



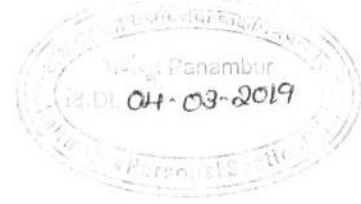
महापत्तन प्रशुल्क प्राधिकरण
TARIFF AUTHORITY FOR MAJOR PORTS

पोत परिवहन मंत्रालय, भारत सरकार
Ministry of Shipping, Govt. of India

आई.एस.ओ. 9001:2008 एवं आई.एस.ओ. 27001:2013 प्रमाणित ISO 9001:2008 and ISO 27001:2013 Certified

No.TAMP/69/2018-NMPT
28 February 2019

To
The Chairman,
New Mangalore Port Trust,
Administrative Office Building,
Panambur,
Mangalore - 575 010.



Subject: Proposal received from New Mangalore Port Trust (NMPT) for fixation of Reference Tariff for Mechanization of Berth No.14 for handling containers and other clean cargo on Design, Build, Finance, Operate and Transfer (DBFOT) basis at NMPT.

Sir,

This has reference to our letter of even number dated 21 January 2019 on subject cited above.

2. This Authority had passed an Order on 18 January 2019 on the Subject proposal. This has been notified in the Gazette of India Extraordinary (Part III Section 4) on 26 February 2019 vide Gazette No.78. A copy each of the Notification and Order (both in Hindi and English) thereof is enclosed herewith for your information and appropriate action.

3. A summary of the arguments made in this case during the Joint hearing before the Authority is also attached for your information.

4. The Notification and Order can also be downloaded from our website <http://tariffauthority.gov.in>.

5. The e-gazette can be downloaded from the website of Department of Publication viz.: www.egazette.nic.in, free of charge.

6. Receipt of this letter may kindly be acknowledged.

Yours faithfully,

(Anuradha H. Sharma)
Director

Encl.: As above.

चतुर्थ तल, भण्डार भवन, मुजावर पाखाडी रोड, माझगांव, मुंबई - 400 010.

4th Floor, Bhandar Bhavan, Muzawar Pakhadi Road, Mazgaon, Mumbai - 400 010.

Tel. : 2379 2000, 2379 2008 Fax : 022-2375 7879, E-mail : tariff@tariffauthority.gov.in, Web : <http://www.tariffauthority.gov.in>

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EE (C)

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Copy alongwith copy each of the Notification & Order (both in Hindi and English) is forwarded for information to:

Sr. No.	Users / User Associations
(i).	The Kanara Chamber of Commerce and Industry,
(ii).	The Mangalore Custom House Agents' Association,
(iii).	The New Mangalore Port Clearing & Forwarding Agents Association, Mangalore
(iv).	Container Shipping Lines Association (India), Mumbai
(v).	M/s. Mineral Enterprise Limited, Bangalore
(vi).	M/s. Bengal Tiger line (India) Pvt. Ltd.
(vii).	M/s. Maersk.
(viii).	M/s. Indian Farmers Fertilizers Co-operative Ltd.
(ix).	M/s. IMC Ltd.
(x).	M/s. Indian Potash Ltd.(IPL)
(xi).	Mangalore Steamer Agents Association, Mangalore
(xii).	Association of New Mangalore Port Stevedores
	Prospective Bidders (as forwarded by NMPT)
(xiii).	JSW Infrastructure Limited
(xiv).	Consortium of Chettinad Builders Private Limited and Chettinad International Coal Terminal Private Limited
(xv).	Adani Ports and Special Economic Zone Limited
(xvi).	Consortium of Kakinada Seaports Limited and Bothra Shipping Services Private Limited
(xvii).	International Cargo Terminal and Infrastructure Private Limited
(xviii).	J. M. Baxi
(xix).	Ganesh Shipping Agency


(Sandesh Sawant)
 Assistant Director

(To be Published in Part - III Section 4 of the Gazette of India, Extraordinary)
TARIFF AUTHORITY FOR MAJOR PORTS

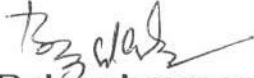
No.TAMP/69/2018-NMPT

Mumbai,

20 February 2019

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 New Mangalore Port Trust (NMPT) for fixation of Reference Tariff for Mechanization of Berth No.14 for handling containers and other clean cargo on Design, Build, Finance, Operate and Transfer (DBFOT) basis at NMPT under the revised guidelines for Determination of Tariff for Projects at Major Ports, 2013, as in the Order appended hereto.


(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports
Case No. TAMP/69/2018-NMPT

New Mangalore Port Trust

QUORUM

Applicant

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

ORDER

(Passed on this 18th day of January 2019)

This case relates to the proposal received from New Mangalore Port Trust (NMPT) for seeking approval of Reference Tariff for Mechanization of Berth No.14 for handling containers and other clean cargo on Design, Build, Finance, Operate and Transfer (DBFOT) basis at NMPT.

2. This Authority had earlier passed an Order No.TAMP/56/2016-KPT dated 04 January 2017 fixing reference tariff under Tariff Guidelines, 2013 following normative approach for development of container terminal and for handling other cargo at berth no.8 on Public Private Partnership (PPP) mode at NMPT for a period of 30 years based on the proposal filed by the NMPT. The Order dated 04 January 2017 was notified in the Gazette of India on 01 March 2017 vide Gazette No.84.

3. The NMPT has vide its letter dated 11 September 2018 again come up with a proposal for the same project. The reason for filing proposal and main submissions made by the NMPT in the proposal are summarized below:

- (i). (a). TAMP had earlier notified tariff for development of container terminal and for handling other Cargo at berth no.8 on PPP mode at NMPT vide Gazette No.84 dated 01 March 2017. However, the port authority have decided to go for a fresh proposal for Mechanization of Berth No.14 for handling of Containers and Other Clean Cargo at NMPT on PPP mode based on 2008 guidelines because of change in Project cost and equipment minimum capital expenditure has been envisaged for the Other Clean Cargo.
- (b). Since the project envisages handling of different commodities i.e. Container Cargo and Other Clean Cargo, the norms prescribed for a multipurpose berth appear to be more relevant. However, the NMPT proposed to adopt two different set of norms (one set relating to Container terminal for handling Container Cargo and another set relating to multipurpose berth for handling Other Cargo) instead of the norms prescribed for the multipurpose berth. By following this norm, the NMPT would achieve better handling rates for Container Cargo and Other Cargo than the handling rates for the same



APPENDIX- 12 TARIFFS

The Concessionaire may charge fees for the Project Facilities and Services provided in accordance with the Tariff Notification No. TAMP/69/2018-NMPT dated 18th January 2019 approved by TAMP or such other competent authority under the Applicable Laws. As a ready reference, the relevant extract of the Tariff Notification is as under:

TARIFF SCHEDULE FOR MECHANIZATION OF BERTH NO.14 FOR HANDLING OF CONTAINERS AND OTHER CARGO ON DBFOT BASIS AT NEW MANGALORE PORT TRUST

1. DEFINITIONS

- (i) **“Back To Town Container”** shall mean a container entering the port for export but unable to be exported for whatever reason and taken back to town.
- (ii) **“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 license issued by the competent authority/ Director General of Shipping.
- (iii) **“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.
- (iv) **“Day”** shall mean the period starting from 6.00 am of a day and ending at 6.00 am on the next day.
- (v) **“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.
- (vi) **“Export container”** means a container arrived by road or Train, stored in container yard and loaded on the assigned vessel.
- (vii) **“Foreign-going vessel”** shall mean any vessel other than Coastal vessel.
- (viii) **“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.
- (ix) **“Full Container Load”** (FCL) shall mean a container containing cargo belonging to one consignee in the vessel’s manifest.
- (x) **“Hazardous container”** means a Container containing hazardous goods as classified under IMO.
- (xi) **“ICD”** shall mean Inland Container Depot.
- (xii) **“Import container”** means a container discharged from one vessel, stored in container yard and transported out through Road or Train.

- (xiii) **“Less than a Container Load”** (LCL) shall mean a container containing cargo belonging to more than one consignee in the vessel’s manifest.
- (xiv) **“Normal Container”** shall mean general type containers, not falling under special categories mentioned subsequently.
- (xv) **“Other Cargo”** shall mean all cargo other than negative list as specified in Appendix 19.
- (xvi) **“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.
- (xvii) **“Per day”** shall mean a calendar day or part thereof unless otherwise stated.
- (xviii) **“Port”** shall mean New Mangalore Port Trust.
- (xix) **“Port area”** means the custom bound area / Port operational Area of the Port.
- (xx) **“Reefer Container”** shall mean a refrigerated container used for carriage of perishable goods with provision for electrical supply to maintain the desired temperature.
- (xxi) **“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.
- (xxii) **“Transshipment Container”** shall mean a container, which is discharged from one vessel, stored in the yard and transported through other vessel.
- (xxiii) **“VIAN”** shall mean Vessel Identification Advise Number.
- (xxiv) **“Week”** shall mean a period of 7 days.

2. GENERAL TERMS & CONDITIONS

- (i) The status of the vessel, as borne out by its certification by the Customs or the Director General of Shipping, shall be the deciding factor for its classification as ‘coastal’ or ‘foreign-going’ for the purpose of levying vessel related charges; and, the nature of cargo or its origin will not be of any relevance for this purpose.
- (ii) 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 Licence 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 Licence 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) (a) Coastal goods transported between an Indian port on east coast and another Indian port on west coast or vice versa, by a vessel through the territorial waters of Sri Lanka, whether or not calling any port in Sri Lanka in between and without change of vessel in terms Notification No.38/2018-Customs (N.T.) dated 11 May 2018 of Central Board of Indirect Taxes and

Customs shall be eligible for concession in vessel related charges and cargo related charges.

(b) Coastal goods transported between an Indian port on east coast and a river port in India or vice versa, by a vessel through a route passing through the Bangladeshi waters and without change of vessel in terms Notification No.38/2018-Customs (N.T.) dated 11 May 2018 of Central Board of Indirect Taxes and Customs shall be eligible for concession in vessel related charges and cargo related charges.

(vi) (a) The cargo / container related charges for all coastal cargo/containers, other than thermal coal, POL including Crude Oil, iron ore and iron pallets, should not exceed 60% of the normal cargo/container related charges.

(b) Container / cargo from a foreign port which reaches an Indian Port 'A' for subsequent transshipment to Indian Port 'B' will also qualify insofar as the charges relevant for its coastal voyage. In other words, cargo/containers from/to Indian Ports carried by vessels permitted to undertake coastal voyage will qualify for the concession.

(vii) Interest on delayed payments / refunds:

(a) The user shall pay interest at the rate of 15% per annum on the delayed payments of any charge under the Scale of Rates.

(b) Likewise, the Port Trust shall pay penal interest at the rate of 15% per annum on delayed refunds.

(c) The delay in refunds by the 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 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 as a condition in this Scale of Rates.

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

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

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

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

(b) The operator may also, if it so desires, rationalize the prescribed

conditionalities governing the application of rates prescribed in the Scale of Rates if such rationalization gives relief to the users in the rate per unit and the unit rates prescribed in the Scale of Rates does not exceed the ceiling level.

(c) The operator 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 charges in such lower rates and/or in the conditionalities governing the application of such rates provided the new rates fixed shall not exceed the rate notified by the Authority.

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

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

3. CONTAINER RELATED CHARGES

3.1 GENERAL TERMS AND CONDITIONS

(i) Containers less than and up to 20' will be reckoned as one TEU (Twenty-foot Equivalent Unit) and more than 20' and up to 40' will be reckoned as one FEU (Forty-foot Equivalent Unit) for the purpose of tariff.

(ii) All charges for containers more than 20' in length and up to 40' in length will be 150 percent of the applicable charges prescribed and for containers above 40' in length it will be 200 percent of the applicable charges prescribed on per TEU basis in the Scale of Rates.

(iii) Containers other than that of standard size requiring special devices/slings/handling will be charged twice the applicable rates. Such containers will also include damage containers and any other type requiring special devices.

(iv) The tariff for hazardous and transshipment containers shall be 1.25 times that of a normal container.

3.2 Charges for Handling and Movement of Containers

The following consolidated charges for handling and movement of container shall be payable by the Shipping Lines or Agents of vessels or cargo agents for services rendered in respect of containers and containerised cargo passing through the port.

A. Normal & Reefer Containers

8.1.1.	8.1.1.1.2	Description	8.1.1.1.3 Rate per TEU (in Rs.)	
			Foreign	Coastal
1.				

No		Container		Container	
		Loaded	Empty	Loaded	Empty
1.	From Ship to container yard or vice versa	3,125.51	2,500.42	1,875.31	1,500.24
2.	From Container yard to Railway flat or vice versa	1,562.75	1,562.75	1,562.75	1,562.75
3.	From Container yard to Truck or vice versa	468.82	468.82	468.82	468.82

B. Hazardous Containers

Sl. No	Description	Rate per TEU (in Rs.)	
		Foreign Container	Coastal Container
		Loaded	Loaded
1.	From Ship to container yard or vice versa	3,906.89	2,344.13
2.	From Container yard to Railway flat or vice versa	1,953.44	1,953.44
3.	From Container yard to Truck or vice versa	586.03	586.03

C. Transshipment Containers

Sl. No	Description	Rate per TEU (in Rs.)			
		Foreign Container		Coastal Container	
		Loaded	Empty	Loaded	Empty
1.	Transshipment container	3,906.89	3,125.51	2,344.13	1,875.31

Notes:

(i) A container originally declared as transshipment container, subsequently moved by rail or road will lose its identity as a transshipment container and shall be treated as a normal import container and prescribed charges as applicable shall be payable.

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

D. Over Dimensional Cargo Containers

Sl. No.	Description	Rate per TEU (in Rs.)			
		Foreign Container		Coastal Container	
		Loaded	Empty	Loaded	Empty
1.	From Ship to container yard or vice versa	6,251.03	5,000.81	3,750.61	3,000.50
2.	From Container yard to Railway flat or vice versa	3,125.51	3,125.51	3,125.51	3,125.51
3.	From Container yard to Truck or vice versa	937.65	937.65	937.65	937.65

General Note: The consolidated charges as above include the following elements viz. stevedoring, use of Gantry crane, use of transfer crane, wharfage on tare weight of containers, wharfage on containerized cargo & transportation.

3.3 Dwell Time Charges for Container, stored in the Port Premises

S. No.	Particulars	Rate per container per day or part thereof (in Rs.)					
		Foreign			Coastal		
		Upto 20' in length	Over 20' to upto 40' in length	Above 40' in length	Upto 20' in length	Over 20' to upto 40' in length	Above 40' in length
1.	Import-loaded						
	First 4 days	Free	Free	Free	Free	Free	Free
	5-8 days	193.03	386.05	579.08	193.03	386.05	579.08
	9-15 days	386.05	772.12	1158.17	386.05	772.12	1158.17
	Thereafter	772.12	1544.23	2316.35	772.12	1544.23	2316.35
2.	Export-Loaded						
	First 5 days	Free	Free	Free	Free	Free	Free
	6-8 days	193.03	386.05	579.08	193.03	386.05	579.08
	9-15 days	386.05	772.12	1158.17	386.05	772.12	1158.17
	Thereafter	772.12	1544.23	2316.35	772.12	1544.23	2316.35

3.	Import/Export-Empty						
	First 4 days	Free	Free	Free	Free	Free	Free
	5-8 days	193.0 3	386.05	579.08	193.03	386.05	579.08
	9-15 days	386.0 5	772.12	1158.1 7	386.05	772.12	1158.1 7
	Thereafter	772.1 2	1544.2 3	2316.3 5	772.12	1544.2 3	2316.3 5
4.	Transshipment-Loaded						
	First 15 days	Free	Free	Free	Free	Free	Free
	16-30 days	193.0 3	386.05	579.08	193.03	386.05	579.08
	Thereafter	386.0 5	772.12	1158.1 7	386.05	772.12	1158.1 7
5.	Transshipment-Empty						
	First 7 days	Free	Free	Free	Free	Free	Free
	8-15 days	193.0 3	386.05	579.08	193.03	386.05	579.08
	Thereafter	386.0 5	772.12	1158.1 7	386.05	772.12	1158.1 7

Notes:

(1) (a) 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.

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

(2) Transshipment containers subsequently changing the mode of dispatch locally or to the container freight station for destuffing/stuffing shall lose the concessional dwell time as prescribed in Item (4) above. Dwell time charges for such containers shall be recovered at par with import containers as prescribed in item no. 1 or 2 as applicable.

(3) 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.

(4) Over high and over dimensional containers shall attract twice the normal applicable charges.

(5) Hazardous containers shall attract 1.25 times the normal applicable charges.

(6) In the case of auction containers, after the auction is over, the empty containers will attract the dwell time charges as empty containers from the following day the destuffing is completed.

(7) Free storage period for export loaded and empty containers shall commence from the time the container enters the terminal.

(8) The storage charges shall not accrue for the period during which the operator is not in a position to deliver containers for reasons attributable to it when requested by the user.

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

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

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

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

(b) the line shall pay all port 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 destuffing. 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 the necessary actions are taken by the shipping lines for destuffing of cargo.

(iv) Where the container is seized/confiscated by the Custom Authorities and the same cannot be destuffed 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 port premises to the Customs bonded area and in that case the storage charge shall cease to apply from the day of such removal.

3.4 Charges for Miscellaneous Services rendered to the Container Vessels

A. Reefer Monitoring and Connection

S. No	Description	Rate per TEU (in Rs.)			
		Foreign Vessel		Coastal Vessel	
		Loaded	Empty	Loaded	Empty
1	Additional charges per 4 hours or part thereof for electricity consumption and monitoring of reefer containers	321.12	321.12	321.12	321.12

Note: Additional electricity charge at the prescribed rates will be applicable in case of Reefer Containers also.

B. Other Services Rendered

S. No	Description	Rate per TEU (in Rs.)			
		Foreign Vessel		Coastal Vessel	
		Loaded	Empty	Loaded	Empty
1	Shifting of containers from one yard to another yard within the terminal for customs inspection or any other purpose and subsequent loading of containers for delivery.	1557.45	1557.45	1557.45	1557.45
2	Additional service charges for stacking containers in designated yard for custom examination or for any other purpose by prior arrangement.	467.23	467.23	467.23	467.23

C. Opening of Hatch Cover and Replacing it

S. No	Description	Rate per Hatch Cover (in Rs.)	
		Foreign Vessel	
		Loaded	Loaded
1	When placing it on the Quay	6229.77	3737.87
2	Without placing it on the Quay	3018.54	1811.13

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

D. One Hatch to Another Hatch or within the Same Hatch

S. No.	Description	Rate per TEU (in Rs.)			
		Foreign Vessel		Coastal Vessel	
		Loaded	Empty	Loaded	Empty
1	Hatch to hatch shifting (involving 1 move only)	1557.45	1557.45	934.47	934.47
2	Other than (a) mentioned above	6229.77	6229.77	3737.87	3737.87

4. OTHER CARGO RELATED CHARGES**A. Cargo Handling Charges**

S. No.	Particulars	Rate in Rs. per metric tonne (Import)	
		Foreign	Coastal
1.	Handling Charges for other cargo other than negative list as specified in Appendix 19	104.98	62.99

Note: The handling charges for Other Cargo (other cargo other than negative list as specified in Appendix 19) prescribed above is a composite charge for unloading of the cargo from the vessel and transfer of the same up to the point of loading onto trucks, sweeping of cargo on the wharf, dust suppression services and all other miscellaneous services not specifically included in SOR.

B. Storage Charges

The storage charge has not been prescribed as DPR has not proposed any Storage area for Other Cargo.

5. GENERAL NOTE TO CHAPTER 2, 3 AND 4

- (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 2019 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 license 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 License 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 License 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.