

(Published in Part - III Section 4 of the Gazette of India, Extraordinary)
Tariff Authority for Major Ports

G.No.526

New Delhi,

25 November 2020

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 notifies the revised Scale of Rates disposing of the proposal of the Central Warehousing Corporation (CWC) for General revision of its Scale of Rates for services rendered by it at the Container Freight Station (CFS) at the Deendayal Port Trust (DPT) under Tariff Guidelines, 2019 as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports
Case No.TAMP/06/2020-CWC

Central Warehousing Corporation

Applicant

QUORUM:

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

ORDER

(Passed on this 28th day of October 2020)

This case relates to the proposal received from the Central Warehousing Corporation (CWC) for general revision of its Scale of Rates for services rendered by it at the Container Freight Station (CFS) at the Deendayal Port Trust (DPT) under Tariff Guidelines, 2019.

2.1. The CWC, vide its letter its letter dated 02 January 2020 and 29 February 2020 has filed a proposal for general revision of its SOR following Tariff Policy, 2019.

2.2. In accordance with the consultation process prescribed, a copy of the CWC proposal dated 02 January 2020 along with email dated 29 February 2020 was circulated to the users/user organisations seeking their comments.

2.3. A joint hearing in this case was held on 26 June 2020 through Video Conferencing. On scrutiny of the proposal, the CWC was requested vide our email dated 01 July 2020 and subsequent letter dated 28 July 2020 followed by reminder dated 14 August 2020 to furnish information/ clarifications on a few points.

2.4. In response, the CWC has furnished its reply on additional information/ clarification alongwith revised updated forms duly certified by the CA vide its letter dated 18 August 2020.

2.5. While furnishing the information/ clarification, the CWC has furnished the updated cost statements based on the years 2016-17, 2017-18 and 2018-19 actuals as against 2015-16, 2016-17 and 2017-18 considered by the CWC in its original proposal.

3. Further, DPT was also requested vide our letter dated 01 July 2020 to furnish comments / information with reference to the updated cost statement to be furnished by the CWC. In response to the updated statement furnished by CWC vide its letter dated 18 August 2020, DPT vide its email dated 11 September 2020 has furnished the information / comments sought by us.

4. With reference to the totality of information collected during the processing of the case, this Authority has passed a Speaking Order disposing of the proposal filed by the CWC for general revision of its SOR under Tariff Guidelines, 2019.

5.1. The Speaking Order passed by this Authority is in the process of notification in the Gazette of India and it is likely to take some more time for notification. Since notification of the detailed Speaking Order will take some time, this Authority notifies the revised SOR of the CWC which is attached as **Annex**.

5.2. The Speaking Order passed by this Authority will be notified separately and communicated to the CWC, the DPT and the relevant users/ user organisations in due course of time.

5.3. The revised SOR will come into force after expiry of 30 days from the date of notification of this Order notifying the SOR in the Gazette of India and shall be valid for a period of 3 years from the date the revised SOR comes into effect.

(T.S. Balasubramanian)
Member (Finance)

CENTRAL WAREHOUSING CORPORATION
Scale of Rates

This Scale of Rates sets out the charges payable to the Central Warehousing Corporation for the services and facilities provided at its Container Freight Station at Deendayal Port Trust.

General Terms and Conditions.

- (1).
 - (i). The user shall pay penal interest @ 15% on delayed payments of any charge under this Scale of Rates. Likewise, the CWC shall pay penal interest on delayed refunds.
 - (ii). The delay in refunds will be counted only 20 days from the date of completion of services or on production of all the documents required from the users, whichever is later.
 - (iii). The delay in payments by the users will be counted only 10 days after the date of raising the bills by the CWC. 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 and/or where payment of charges in advance is prescribed in this Scale of Rates.
- (2). The storage charges on abandoned FCL containers/shipper owned containers shall be levied upto the date of receipt of intimation of abandonment in writing or 75 days from the date of landing of 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 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 necessary actions are taken by the shipping lines for destuffing the 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 date the Customs order release of the cargo subject to lines observing the necessary formalities and bearing the cost of transportation and destuffing. Otherwise, seized/confiscated containers should be removed by the Lines/consignee from the port premises to the Customs bonded area and in that case the storage charge shall cease to apply from the date of such removal.
- (3). Users shall not be required to pay charges for delays beyond a reasonable level attributable to the CWC.
- (4). The SOR is subject to automatic annual indexation to inflation to the extent of 60% of the variation in Wholesale Price Index (WPI) announced by the Authority occurring between 1st January to 31st December of the relevant year. Such adjusted SOR will come into force from 1st May of the relevant year to 30th April of following year. The 1st annual indexation will be from 1 May, 2021. The indexed SOR by the CWC to be intimated by the CWC to the DPT, concerned users and to the Authority.

CHAPTER - I
GROUND RENT AND STORAGE CHARGES

1.1. Storage Charge

Sl. No.	Description of Service	Rate (in ₹)
A.	IMPORT OPERATIONS	
I.	Storage Charges (Covered)	
(i).	On General (per MT / Day) Basis	
(a).	Up to 3 days	Free
(b).	From 4 th day to 30 th day	6.65
(c).	31 st days onwards	9.30
(ii).	AREA (per sq. mtr.) BASIS	
(a).	Weekly Tariff (per sq. mtr. per week*)	66.00
(b).	Monthly (Reservation Basis) (Per sq. mtr. per month*)	226.00
II.	OPEN BONDED	
(i).	AREA (per sq. mtr.) BASIS	
(a).	Free Period	No free period
(b).	Weekly Tariff (per sq. mtr. per week *)	30.00
(c).	Monthly(Reservation Basis) (Per sq. mtr. per month*)	100.00
B.	EXPORT OPERATIONS	
I.	Storage Charges (Covered)	
(i).	On General (per MT / Day) Basis	
(a).	Free Period	Upto 7 days
(b).	From 8 th day onwards	6.65
(ii).	Area (per sq. mtr.) Basis	
(a).	Weekly Tariff (per sq. mtr. per week*)	66.00
(b).	Monthly(Reservation Basis) (Per sq. mtr. per month*)	226.00
(iii).	Volume (per CBM) Basis(Open)	
(a).	On Weekly Basis (per CBM per week*)	15.00
(b).	On Monthly Basis (per CBM per month*)	60.00

*Week / month will be charged on "per sq. per week / month or part thereof basis"

Notes:

- (1). 7 days free period will be allowed for stuffing of export cargo.
- (2). While counting free days Customs notified holidays and CFS non- operating days falling in between or succeeding the free period will not be counted.
- (3). It will be presumed that the stock being received at the CFS, Deendayal port are adequately insured by the user against all possible risks during storage including interests of the Customs. Thus, in any eventuality, CWC shall not be responsible for any insurable claims/risks including consequential losses. Same assumption will also apply for export cargo warehouses.

However, in case the insurance cover is required by any party against the risk of fire, flood, cyclone, theft, etc., the same will be arranged by the CWC,CFS, Kandla on a written request, for which advalorem charge at the rate of 12.50 paise per ₹1000/- value of the stocks will be levied, per week or part thereof.

- (4). For cargo stored in open area on the request of users, storage charges would be 25% less than the rate prescribed for covered area.
- (5). 25% extra charges will be levied for hazardous cargo.
- (6). Storage charge on cargo shall not accrue for the period when CWC is not in a position to deliver/shift the import/export cargo when required by the user.

- (7). Considering the nature of cargo and other allied factors in respect of storage practice, the storage charges for metal scrap will be on area basis and for stone etc. charges will be on PMT basis.

**1.2. Ground Rent
Loaded & Empty**

Sl. No.	Description of Service	Rate per container per day (in ₹)
1.	IMPORT OPERATIONS	
(i).	Ground Rent (Loaded Container) (per TEU / per day basis)	
(a).	1 to 5 days	Free-including date of arrival
(b).	6 to 15 days	190.00
(c).	16 to 30 days	250.00
(d).	31 st day onwards	500.00
2.	EXPORT OPERATIONS	
(i).	Ground Rent (Loaded Container) (per TEU / per day basis)	
(a).	1 to 3 days	Free
(b).	4 days to 15 days	190.00
(c).	16 th day onwards	250.00
3.	Ground Rent (Empty Container) (per TEU / per day basis)	
(a).	Free period	30 days
(b).	31 st day to 40 day	10.00
(c).	from 41 st day onwards	30.00

FEU tariff will be double of TEU tariff.

Notes:

- (1). All empty containers at CWC CFS will have 30 days free storage.
- (2). Three days free period is allowed on export containers after stuffing and/ or sealing of the container.
- (3). Five days free period including date of arrival of the container in the CFS will be allowed for import containers brought from DPT.
- (4). While counting free days, Customs notified holidays and CFS non-operating days falling in between or succeeding the free period will not be counted.
- (5). For reefer plugging facility charges @ ₹275/-per TEU and ₹400 per FEU per 4 hours or part thereof will be levied in addition to ground rent.
- (6). It will be presumed that the stock being received at the CFS, Deendayal port are adequately insured by the user, against all possible risks during storage including interests of the Customs. Thus, in any eventuality, CWC shall not be responsible for any insurable claims/risks including consequential losses. Same assumption will apply for export cargo warehouses.

However, in case the insurance cover is required by any party against the risk of fire, flood, cyclone, theft, etc., the same will be arranged by the CWC,CFS, Kandla on a written request, for which advalorem charges at the rate of 12.50 paise per Rs. 1000/- value of the stocks will be levied, per week or part thereof.

- (7). 25% extra charges will be levied for hazardous cargo containers/ oversized /over dimensional containers.
- (8). Ground rent on container shall not accrue for the period when the CWC is not in a position to deliver/shift import/export containers for reasons attributable to the CWC.

CHAPTER-II
CONTAINER/CARGO HANDLING & TRANSPORTATION

Sl. no.	Description of Operations	Rate (in ₹)
A.	IMPORT OPERATIONS	
(i).	Import Loaded Movement + LO: Providing road vehicles at Container Yard, Kandla Port and taking over loaded containers placed by Terminal operators on the vehicles provided by the contractor, after due inspection of the condition of the container, the lock & seals and on completion of the required formalities, transporting the same to the Container Freight Station, CWC, Kandla Port (under custom escort wherever / whenever required), lift-off & stacking in the CY up to three high [As mentioned in Clause No. XXI –1	
	TEU	2800
	FEU	4200
(ii).	De-stuffing: De-stuffing the container as per the procedure laid down; inventorisation of the cargo and stacking the same in the Import Warehouse / Open Yard (preferably by means of mechanical equipment) and carrying empty containers to the ECY or any other designated area within the CFS Complex and stacking them three high [Irrespective of time lag between different operations as mentioned in Clause No.XXI-(2)	
(a).	General cargo	
	TEU	3000
	FEU	4500
(b).	Scrap/ Heavy cargo	
	TEU	3800
	FEU	5700
(iii).	Examination: De-stuffing of the loaded container stacked in the yard by grounding them, wherever necessary (which may include transportation within the complex) for facilitating custom examination and stuffing the cargo back into the same container or any other containers after custom examination or loading the cargo / container on to road vehicles and stacking the loaded / empty container as the case may be in the LCY / ECY or any other designated area. [As mentioned in clause no. XXI-3 (a)]	
(a).	General cargo	
	Cargo Handling examination up to 25%	
	TEU	1600
	FEU	2400
(b).	Cargo Handling examination beyond 25%	
	TEU	2200
	FEU	3300
(c).	Scrap/ Heavy cargo	
	TEU	2600
	FEU	3900
(iv).	RMS Container Examination: Retrieval of the loaded container stacked in the yard by grounding (which may include transportation within the complex) for facilitating Seal Verification and loading customs cleared loaded container on trailer. As mentioned in clause XXI-3(b)]	
	TEU	2500
	FEU	3750
(v).	Cargo Delivery: Arranging Customs examination of cargo (which would include unpacking and re-packing of packages, providing suitable straps etc., or weightment, sealing wherever required on free of charge), and placing them in the stacks / open yard, if necessary, and loading the entire consignment in to trucks / vehicles provided by the importer/CHA at the import warehouse/ open yard [As mentioned in Clause No .XXI(4)	
(a).	Cargo Delivery from Godown/Yard	Per QTL

	Manual	8.20
	Mechanical	10.20
(b).	Cargo delivery from Loaded Container	
	Manual	8.20
	Mechanical	10.20
B.	EXPORT OPERATIONS	
(i).	Carting: Unloading the cargo from the trucks / vehicles provided by CHA/Exporter/User at CWC, CFS complex and stacking the same in the Export Godown / Open Yard by means of suitable mechanical equipment or by any other appropriate means, after due inventorisation [As mentioned in Clause No. XXI(5)]	
	Manual (PER QTL)	8.20
	Mechanical (PER QTL)	10.20
(ii).	Examination, Stuffing : Providing labour or appropriate equipment and arranging custom examination (which would include unpacking and re-packing of packages providing suitable straps / scales or weighment wherever / whenever required on free of cost) and re-stacking, if necessary, and consolidating the stocks / cargo, shifting of nominated empty container after retrieving the same from CFS container yard, Placing the container , stuffing , locking & sealing and subsequent internal movement of the loaded container to make space available for keeping the next container for stuffing purpose. [As mentioned in clause no. XXI(6)]	
(a).	A. General Cargo	
	TEU	3000
	FEU	4500
(b).	B. Scrap/ Heavy Cargo	
	TEU	4560
	FEU	6840
(iii).	Direct Stuffing : Unloading the cargo from the vehicles at CFS complex and stacking the same in the yard by means of suitable mechanical equipment or by any other appropriate means, after due inventorization. Providing labour or appropriate equipment for customs examination (which would include weighment wherever/whenever required on free of cost), and consolidating the nominated stocks/cargo, shifting the nominated empty container after retrieving the same from CFS container yard, Placing the container at Stuffing point, stuffing the let-export cargo in to the nominated container by use of suitable mechanical equipment or by other means, locking and sealing container on completion of required formalities after following the prescribed procedure, subsequent internal movement of the loaded container to make space available for keeping the next container for stuffing purpose. [As mentioned in Clause No. XXI(7)]	
(a).	A. General Cargo	
	TEU	3500
	FEU	5250
(b).	B. Scrap/ Heavy Cargo	
	TEU	6000
	FEU	9000
(iv).	Transportation of Export loaded container: Providing road vehicles at CWC-CFS Kandla port, Lift-On, taking over the loaded Export Container and transportation of the same from CFS to CSY, Kandla Port (under custom escort wherever/ whenever required) and handing over the same to the port authorities, obtaining clear "EQUIPMENT INTERCHANGE REPORT" (EIR) & to submit the same to CWC-CFS authorities [As mentioned in Clause No.XXI(8)]	
	TEU	2300
	FEU	3450
(v).	GENERAL OPERATIONS	

	Empty Container Movement: Providing suitable vehicles and arranging transportation of Empty Container after due inspection about condition of the container (A) from CSY- Kandla Port Trust to CWC-CFS Kandla Port (B) From any other CFS / Container yard within a road distance of 15 kms. from the CFS Kandla Port, to CWC-CFS Kandla Port, (Lift-on/off inside CSY Kandla Port/ Other designated Yard would not be on account of contractor) lift-off & stacking up to three high in CWC-CFS, CY or vice-versa [As mentioned in clause No. XXI (9)]	
(a).	TO/FRO CFS-Kandla Port	
	TEU	1100
	FEU	1650
(b).	TO/FRO any Yard < 15 Kms	
	TEU	1900
	FEU	2850
(vi).	Inland Container Shifting: Shifting of empty / loaded containers (including lift on/ lift-off) from one location to another location within the CWC-Container Freight Station Complex at the designated place including stacking the same upto three high by use of appropriate handling equipment. [As mentioned in clause No. XXI(10)]	
(a).	EMPTY CONTAINER	
	TEU	1000
	FEU	1500
(b).	LOADED CONTAINER	
	TEU	1400
	FEU	2100
(vii).	Lift on / Lift off: (including retrieval) of containers into / from road vehicles of parties at the Container Freight Station, CWC, Deendayal Port. [As mentioned in clause No. XXI (11)]	
(a).	EMPTY CONTAINER	
	TEU	800
	FEU	1200
(b).	LOADED CONTAINER	
	TEU	1200
	FEU	1800
(viii).	Washing, etc.: Shifting of empty containers from any location within CFS complex to Washing / Cleaning / Repair Yard and back to any location in the CWC, CFS complex as prescribed (washing and cleaning to be done by the contractor without any extra remuneration) As mentioned in clause No. XXI(12)	
	TEU	1100
	FEU	1650
(ix).	Movement / shifting of cargo from one place to any other place for weighment or other purpose, within same godown [As mentioned in clause No. XXI(13)(Rate Per QTL)	
	MANUAL	12
	MECHANICAL	14
(x).	Movement/ shifting of cargo from one place/ godown/ CY to any other place/ godown/ CY for weighment or other purpose, within CWC-CFS complex (As mentioned in clause no. XXI-14)	
	PER QTL	14
(xi).	Palletization: Providing the labour for palletization of cargo including preparation of pallets of appropriate size, strapping as per requirement (material i.e. ready wooden pallets, straps, nails or other material required for the purpose of preparation of pallets will be arranged by the party) & stacking the pallets in the designated stack ([As mentioned in Clause XXI (15)]	
	PER QTL	15

(xii).	Bagging: Providing labour for filling up loose cargo/ bag cargo in to the fresh bags (materials to be provided by the party), stitching them, weighment (wherever required) & stack the same at the appropriate place. [As mentioned in Clause XXI (16)]	
	PER QTL	16
(xiii).	Reworking of Container: Providing the labour and appropriate equipment for destuffing of the cargo from the container and restuffing the cargo in the same or other nominated container after completing the formalities as required by Manager (CFS) [As mentioned in clause XXI (17)]	
(a).	Reworking up to 25%	
	TEU	2200
	FEU	3300
(b).	Reworking beyond 25%	
	TEU	2600
	FEU	3900
(xiv).	Back to town i.e. Loading of Shut out cargo	
	PER QTL	11
(xv).	Locking Charges (On user's request):	
	PER Container	54
(xvi).	Charges for Fumigation	
(a).	Fumigation Charges with Methyl Bromide	
	TEU	2000
	FEU	3000
(b).	Fumigation Charges with Aluminium Phosphide	
	TEU	700
	FEU	1050
	Note: This will be an optional service provided at the request of the relevant user.	
