terminal or for a dedicated multipurpose cargo berth. In none of the major ports other than PPT, an upfront tariff has been fixed for handling of both containers and clean multipurpose cargo at the same facility. The port has cited reasons for adopting the rate from its own port from two different projects and proposing berth hire charges based on the berth hire calculation. Based on the clarification of the port and in view of the uniqueness of its project leading to an extraordinary situation warranting to adopt the rates from two different projects of its own port and berth hire based on separate berth hire calculation following the norms of the 2008 guidelines, this Authority accepts the approach adopted by the VOCPT in this regard.

(d). As an abundant measure of caution, it is clarified that the approach adopted by the VOCPT for adoption of rates from two different projects of a particular port on account of uniqueness of the project should not be cited as a precedent in fixation of Reference tariff at any other major port trust.

(vi). (a). For proposing the tariff for container handling, the port has adopted the upfront tariff caps approved at VOCPT for container berth No.VIII vide Order No.TAMP/34/2008-TPT dated 16 October, 2008, after applying the applicable indexation factor of 35.08% on the tariff caps approved vide Order of October 2008. This indexation factor is seen to be the indexation factor communicated by us to all the Major Port Trusts to be applicable for reference tariff to be fixed in the year 2016 with base WPI as on 1 January 2008.

(b). The indexed Reference tariff proposed by the VOCPT is found to be in order subject to minor corrections arising on account of rounding off of the rates in the tariff items. Such corrections have been carried out.

(c). For arriving at the reference tariff for clean cargo viz. break bulk cargo i.e. steel and bagged cargo and other cargo using 120T HMC, the VOCPT has adopted the upfront tariff approved at VOCPT for 100T HMC i.e. performance linked tariff approved vide Order No.TAMP/16/2010-TPT dated 23 July 2010 for steel and bagged cargo and other break bulk cargo and has applied the indexation factor of 25.67% to arrive at the proposed rates. This indexation factor is seen to be the indexation factor communicated by us to all the Major Port Trusts to be applicable for reference tariff to be applied in the year 2016 with base WPI as on 1 January 2010. The indexed Reference tariff proposed by the VOCPT for break bulk cargo viz. steel and bagged cargo and other cargo is found to be in order. The VOCPT has stated that the performance linked tariff with higher tariff for higher productivity is proposed. This will take care of higher productivity achievable by 120T HMC.

For berth hire, the port has furnished working following the principles and the general practice followed for arriving at the berth charges which is discussed in the subsequent paragraphs.

(vii). Berthing activity:

(a). Optimal capacity:

(i). The port has assessed the optimal capacity of the container berth based on the output norm of 25 moves/ crane / hour for 3 cranes and following the formula prescribed in the 2008 guidelines. The optimal capacity assessed by the VOCPT for handling container is 5,97,870 TEUs i.e. 25 moves/gantry crane/ hour* 3 gantry cranes*365 days*24 hours* 70% * 1.3 TEU ratio. In the computation of berth hire, the port has rounded off the optimal capacity at 6 lakh TEUs. In our working it is considered at 597870 TEUs as per the working furnished by the port. The yard capacity assessed by the VOCPT is not relevant here as the proposal of the port is not for a dedicated terminal but it is for handling container and break bulk cargo and the norms prescribed for multipurpose cargo do not stipulate norms for assessing the yard capacity. In any case, this will not have any impact on the reference tariff fixation as the quay capacity for container handling is the constraint as compared to the yard capacity.

(ii). Optimal Capacity of the MHC:
The HMC proposed for deployment is of 120T. For assessing the optimal capacity for berth hire calculation the port has considered the output norm of 6400T/ hour for break bulk cargo and 4000 T/ hour for other cargo as considered in the Order No.TAMP/11/2016-KPT dated 30 March 2016 passed by this Authority for 124 tonne HMC at KPT following the principles 2008 guidelines. The port has assumed that share of steel and bagged cargo at 80% and 20% to

be other cargo viz., Machineries, Granite etc., which is relied upon. The optimal capacity assessed by the VOCPT for 120T HMC following the above parameters and following the principles of 2008 guidelines is 15,12,560 Tonnes which is considered as estimated by the port.

(b). Capital cost of berth:

The total capital cost for berth estimated by the VOCPT is ₹84.45 crores which includes 3% towards contingency and 7% supervision charges on base cost and works contract tax at 4%.

There is no specific provision in the 2008 guidelines for considering miscellaneous cost under berthing service and the port has not estimated miscellaneous cost under berthing service for this project.

In this context, it is relevant here to mention that though the upfront tariff guidelines of 2008 stipulate estimating miscellaneous capital cost @ 5% of the total of the estimated civil cost in case of handling activity, the guidelines do not specifically provide for estimation of miscellaneous capital cost under berthing service. It is noteworthy that in case of the upfront tariff determined for various projects of Visakhapatnam Port Trust (VPT), Coal terminal at V.O. Chidambaranar Port Trust (VOCPT), Mormugao Port Trust (MOPT), multipurpose and mechanized berths at Kolkata Port Trust (KOPT), this Authority has considered the miscellaneous capital cost at 5% under the berthing service. Keeping in view the position maintained in the above mentioned cases, the miscellaneous capital cost under the berthing activity at 5% of the civil cost of berth is taken into account in the current exercise to have uniformity in the approach followed by this Authority.

Except for the above modification, the capital cost of berth as estimated by the VOCPT is relied upon. Subject to above modification, the capital cost of the berth comes to ₹88.67 crores.

(c). Annual Revenue requirement from Berthing activity:

(i). The guidelines require the operating cost for berthing service to be estimated at 1% of the berth cost. In addition to maintenance cost, the VOCPT has considered insurance and depreciation while estimating the operating cost of berthing service.

Although the guidelines restrict the operating cost at 1% of the berth cost, the asset requires adequate insurance coverage and the fact that the value of the asset will depreciate due to wear and tear can also not be denied. While fixing upfront berth hire at the other Major Port Trusts, this position was recognised and the cost of insurance and depreciation was considered to assess the annual revenue requirement from berthing service.

In view of the position explained above, the element of insurance cost @ 1% and depreciation are considered in this case also on the modified capital cost. The depreciation rate is considered at 3.17% instead of 3.34% considered by the VOCPT for the reasons explained below.

The rate of depreciation has been computed by VOCPT @ 3.34% on berth cost. It is relevant here to state that 3.34% depreciation rate was being considered under the Companies Act, 1956. In the reference tariff approved following the principles prescribed in 2008 guidelines the VOCPT in its earlier three proposals, the VOCPT, the port has considered the depreciation rate at 3.17% on civil works based on the depreciation rates applicable under the Companies Act, 2013 and the same was considered by this Authority. That being so, the rate of depreciation in the instant case is also modified and considered at 3.17% instead of 3.34% considered by the port.

(ii). The total operating cost estimated by the port is ₹450.96 lakhs which stands modified to ₹458.42 lakhs.

(iii). Return on capital employed is calculated at 16% of the estimated capital cost of berth as per the norms prescribed in the guidelines.

(iv). The revenue requirement from berthing service works out to ₹1877.14 lakhs as against ₹1802.16 lakhs estimated by the VOCPT.

(d). As stated earlier, the port has furnished detailed working for berth hire calculation. The port has stated that it has considered the vessel parameters based on actual vessel parameters, which are relied upon.

In the original proposal, it is seen that the berth hire calculation for container terminal was assessed for 366 days and for break bulk cargo i.e. steel and bagged cargo and other cargo for 265 days.

As per the norms prescribed for berth hire calculation under 2008 guidelines, the number of days at 70% utilisation comes to 255.5 days (i.e. 365 * 70%). The port was, therefore, requested to modify the berth hire calculation following the norms prescribed in the 2008 guidelines.

The VOCPT has furnished revised berth hire calculation for container wherein berth hire is considered for 255 days considering optimal capacity of container handling facility at 6 lakhs TEUs. In the berth hire calculation for container arrived by us, the optimal capacity is considered at 597870 TEUs as arrived by the VOCPT instead of the rounded off figure of 6 lakh TEUS considered by the port.

Of the total ARR of ₹1802.16 lakhs estimated by the port, the port has apportioned ₹1351.62 lakhs towards container handling and ₹450.54 lakhs for handling the break bulk cargo. The revised revenue requirement estimated by us at ₹1877.14 lakhs is apportioned between the container handling and the break bulk cargo at ₹1407.86 lakhs and ₹469.29 lakhs respectively maintaining the ratio of apportionment of revenue requirement followed by the VOCPT. The methodology followed by the VOCPT for arriving at the berth hire charge is found to be in line with the general approach followed by this Authority in other Upfront Tariff / Reference Tariff cases. The calculation of berth hire charge is done following the approach followed by the VOCPT except for modification in the optimal capacity and modified revenue requirement.

Subject to the above modification, the tariff cap for Berth hire charge for container vessels works out to ₹0.51 per GRT per hour for foreign going vessel and ₹0.31 per GRT per hour for coastal vessels which is at par with the rate proposed by the VOCPT. Though the revenue requirement is slightly modified it does not have any impact on the proposed tariff as such.

As regards berth hire for break bulk cargo vessels, the VOCPT, in the revised berth hire calculation, has not removed the inconsistency observed in the number of days considered by the VOCPT at 266 days instead of 255.5 days. This is corrected in the cost statement prepared by us. The port has confirmed that 100% clean cargo vessels will be foreign going, which is relied upon.

Subject to the above modification, the modified tariff cap for Berth hire charge for break bulk cargo works out to ₹0.31 per GRT per hour for foreign going vessel and ₹0.19 per GRT per hour for coastal vessels, which is prescribed as against ₹0.28 GRT per hour for foreign going vessel and ₹0.17 per GRT per hour for coastal vessel proposed by VOCPT.

As can be seen above, the port has proposed rate for coastal vessel applying 60% of the rate arrived for the foreign category. The impact of coastal concession is not considered while arriving at the rate for foreign going vessel as the port has assumed 100% foreign going vessel. Since the port has proposed prescription of berth hire for coastal vessel, berth hire for coastal vessel is also prescribed as per the policy of the Government on the concessional tariff for coastal vessels to have a tariff arrangement in the SOR in case coastal vessel arrives at the berth.

It has already been decided by this Authority while finalising the upfront berth hire at the other Major Port Trusts to approve the upfront berth hire charge in Rupee term only. The proposal of the VOCPT for rupee denominated berth hire is in line with the decision taken by this Authority in the other upfront tariff cases

(viii). The statement for fixing upfront berth hire charges submitted by the VOCPT has been modified in line with the above analysis. A copy of the modified statement is attached as **Annex – I**.

(ix). In the Berth hire Schedule, the common conditionalities like the period of berth hire to be calculated from the time vessel occupies the berth till she vacates the berth, no berth hire to be levied for the period when the vessel idles at the berth for continuous one hour or more due to breakdown of terminal operator's equipment or power failure or for any other reasons attributable to the terminal operator, penal berth hire for false signal which are seen to be in line with the conditionalities prescribed at the Scale of Rates of the port and also in other upfront tariff Schedule and hence incorporated in the Scale of Rates.

For ousting priority/ priority berth hire charges, the VOCPT has proposed a general condition relating to priority / ousting priority stating that the rates and conditions for granting ousting priority berthing/ priority berthing are governed by the Government guidelines in this regard and provisions in the SOR of VOCPT. The Scale of Rates of VOCPT prescribes specific conditions relating to charges for priority berthing and ousting priority. The proposed note is, therefore, replaced with the conditionalities relating to ousting priority and priority berth hire charges in line with the prescription in the Scale of Rates of VOCPT.

(x). The Government of India in the Ministry of Shipping (MOS) undercover of its letter No. PT-11033/51/2014-PT dated 11 November 2014 has forwarded a copy of the guidelines on priority berthing of coastal vessels at Major Port issued vide letter No.PT-11033/51/2014-PT dated 4 September 2014 to this Authority. Accordingly, this Authority vide its Order no.TAMP/52/2014-Genl. dated 28 November 2014 has, interalia, approved the replacement of definition of ‘Coastal Vessel’ prescribed in the existing SOR of all the Major Port Trusts as follows:

‘“*Coastal vessel” shall mean any vessel exclusively employed in trading between any port or place in India to any other port or place in India having a valid coastal licence issued by the Director General of Shipping/ Competent Authority.*’

Therefore, the definition of Coastal Vessel proposed by the VOCPT has been modified in line with the above mentioned definition of ‘Coastal Vessel’.

(xi). The port has, in the general terms and conditions, incorporated the provision prescribed for System of classification of vessel for levy of Vessel Related Charges (VRC) and Criteria for levy of Vessel Related Charges and Concessional Coastal rate approved by this Authority vide Order No.TAMP/53/2015-VOCPT dated 26 November 2015. The subsequent amendment to the said Order in pursuance of the direction of the Directorate General Shipping approved by this Authority vide Order dated 10 June 2016 has not been incorporated by the port. The amendment in the said Order is incorporated.

(xii). Clause 2.2 of the revised tariff guidelines of 2013 requires this Authority to prescribe the Reference Tariff along with the Performance Standards. Though the revised guidelines of 2013 do not require this Authority to go into the Performance Standards proposed by the port it is not unreasonable to assume that the ports would propose reasonable and achievable Performance Standard.

The VOCPT has proposed the Performance Standards in respect of container and for clean cargo. For container, the port has proposed Gross berth day output of 25 moves / hour for main line vessel and 22 moves per hour for feeder vessel. The performance standards proposed by the VOCPT in terms of “moves per hour” should be moves per hour per crane. This is in line with the handling rate considered from the adopted tariff of the berth No VIII and also as considered in the optimal capacity calculation. That being so, the proposed performance standards for container is slightly modified by adding the words per crane.

The port has proposed Performance Standards for break bulk cargo viz. steel and bagged cargo at 6400T/ day and other cargo at 4000T/day. It is found to match with the nomenclature of cargo in the proposed SOR. The port has also proposed Performance Standards for container in terms of transit storage dwell time and turnaround time for receipt / delivery operation which is approved as proposed by the port.

Thus subject to above modification as regards the performance standards for container, the performance standards as proposed by the VOCPT are accepted.

The port has proposed a few conditions relating to calculation of liquidated damages for handling container and clean cargoes and Penalty if the Minimum Guaranteed Efficiency is not achieved. Since these provisions are penalty provisions and also since they do not form part of the adopted upfront tariff, they are not prescribed as part of the Performance Standards which have linkage to performance linked tariff.

(xiii). If there is any error apparent on the face of record considered, or for any other justifiable reasons, the VOCPT can approach this Authority for review of the reference tariff fixed giving adequate justification / reasoning within 30 days from the date of notification of the Order in the Gazette of India.

6.1. Subject to above, the Reference Tariff Schedule along with conditionalities governing the Reference Tariff has been modified.

6.2. In the result, and for the reasons given above, and based on a collective application of mind, this Authority approves Reference Tariff Schedule for the development of North Cargo Berth-IV for handling container and Break bulk cargo as well as Performance Standards attached as **Annex – II** and **III** respectively.

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

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

However, the PPP operator would be free to propose a tariff along with Performance Standards (the "Performance Linked Tariff") from the second year of operation onwards, over and above the indexed Reference Tariff for the relevant financial year, at least 90 days before the 1st April of the ensuing financial year. Such Performance Linked Tariff shall not be higher than 15% over and above the indexed Reference Tariff for that relevant financial year (and this will be the Tariff Cap). The Performance Linked Tariff would come into force from the first day of the following financial year and would be applicable for the entire financial year.

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

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

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

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

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

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

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

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

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

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

(T.S. Balasubramanian)
Member (Finance)

Annex - I

FORMULATION OF REFERENCE TARIFF FOR HANDLING CONTAINER AND CLEAN CARGO AT NORTH CARGO BERTH-IV AT V.O.CHIDAMBARANAR PORT ON DBFOT BASIS

Sr. No.	Particulars	As estimated by VOCPT		As considered by TAMP	
I.	**Optimal capacity**				
(i).	**Optimal Capacity for Container handling**				
(a).	Number of Gantry Cranes deployed for work in a year		3		3
(b).	Number of Working Hours of Gantry Cranes in a year		8760		8760
(c).	Average Number of moves per gantry Cranes (moves/hour)		25		25
(d).	TEU Ratio		1.3		1.3
(e).	Optimal Capacity ratio		70%		70%
	Optimal Quay Capacity		**597870**		**597870**
(ii).	**Optimal capacity considered for container handling (in TEUs)**		**597870**		**597870**
(iii).	**Optimal capacity for Break bulk cargo**	**Steel and Bagged cargo**	**Other cargo**	**Steel and Bagged cargo**	**Other cargo**
(a).	Share of cargo	80%	20%	80%	20%
(b).	Handling rate	6400	4000	6400	4000
	Optimal capacity			**1308160**	**204400**
	Total Optimal capacity for handling Clean Cargo		**1512560**		**1512560**
II.	**Capital Cost of Berth**	**Rs. in crores**			
(i)	Cost for construction of berth		75.00		75.00
(ii)	3% Contingencies and 7% Supervision charges on Base cost		7.50		7.50
(iii)	Work contract tax (4% on 65% of civil cost on Base cost)		1.95		1.95
	Sub total		**84.45**		**84.45**
(iv).	Miscelleneuos cost (TAMP-5% of Capital cost)		0.00		4.22
	Total		**84.45**		**88.67**
III.	**Operating Cost of Berth**	**Rs. in lakhs**			
(i)	Repairs and Maintenance (1% of capital cost)		84.45		88.67
(ii)	Depreciation (KPT- 3.34%, TAMP-3.17%)		282.06		281.08
(iii)	Insurance (1% of capital cost)		84.45		88.67
	Sub total		**450.96**		**458.42**
IV.	**Revenue Requirement for berth operation**	**(Rs. in Lakhs)**			
(i)	Operating Cost		450.96		458.42
(ii)	ROCE @ 16% on capital cost		1,351.20		1,418.72
	Total Revenue Requirement for Berth hire charges		**1,802.16**		**1,877.14**
V.	Tariff (Re)				
	Berth Hire Charges				
(i).	**For container**				
	(a) Foreign Going Vessels		0.49		0.51
	(b) Coastal Vessels		0.29		0.31
(iii).	**For Clean Cargo**	**Steel and Bagged cargo**	**Other cargo**	**Steel and Bagged cargo**	**Other cargo**
	(a) Foreign Going Vessels	0.28	0.28	0.31	0.31
	(b) Coastal Vessels	0.17	0.17	0.19	0.19

Computation of Berth Hire charges

As furnished by VOCPT vide its revised Proposal

Sl. No.	Particulars	Unit	Cotainer	Break bulk cargo		Total for break bulk cargo & other cargo
				Steel and Bagged cargo	Other cargo	
1	DWT	Tons	76000	37000	37000	
2	Ratio	%	100	80%	20%	
3	Handling rate	Tons/day	2340	6400	4000	
4	Average GRT per vessel	Tons	45202	25000	25000	
5	Average parcel size	Tons	3500	30000	30000	
6	Capacity	Tons	600000	1210048	302512	15,12,560
7	No. of berth days (row 6 / row 3)	Days	255	189	76	265
8	No. of berth hours (row 7 x 24)	Hours	6120.00	4536.00	1824.00	6360.00
9	No. of vessels (row 6 / row 5)	No.	171	40	10	
10	Total GRT hours (row 4 x row 8)	Hours	277081306	113400000	45600000	159000000
iv.	Revenue Requirement	Rs. In lakhs	135162225			45054075.00
	Berth hire Charges - Foreign (row 11 / row 10 *100000)		**0.49**			**0.28**
	Berth hire Charges - coastal		**0.29**			**0.17**

As considered by TAMP

Sl. No.	Particulars	Unit	Cotainer	Break bulk cargo		Total for break bulk cargo & other cargo
				Steel and Bagged cargo	Other cargo	
1	DWT	Tons	76000	37000	37000	
2	Ratio	%	100	80%	20%	
3	Handling rate	Tons/day	2340	6400	4000	
4	Average GRT per vessel	Tons	45202	25000	25000	
5	Average parcel size	Tons	3500	30000	30000	
6	Capacity	Tons	597870	1308160	204400	15,12,560
7	No. of berth days (row 6 / row 3)	Days	255.50	204.40	51.10	255.50
8	No. of berth hours (row 7 x 24)	Hours	6132.00	4906.00	1226.00	6132.00
9	No. of vessels (row 6 / row 5)	No.	171	44	7	
10	Total GRT hours (row 4 x row 8)	Hours	277178664	122650000	30650000	153300000
iv.	Revenue Requirement	Rs.	140785500			46928500.00
	Berth hire Charges - Foreign (row 11 / row 10 *100000)		**0.51**			**0.31**
	Berth hire Charges - coastal		**0.31**			**0.19**

Annex- II

V.O. Chidambaranar Port Trust

REFERENCE TARIFF SCHEDULE FOR HANDLING CONTAINER AND CLEAN CARGO ON DBFOT BASIS AT NORTH CARGO BERTH – IV

CHAPTER 1 – DEFINITIONS AND GENERAL TERMS AND CONDITIONS

1.1. Definitions – General

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 Directorate General of Shipping /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 a 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 levy of vessel related charges; and, the nature of cargo or its origin will not be of any relevance for this purpose.

(ii). System of classification of vessel for levy of Vessel Related Charges (VRC)

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

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

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

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

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

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

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

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

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

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

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

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

(v). The charges for coastal vessels shall be denominated in Indian Rupees

(a). The berth hire charges for all coastal vessels should not exceed 60% of the corresponding charges for other vessels.

(b). The cargo related charges for all coastal cargo other than thermal coal and POL including crude oil, iron ore and iron ore pellets should not exceed 60% of the normal cargo related charges. The container related charges for all Coastal containers should not exceed 60% of the normal container related charges.

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

(d). Cargo from a foreign port which reaches at NCB IV for subsequent transhipment to Indian Port "B" will be levied the concession charges relevant for its coastal voyage. In other words, cargo from/to Indian Ports carried by vessels permitted to undertake coastal voyage will qualify for the concession.

(e). The charges for coastal vessels shall be denominated in Indian Rupees.

(vi). In calculating the gross weight or measurement by volume or capacity of any individual item, fractions upto 0.50 shall be taken as 0.50 unit and fractions of 0.50 and above shall be treated as one unit, except where otherwise specified.

(vii). 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.

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

(ix). 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.

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

(xi). 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.

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

(xiii). (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.

1. BERTH HIRE CHARGES:

S.No.	Vessels	Unit	Foreign (In ₹)	Coastal (In ₹)
1	Container vessels	Rate Per GRT/hr or part thereof	0.51	0.31
2	Break Bulk Cargo vessels	-do-	0.31	0.19

Notes:

(i). The Period of berth hire shall be calculated from time the vessel occupies berth till she vacates the berth.

(ii). (a). Berth hire shall stop four hours after the time of the vessel signaling its readiness to sail.
(b). The time limit of 4 hours prescribed for the cessation of the berth hire shall exclude the ship's waiting time for want of favorable tide conditions, inclement weather and due to lack of night navigation.
(c). The Master/ agent of the vessel shall signal readiness to sail only in accordance with favourable tidal and weather conditions.

(iii). The Penal berth hire shall be equal to one-day's (24 hours) berth hire charges for a false signal. "False Signal" would be when the vessel signals readiness and asks for a pilot in anticipation even when she is not ready for un-berthing due to engine not being ready or cargo operation not completed or such other reasons attributable to the vessels. This excludes signaling readiness when a vessel is not able to sail due to unfavorable tide, lack of night navigation or adverse weather conditions."

(iv). Ousting Priority / Priority Berth Hire Charges:

(a). For providing the priority berthing to any vessel, a fee equivalent to berth hire charges for 24 hours or 75% of the berth hire charges calculated for the total period of actual stay at the berth, whichever is higher shall be levied.
(b). For providing the ousting priority to any vessel, a fee equivalent to berth hire charges for 24 hours or 100% of the berth hire charges calculated for the total period of actual stay at the berth whichever is higher, shall be levied.

(v). No berth hire shall be levied for the period when the vessels idle at its berths for continuous one hour or more due to break down of Terminal Operator's equipment or power failure or any other reasons attributable to the Terminal Operator.

CHAPTER 2 - 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	1993.78	2990.67	3987.56	1196.27	1794.40	2392.54
(ii).	Empty Container	1993.78	2990.67	3987.56	1196.27	1794.40	2392.54

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	1163.04	1744.56	2326.08	697.82	1046.74	1395.65
(ii).	Empty Container	830.74	1246.11	1661.48	498.44	747.67	996.89

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	1384.57	2076.86	2769.14	1384.57	2076.86	2769.14
(ii).	Empty Container	1384.57	2076.86	2769.14	1384.57	2076.86	2769.14

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	415.37	623.06	830.74	415.37	623.06	830.74
(ii).	Empty Container	415.37	623.06	830.74	415.37	623.06	830.74

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	2990.67	4486.01	5981.34	1794.40	2691.60	3588.81
(ii).	Empty Container	2990.67	4486.01	5981.34	1794.40	2691.60	3588.81

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. Charges for Hazardous containers.

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	2492.23	3738.34	4984.45	1495.34	2243.00	2990.67

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	1453.80	2180.73	2907.60	872.28	1308.44	1744.56

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	1730.71	2596.10	3461.43	1730.71	2596.10	3461.43

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	519.25	778.87	1038.50	519.25	778.87	1038.50

2.4. Charges for Over Dimensional Cargo Containers.

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 Container	2492.23	3738.34	4984.45	1495.34	2243.00	2990.67
(ii).	Empty Container	2492.23	3738.34	4984.45	1495.34	2243.00	2990.67

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 Container	1453.80	2180.73	2907.6	872.28	1308.44	1744.56
(ii).	Empty Container	1038.43	1557.6	2076.86	623.05	934.56	1246.12

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 Container	1730.71	2596.10	3461.43	1730.71	2596.10	3461.43
(ii).	Empty Container	1730.71	2596.10	3461.43	1730.71	2596.10	3461.43

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 Container	519.25	778.87	1038.50	519.25	778.87	1038.50
(ii).	Empty Container	519.25	778.87	1038.50	519.25	778.87	1038.50

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.	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
(a).	If the ship's gears are used for loading / unloading containers from ship to shore or vice versa.	972.58	1458.86	1945.15	583.55	875.32	1167.09
(b).	If the Terminal user deploys his own tractor trailer for transporting containers from quay to container yard or container yard to quay.	202.62	303.93	405.24	121.57	182.36	243.14
(c).	If the Terminal user deploys his own equipment for lifting containers from the container yard to truck and vice versa	202.62	303.93	405.24	202.62	303.93	405.24
(d).	If the Terminal user Provides labour for lashing/ unlashing operation to container	97.26	145.89	194.52	58.35	87.53	116.71

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. Charges for handling Hatch Covers of vessels

Sr. No.	Particulars	Foreign Going (in ₹)	Coastal (in ₹)
(i).	When placing the hatch cover on the quay	2553.01	1531.81
(ii).	Without placing the hatch cover on the quay	1023.91	614.34

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

2.7. Charges for shifting containers within vessel (Restows)

(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	857.76	1286.64	1715.52	514.65	771.98	1029.31

(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	2850.19	4275.28	5700.38	1710.11	2565.17	3420.23

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	1557.61	2336.41	3115.21	1557.61	2336.41	3115.22

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)	1869.51	1869.51	1869.51	1869.51	1869.51	1869.51
(ii).	Connection or disconnection Services on board a Vessel	124.27	124.27	124.27	124.27	124.27	124.27

(iii).	Cleaning of Container	97.26	194.52	291.77	97.26	194.52	291.77
(iv).	Supply of electricity (including connection and disconnection, Monitoring of temperature at reefer yard) Per container per 4 hours or part thereof	201.27	301.90	603.81	201.27	301.90	603.81

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	195.87	391.73	587.60	195.87	391.73	587.60
(iii).	8 Days to 15 Days	391.73	783.46	1175.20	391.73	783.46	1175.20
(iv).	Thereafter	783.46	1566.93	2350.39	783.46	1566.93	2350.39

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	195.87	391.73	587.60	195.87	391.73	587.60
(iii).	8 Days to 15 Days	391.73	783.46	1175.20	391.73	783.46	1175.20
(iv).	Thereafter	783.46	1566.93	2350.39	783.46	1566.93	2350.39

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	195.87	391.73	587.60	195.87	391.73	587.60
(iii).	8 Days to 15 Days	391.73	783.46	1175.20	391.73	783.46	1175.20
(iv).	Thereafter	783.46	1566.93	2350.39	783.46	1566.93	2350.39

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 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	195.87	391.73	587.60	195.87	391.73	587.60
(iii).	Thereafter	391.73	783.46	1175.20	391.73	783.46	1175.20

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	195.87	391.73	587.60	195.87	391.73	587.60
(ii).	16 Days to 30 Days	391.73	783.46	1175.20	391.73	783.46	1175.20
(iii).	Thereafter	783.46	1566.93	2350.39	783.46	1566.93	2350.39

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 - 3

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	270.16	270.16	270.16
(ii).	Lift on/lift off in the CY	878.02	1317.03	1756.04
(iii).	Charges for shifting within the Terminal	1080.64	1620.96	2161.28
(iv).	Shifting of containers within the Terminal for customs inspection	1215.72	1823.58	2431.44
(v).	Stacking of containers in the designated yard for customs examination	371.47	547.07	729.43
(vi).	Direct loading	675.4	1013.1	1013.1
(vii).	Reshuffling	1148.18	1722.27	1722.27
(viii).	Change of shipment status	742.94	1114.41	1114.41
(ix).	Change of container status	607.86	607.86	607.86
(x).	Cancellation of document	405.24	405.24	405.24
(xi).	Visitor entries pass (Cost per pass)			
	(a). Yearly	270.16		
	(b). Monthly	67.54		
	(c). Daily	27.02		

(xii).	Photography (Cost per day)			
	(a). For Shooting/ Filming	17560.4		
	(b). For Photography of goods	864.51		
	(c). For Photography of operations	5268.12		

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

Particulars	Rate (in ₹)
Per 1000 Liters or part thereof	405.24

4. Charges for handling of Break bulk i.e. Steel and Bagged cargo & Other Cargo by using HMC:-

I. Break Bulk cargo:-

(A). Steel and Bagged Cargo

Average Daily Crane Performance in Metric Tonne	Rate/Ton for HMC with Grab in ₹	
	Foreign Vessel	Coastal vessel
5000-5999	69.48	41.69
6000*	73.14	43.88
6001-7000	76.80	46.07

Note: To calculate the incremental ceiling rates as shown above, the base rate was enhanced to 105% for first thousand tonnes. The same methodology shall also be adopted to calculate the rate beyond 7000 tonnes. Likewise, ceiling rates for performance below 5000 tonnes shall be calculated by reducing the base rate accordingly.

(B). Others:-

Average Daily Crane Performance in Metric Tonne	Rate/Ton for HMC with Grab in ₹	
	Foreign Vessel	Coastal vessel
2750 – 3749	111.23	66.74
3750*	117.09	70.25
3751-4750	122.94	73.77

Note: To calculate the incremental ceiling rates as shown above, the base rate was enhanced to 105% for first thousand tonnes. The same methodology shall also be adopted to calculate the rate beyond 4750 tonnes. Likewise, ceiling rates for performance below 2750 tonnes shall be calculated by reducing the base rate accordingly.

Notes:

(i). The formula for calculation of average berth-day out put is as follows:

$$\frac{\text{Total Quantity loaded / unloaded by the HMC}}{\text{Total time taken from vessel commencement to completion}} \times 24 \text{ hours}$$

(ii). According to the average berth-day output for the vessel from commencement to completion of loading / discharge of cargo, the appropriate rate of crane hire charge will be chosen for recovery from port users for the full quantity of cargo loaded / discharged.

(iii). If one HMC works with another HMC or ELL crane/s, the Berth-day output for the crane will be ascertained on the basis of the quantity as recorded by the HMC's load meter.

(iv). In case of breakdown of the crane for more than one hour till the vessel leaves the berth, the quantity handled by HMC will be determined taking into account cargo loaded / discharged prior to break-down divided by crane working hours and multiplied by 24.

(v). In case of stoppages of operation of HMC for more than two hours at a stretch for reasons not attributable to the HMC, appropriate allowance will be allowed to the crane while calculating the total time of crane operation in the vessel. Stoppages of HMC for less than 2 hours will not be taken into consideration for the above purpose. No allowance will be allowed for stoppages attributable to the HMC. All stoppages in loading / unloading operations during working of HMC are required to be certified by the TPT Officers or any other agency nominated by the TPT in the daily vessel performance report.

(vi). In case shifting of a vessel becomes necessary due to breakdown / non-performance of HMC, the shifting charges of the vessel from berth to anchorage will be recovered from the crane operator in addition to a penalty of Rs.1,00,000/- (Rupees one lakh only). The shifting charges so recovered will be refunded to the vessel's agent while the penalty will be retained by the port.

(vii). In case of dispute on the average output, the decision of the port trust will be final and binding.

5. GENERAL NOTE TO SCHEDULE (2), (3) and (4) ABOVE:

(i). The tariff caps will be indexed to inflation but only to an extent of 60% of the variation in Wholesale Price Index (WPI) occurring between 1 January 2016 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.

(ii). From the date of Commercial Operation (CoD) till 31st March of the same financial year, the tariff would be limited to the indexed Reference Tariff relevant to that year, which would be the ceiling. The aforesaid Reference Tariff shall be automatically revised every year based on an indexation as provided in para 2.2 of the tariff guidelines of 2013 which will be applicable for the entire licence period. However, the Licensee would be free to propose a tariff along with Performance Standards (the "Performance Linked Tariff") from the second year of operation onwards, over and above the indexed Reference Tariff for the relevant financial year, at least 90 days before the 1st April of the ensuing financial year. Such Performance Linked Tariff shall not be higher than 15% over and above the indexed Reference Tariff for that relevant financial year (and this will be the Tariff Cap). The Performance Linked Tariff would come into force from the first day of the following financial year and would be applicable for the entire financial year.

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

(iv). On receipt of the proposal, TAMP will seek the views of the Major Port Trust on the achievement of Performance Standards as outlined in para 5 of the tariff guidelines of 2013, within 7 days of receipt.

(v). In the event of Licensee not achieving the Performance Standards as incorporated in the Licence Agreement in previous 12 months, TAMP will not consider the proposal for notifying the Performance Linked Tariff for the ensuing financial year and the Licensee shall be entitled to only the indexed Reference Tariff applicable for the ensuing financial year.

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

(vii). While considering the proposal for Performance Linked Tariff, TAMP will look into the Performance Standards and its adherence by the Licensee. TAMP will decide on the acceptance or rejection of the Performance Linked Tariff proposal based on the achievement or otherwise of the Performance Standards by the Licensee. Determination of indexed Reference Tariff and Performance Linked Tariff will follow the illustration shown in the Appendix attached to the tariff guidelines of 2013

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

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Annex -III

PERFORMANCE STANDARDS FOR HANDLING CONTAINER AND CLEAN CARGO ON DBFOT BASIS AT NORTH CARGO BERTH – IV

1. Gross Berth Output

In the case of containers the crane rate shall be measured by dividing total number of TEUs lifted on/off from ships by the elapsed crane time. The elapsed crane time is the total allocated crane hours less operational and non-operational delays.

The norms for Gross Berth Output for Containers are as follows:

CONTAINER	NORMS
Main line vessels	25 moves per hour / crane
Feeder vessels	22 moves per hour / crane

Note: Weightage in case of a shortfall in meeting the prescribed performance standard - 50%

Clean Cargo

Cargo(Break Bulk)	Norms
Steel & Bagged cargo Others	6400 T/day 4000 T/day

For break bulk clean cargoes using HMC, concessionaire shall unconditionally guarantee the Minimum Guaranteed Availability of 90% per crane per month.

2. Transit Storage Dwell Time:

Containers:

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

CONTAINER	NORMS
Import at Terminal	2 days
Export at Terminal	4 days

Weightage in case of a shortfall in meeting the prescribed performance standard - 25%.

3. Turnaround Time for receipt/delivery operation:

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

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

Weightage in case of a shortfall in meeting the prescribed performance standard - 25%.

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