



ನವ ಮಂಗಳೂರು ಬಂದರು ಮಂಡಳಿ  
नव मंगलूर पत्तन न्यास  
NEW MANGALORE PORT TRUST

Govt. of India (Ministry of Shipping)  
ಪಣಂಬೂರು ಪಣಾಂಬೂರು Panambur / ಮಂಗಳೂರು ಮಂಗಳೂರು Mangalore - 575010.



No.NMPT/TM/COVID-19/2020

Date: 28-04-2020

**TRADE NOTICE**

**Sub:** COVID-19 – revised guidelines to Major Ports on exemptions/ remission of Port charges and issues relating to Force Majeure – reg.

Ref : Trade Notice No.NMPT/TM/COVID-19/2020 dated 04-04-2020.

In view of the extension of lock-down period upto 03-05-2020 by the Govt. of India, the Ministry of Shipping has issued a fresh order vide No.PD-14033/4/2020-PD VII dt. 21-04-2020 in supersession to its order No. PD-14033/4/2020-PD VII dt. 31-03-2020 granting exemptions / remission of various charges to the Port users, remission of charges to PPP concessionaire and invocation of Force Majeure considering spread of Corona Virus as natural calamity.

Accordingly, the following exemptions/ remission to Port users/ PPP concessionaire are extended and Force Majeure clause is invoked as per the above said Govt. guidelines.

**1. Remission of charges to Port Users**

- (i) **Storage charges:** The lock down period shall be considered as free period of storage for the short term land allotments for dry bulk / break bulk/ Container cargo. This includes storage charges specified at Chapter IV & V of SOR. In case of cargo stored on demurrage basis, the first slab after the free period is considered as storage charges and the subsequent slabs are considered as demurrage. The free period specified in the SOR shall be allowed over and above the Lockdown period. However the same shall not be applicable for land under penal licence fee as on 22-3-2020.
- (ii) **Lease rental, licence fee related charges:** The deferment of payment of lease rental / licence fees for April, May and June months, on pro-rata basis without interest will be allowed based on the request by the lessee / licensee. This shall be applicable only for annual lease rentals/ licence fee to be received by the Port for year 2020.
- (iii) **Other charges, penalties etc.:** No penal charges, demurrage, detention charges, dwell time charges, anchorage charges, penal berth hire charges, performance related penalties shall be levied for any delay in berthing; loading / unloading operations are evacuation / arrival of cargo during the lock down period plus 30 days recovery period.

ದೂರವಾಣಿ : ಕಚೇರಿ : 0824 -2407341  
ಫ್ಯಾಕ್ಸ್ : 0824- 2408390

ಫೋನ್ : ಕಾರ್ಯಾಲಯ : 0824 - 2407341  
ಫೆಕ್ಸ್ : 0824 - 2408390

Phone : Office : 2407341 (18 Lines)  
Fax : 0824-2408390

**An ISO 9001:2015, 14001:2015 & ISPS Compliant Port**

- (iv) **Additional land for storage:** Additional land allotted to Port users on temporary basis shall be without any charges, rentals, fee etc. upto 30-06-2020 on 'as is where is' basis. This shall not be applicable for Vessel to Vessel short term land allotments.

2. **Remission of charges to PPP concessionaire:**

- (i) **Revenue share, royalty and equipment hire related charges:** The deferment of April, May and June months' revenue share, royalty and equipment hire charges without any interest will be allowed, if requested by concessionaire. The said deferred amount shall be paid by concessionaire after interest free period of three months (reckoned month to month Ex. the charges due on 5<sup>th</sup> April 2020 shall be paid on or before 5<sup>th</sup> August 2020) or alternatively, through six monthly equated installments at interest rate equal to RBI's 91-days Treasury Bill (Primary) yield rate (as on the due date of initially deferred amount) after expiry of interest free period.
- (ii) **Lease rentals, licence fees related charges:** The lease rentals, licence fees and similar charges for three months (April, May and June 2020) will be waived off to the extent the volume of cargo dropped compared to monthly average cargo volume of last calendar year i.e. 01-01-2019 to 31-12-2019.
- (iii) **Minimum Guaranteed Throughput (MGT) obligations:** The MGT obligations (wherever existent in concessionaire agreements) shall be computed, for the respective year, without considering the lock-down period and cargo volume handled during said period.
- (iv) **Performance standard related obligations:** The penalty or charges for any shortfall in any performance standards such as gross berth output, transit storage dwell time, turnaround time for delivery store receipt operations, non-transshipment requirements etc. shall not be levied for the lockdown period plus 30 days recovery period.
- (v) **Additional land for storage:** Additional storage area provided to PPP concessionaires, on temporary basis shall be without any charges, rentals fee etc. for upto 30-06-2020 on 'as is where is' basis.

3. **Vessel related charges from Shipping Agents/ Lines:**

Marine due / vessel related charges: Sixty days interest free deferment of marine dues/ vessel related charges will be allowed to Indian coastal vessels, on the request of the vessel operators. The coastal vessel operators shall submit requisite Bank Guarantee, as security for the same. Only deferment requests received by 30-05-2020 shall be considered.

**4. Force Majeure:**

The COVID-19 pandemic has been considered as natural calamity and ground for invoking Force Majeure clause as per Ministry of Finance O.M.No. 18/4/2020-PPP dated 19-02-2020 and Ministry of Shipping order No.PD-13/33/2020-PPP/e-339106 dated 20-03-2020 and letter dated 24-03-2020. Accordingly, following concessions are extended to PPP operators:

- (i) The period for completion of any project under implementation in PPP mode or otherwise, shall be extended.
- (ii) For PPP projects under implementation, waiver of all penal consequences on a case-to-case basis along with deferment of performance obligations as per relevant provisions of Concession Agreement shall be permitted.
- (iii) The period of Force Majeure starts from the date of order of Ministry of Finance referred above and will end when the competent authority so orders.

The remissions / waivers / deferments stipulated in this Trade Notice shall be extended to only Port related activities, industries and commercial establishments. This Trade Notice shall not be applicable on any captive user, Central or State Govt. entities, local bodies, PSUs, CPSEs.

This Trade Notice supersedes the Trade Notice No. NMPT/TM/COVID-19/2020 dated 04-04-2020.

All Shipping Agents/C&F Agents/Mainline Container Operators/Stevedore and Shore Handling Agents/Concessionaires are hereby requested to pass on the above exemptions to their Principals/Consignees / Shippers/End Users.



, TRAFFIC MANAGER  
New Mangalore Port Trust

To:

**All Port Users / MLOs/ PPP Concessionaire**

Copy to : The President, Mangalore Steamer Agents' Assn.

Copy to : The President, Association of NMP Stevedores

Copy to : The President, NMP C&F Agents' Assn.

Copy to : The President, Kanara Chamber of Commerce & Industry

Copy to : CE(C)/ D.C./ FA&CAO, NMPT

Copy to : Sr.DTM, NMPT / DTM (O/R)/AO Gr-1 Revenue/ATM Gr-1(C/O), NMPT

Copy to : Sr.DD(EDP)- with a request to upload in the NMPT website.

Copy to : PS to Chairman / PS to Dy.Chairman

Copy to : Ministry of Shipping – Kind Attn: Shri Arvind Chaudhary, Director, MOS