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**Tariff Authority for Major Ports**

G.No. 259

New Delhi,

05 July 2018

**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 Kolkata Port Trust seeking approval of the performance norm based incentive / penalty for conventional berths using ship's gears, and anchorage charge in respect of dry bulk cargo handled at Haldia Dock Complex, as in the Order appended hereto.

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

**Tariff Authority for Major Ports**  
**Case No. TAMP/19/2018-KOPT**

Kolkata Port Trust

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Applicant

**QUORUM**

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

**ORDER**

(Passed on this 8<sup>th</sup> day of June 2018)

This case relates to a proposal received from Kolkata Port Trust (KOPT) seeking approval of the performance norm based incentive / penalty for conventional berths using ship's gears, and anchorage charge in respect of dry bulk cargo handled at Haldia Dock Complex (HDC).

2.1. This Authority vide its Order no. TAMP/59/2016-KOPT dated 4 January 2017 has approved the Performance norm based Incentive/ Penalty, Anchorage charges in respect of Dry Bulk Cargo handled at HDC at KOPT. This Order was notified in the Gazette of India on 21 February 2017 vide Gazette No. 62. The notified provisions came into effect from 01 October 2016 and was valid upto 30 September 2017.

2.2. Vide the said Order, this Authority has fixed the Performance norm based Incentive/ Penalty in respect of Dry Bulk Cargo handled at HDC such as Coal, Met Coke, Limestone, Manganese Ore, Iron Ore, Fertilizer, Cement linker and Gypsum.

2.3. It may be recalled that the KOPT in its proposal had then, inter alia, proposed the following two notes:

- (i). The ship-day productivity to be applicable is on the basis of the average availability of four cranes per vessel and if the availability of the number of cranes gets reduced the productivity of the ship will also get proportionately reduced and that if the grab size is less than that or more than 8/10/12 CBM then the productivity norms will be reduced/ increased proportionally.
- (ii). Apart from the listed commodities, if other types of dry cargo are handled then the performance norms will be calculated separately by port as per the approach adopted for the performance norms, arrived earlier.

2.4. For the reasons as brought out in the Order, this Authority in its Order dated 04 January 2017 did not approve the notes as proposed by the Port. The relevant paras 8 (ix) and (x) of the Order no. TAMP/59/2016-KOPT dated 04 January 2017 are reproduced below:

- “(ix). *The KOPT has proposed a note to the effect that the ship-day productivity to be applicable on the basis of the average availability of four cranes per vessel and if the availability of the number of cranes gets reduced the productivity of the ship will also get proportionately reduced and that if the grab size is less than that or more than 8/10/12 CBM then the productivity norms will be reduced/ increased proportionally. The Berthing Policy does not provide for adjustment in the performance norms on account of deployment of lower number of Ship Cranes or on account of change in the grab size. Infact the Berthing Policy at Clause 4.1.3 (v) makes a mention about routine use of 4 Cranes in conjunction across several ports. In view of this position, this Authority is not in a position to prescribe the note as proposed by the Port.*
- (x). *The KOPT has proposed a note to the effect that apart from the listed commodities, if other types of dry cargo are handled then the performance norms will be calculated separately by port as per the approach adopted for the performance norms, arrived earlier. The KOPT is advised to approach this Authority in such an eventuality. The proposed note in this regard is, therefore, not approved.”*

2.5. Subsequent to passing of the above said Order, the KOPT vide its letter dated 13 March 2017 had interalia, communicated the following:

- (i). The Performance Norms have been fixed in respect of the major Dry Bulk Cargo handled at HDC as per the guidelines issued by the Ministry. After the introduction of Performance Norms, various other Dry Bulk Cargo are likely to be handled by HDC from time to time. Therefore, it was proposed that based on the Ministry's guidelines, the Performance Norms in respect of these Dry Bulk Cargo would be fixed by the Port. Accordingly, a Note was proposed by KOPT and TAMP was requested to approve the same.
- (ii). Further at HDC, a number of Dry Bulk Cargo vessels are arriving either with less number of cranes (2/3) or cargo in less number of holds (2/3). In those events, it is not possible to handle cargo with 4 cranes and as such, the Performance Norms fixed on the basis of 4 cranes working will not be realistic. Moreover, if grab size is less/ more than 8/ 10/ 12 CBM, then also the productivity norms will be reduced/ increased proportionately. To address these issues while fixing the Performance Norms, a Note has been proposed by KOPT. Since the Berthing Policy approved by the Ministry does not provide for adjustment in the Performance Norms on account of deployment of lower number ship cranes or on account of change in the grab size, TAMP has not approved the KOPT's Note (i) and advised KOPT to approach TAMP on case to case basis.
- (iii). However, in this regard, it is felt that every time approaching TAMP for fixation of Performance Norms prior to arrival of ship is difficult as advance information regarding vessels working conditions is not always available.

2.6. Keeping in view the issues flagged by KOPT by its letter dated 13 March 2017, it was communicated to the KOPT by letter no. TAMP/57/2016-KOPT dated 27 March 2017 that, the KOPT based, on its past experience and based on the future projections can be in a position to broadly anticipate handling of particular cargo items and also anticipate the instances where the vessels will end up working with less than 4 cranes and smaller/ larger size grabs. Accordingly, based on the said broad framework, the KOPT was requested to come up with a separate proposal to fix the Performance Norms in respect of new anticipated cargo as well as for the vessels working with less than 4 cranes and smaller/ larger size grabs.

3.1. In this backdrop, the KOPT vide its letter no. MTO/G/115-N/Pt.II/304 dated 26 February 2018 has filed a proposal seeking approval of the performance norm based incentive / penalty for Conventional Berths using ship's gears and Anchorage Charge in respect of Dry Bulk Cargo handled at Haldia Dock Complex (HDC).

3.2. The main points made by KOPT in its proposal dated 26 February 2018 are summarised below:

- (i). After introduction of the performance norms under the Berthing Policy, during the one year period from 01.10.2016 to 30.09.2017, out of the commodities for which the Performance as well as Penalty/ Incentive Norms was approved by TAMP, only one vessel with bulk fertilizer (Urea) was handled through conventional system at Berth No. 9. Due to non-achievement of the performance norms in the said vessel, penalty was imposed on the said vessel to the tune of ₹. 54 lakhs.
- (ii). The TAMP Order was valid upto 30 September 2017. The Board of Trustees have approved to extend the validity of the said norms for a period from 01 October 2017 to 31 December 2017.
- (iii). Based on the advice of TAMP, the specific performance norms for various dry bulk cargo which have been either handled or is likely to be handled at Berth No. 9 using Ship's Cranes with different combination of cranes and grabs has been assessed in terms of Berthing Policy Guidelines.

- (iv). The KOPT's Board of Trustees while approving the proposal for the period from 01 January 2018 to 31 December 2018 has also amended the Performance norms calculated on 85% which would be kept as benchmark norms for imposition of penalty/ incentives instead of 75% of the performance norms as was set earlier. The assessment of performance norms has been made considering different Cranes and Grabs combinations across various dry bulk cargoes.

3.3. Accordingly, the proposal of the KOPT seeks approval for the following:

- “(i). Performance norms for Coal, Cement Clinker, Fertilizer, Gypsum, Iron Ore, Limestone, Manganese Ore and Met. Coke and other dry bulk commodities handled at HDC under the various Scenarios as follows

Sr. no.	Commodities	4 Cranes fitted with 8 CBM Grabs	4 Cranes fitted with 10 CBM Grabs	4 Cranes fitted with 12 CBM Grabs	3 Cranes fitted with 8 CBM Grabs	3 Cranes fitted with 10 CBM Grabs	3 Cranes fitted with 12 CBM Grabs	2 Cranes fitted with 8 CBM Grabs	2 Cranes fitted with 10 CBM Grabs	2 Cranes fitted with 12 CBM Grabs
1	Coal	4760	5865	7055	3570	4420	5270	2380	2975	3570
2	Cement Clinker	8330	10370	12410	6205	7820	9350	4165	5185	6205
3	Dolomite	9435	11730	14110	7055	8840	10540	4760	5865	7055
4	Fertilizer	4420	5525	6630	3315	4165	5015	2210	2805	3315
5	Gypsum	8330	10370	12410	6205	7820	9350	4165	5185	6205
6	Iron-Ore	11050	13770	16575	8330	10370	12410	5525	6885	8330
7	Iron-ore Lumps/Iron Ore Pellets	12750	15895	19040	9520	11900	14280	6375	7990	9520
8	Limestone	7735	9690	11645	5865	7310	8755	3910	4845	5865
9	Manganese Ore	6630	8330	9945	5015	6205	7480	3315	4165	5015
10	Manganese Slag/ Silico Manganese	16575	20655	24820	12410	15555	18615	8330	10370	12410
11	Magnesite	2380	2975	3570	1785	2295	2720	1190	1530	1785
12	Met Coke	4420	5525	6630	3315	4165	5015	2210	2805	3315
13	Millscale (iron-Oxide)	13770	17255	20655	10370	12920	15555	6885	8670	10370
14	Olivine Sand/ Pyroxenite	9435	11730	14110	7055	8840	10540	4760	5865	7055
15	Pig-Iron	16575	20655	24820	12410	15555	18615	8330	10370	12410
16	Raw Petroleum Coke	5015	6205	7480	3740	4675	5610	2550	3145	3740
17	Rock Phosphate	9945	12410	14875	7480	9350	11220	5015	6205	7480
18	Sulphur	7735	9690	11645	5865	7310	8755	3910	4845	5865
19	Sugar	3145	3910	4675	2380	2975	3485	1615	1955	2380
20	Silica Sand	11050	13770	16575	8330	10370	12410	5525	6885	8330
21	Soda Ash	10200	12750	15215	7650	9520	11475	5100	6375	7650
22	Salt	6035	7565	9010	4505	5695	6800	3060	3825	4505

(The calculation of the performance norms for the each of the cargo items under various scenarios have been furnished by KOPT.)

- (ii). Penalty/Incentive:

- (a). The stipulated time for a vessel's stay at berth will be calculated based on the Benchmark performance norms i.e 85% on the performance norms as mentioned above.
- (b). For failure or success in achieving the stipulated time at berth, penalty / incentive will be applicable as per the provision given below:

- (i). It the actual working period of the ship (time between berthing at the working berth till completion of vessel's operation) remains within 5% (higher or lower) of the stipulated time for that commodity, then no penalty / incentive will be levied / paid.
- (ii). In case where actual working period of the ship (time between berthing at the working berth till completion of vessel's operation) exceeds 5% of the stipulated time for that commodity, penalty will be levied @ 2 times of the normal berth hire charges for additional hours taken to complete the ship's cargo operation.
- (iii). In cases where actual working period of the ship (time between berthing at the working berth till completion of vessel's operation) is lower than the stipulated time by more than 5% of the same then incentive will be paid at the rate of berth hire charges for every additional hour saved.

**Note to provisions regarding penalty / incentives norms:**

- (i).For the purpose of calculation of time for computation of penalty / incentive, fraction of an hour will be considered as full hour.
- (ii).In computing actual performance achieved by each ship for the purpose of calculating penalty / incentive and stoppage of operation on account of port related or weather related issues will be discounted. Such exclusions are listed below:
  - (a). Breakdown / non-availability of port provided equipment at berth.
  - (b). Weather related stoppage
  - (c). Shifting of ships between berths on account of port.
  - (d). Time consumed for each draft surveys upto maximum period of 30 minutes
  - (e). Any other reason which are beyond the control of vessel, Importer / Exporter or Handling Agent.
- (iii). Levy of Anchorage / penal charges at the reporting stations / lightergae points:

Even after calling a vessel and allocation of pilots, if the vessel refuses to call at the Port or lightergage point due to the reason attributable to the vessel/ importer / exporter then anchorage charges will be leviable at the following rates:

<b>Idling Time</b>	<b>Applicable penal charges</b>
For first 48 hours after calling the vessel	10% of the applicable Berth Hire charges as per SOR for the entire duration of waiting since the vessel was initially called
After 48 hours & upto 96 hours	25% of the applicable Berth Hire charges as per SOR for the entire duration of waiting since the vessel was initially called
After 96 hours till boarding of pilot	50% of the applicable Berth Hire charges as per SOR for the entire duration of waiting since the vessel was initially called

Idling period is to be considered from the time when the vessel is initially called till actual pilot boarding time.”

3.4. The KOPT has stated that Board of Trustees have approved the proposal under reference and have also approved continuance of the existing norms for the period from 01 October 2017 to 31 December 2017. A copy of the Board resolution has been furnished by KOPT.

3.5. Incidentally, the KOPT has also stated to have intimated the Trade in respect of the extension as well as of the modifications incorporated in the proposal under reference vide its Trade Circular dated 08 January 2018. A copy of the Trade Circular is furnished by KOPT.

3.6. Thus, the KOPT has requested this Authority to consider and approve the following proposal of the KOPT so that the Berthing Policy for Dry Bulk Cargo can be continued till 31 December 2018:

- (i). Extension of Berthing Policy from 01.10.2017 to 31.12.2017 under same norms which was existing up to 30.09.2017.
- (ii). Extension of Berthing Policy from 01.01.2018 to 31.12.2018 with performance norms of various dry bulk cargo set at 85% as benchmark productivity, with different combination of cranes and grabs for imposition of penalty / incentives and levy of Anchorage / Penal Charges at the reporting station / lighterage points under same norms which was existing up to 30.09.2017.

4. In accordance with the consultative procedure prescribed, a copy of the KOPT proposal dated 26 February 2018 was forwarded to the concerned users/ user organizations vide our letter dated 8 March 2018, seeking their comments. However, none of the users / user organizations have responded till the case was finalized.

5. A joint hearing on the case in reference was held on 22 March 2018 at the KOPT premises. At the joint hearing, the KOPT has made its submissions.

6. The proceedings relating to consultation in this case are available on records at the office of this Authority. An excerpt of the comments received and arguments made by the concerned parties will be sent separately to the relevant parties. These details will also be made available at our website <http://tariffauthority.gov.in>.

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

- (i). The Ministry of Shipping (MOS) in June 2016 has issued the Berthing Policy for Dry Bulk Cargo for Major Ports, and has directed all the Major Port Trusts to implement the norms with actual incentives and penalties. Accordingly, based on a proposal filed by the Haldia Dock Complex (HDC) of the Kolkata Port Trust (KOPT) based on the stipulations contained in the Berthing Policy, this Authority vide its Order no. TAMP/59/2016-KOPT dated 4 January 2017 has approved the Performance norm based Incentive/ Penalty, Anchorage charges in respect of Dry Bulk Cargo handled at HDC at KOPT to be applicable for a period of one year from 01 October 2016 to 30 September 2017. In this backdrop, the KOPT has come up with a proposal for prescription of performance parameters and Performance norm based Incentive/ Penalty, Anchorage charges in respect of Dry Bulk Cargo handled at HDC for the period from 01 October 2017 to 31 December 2018. The proposal of the port has the approval of its Board of Trustees.
- (ii). The KOPT has filed its proposal on 26 February 2018. This proposal alongwith the information furnished by the KOPT has been considered in this analysis.
- (iii). It may be recalled that in the proceedings which culminated in the tariff Order of January 2017, the KOPT had submitted that though Dry Bulk Cargo is primarily handled at HDC operated Berth Nos. 2, 4, 4B, 8, 9 and 13, considering that Berth no. 4 is fully mechanized and that in Berth nos. 2, 4B, 8 and 13, cargo is handled exclusively by use of MHCs only, where the contracts entered by KOPT already contain provisions regarding penalty/ incentive payments for achieving lower/ higher productivity, the port

had proposed to prescribe the penalty/ incentive norms based on the stipulation of the Berthing Policy, with regard to handling of dry bulk cargo at Berth no. 9 of HDC, so as to improve the performance of Berth No. 9. In this connection, this Authority in its Order of January 2017 had expressed its intent to make the approved norms for Performance, Incentive/ Penalty, Anchorage charges, applicable to all the relevant berths of HDC, where dry bulk cargo is being handled by KOPT. Likewise, given that the KOPT in the proposal under reference, has envisaged prescription of performance parameters and Performance norm based Incentive/ Penalty, Anchorage charges in respect of Dry Bulk Cargo handled at Berth no. 9 of HDC, it is clarified to KOPT that the norms approved for Performance, Incentive/ Penalty, Anchorage charges, are to be made applicable to all the relevant berths of HDC, where dry bulk cargo is being handled by KOPT.

- (iv). It may also be recalled that in the proposal of KOPT which had culminated in the tariff Order of January 2017, the KOPT had proposed notes to enable them to have flexibility to deploy less than four cranes per vessel, deployment of grabs with size less than or more than 8/10/12 CBM and handle other types of dry cargo apart from the commodities for which performance based incentive/ penalty was fixed vide the Order of January 2017. The proposal of the KOPT in this regard was not approved for the reasons as mentioned in the Order of January 2017. Thereafter, the KOPT insisted for prescription of the said flexibility, based on the ground reality. Therefore, the KOPT was requested to come up with a separate proposal to fix the Performance Norms in respect of new anticipated cargo as well as for the vessels working with less than 4 cranes and smaller/ larger size grabs, based on its past experience and future projections. Accordingly, the KOPT in its proposal under reference has proposed handling of additional cargo items as well as has also anticipated the various combinations of deployment of lesser number of cranes with different grab sizes, as compared to the January 2017 Order.
- (v). It may be recalled that in the January 2017 Order, the performance parameters were prescribed in respect of 8 dry bulk cargo items viz., Coal, Met Coke, Limestone, Manganese Ore, Iron Ore, Fertilizer, Cement clinker and Gypsum. In the proposal under reference, the performance parameters have been arrived by the KOPT in respect of 14 additional bulk cargo items, apart from the 8 bulk cargo items. The 22 dry bulk cargo items are viz. Coal, Cement Clinker, Dolomite, Fertilizer, Gypsum, Iron-Ore, Iron-ore Lumps/ Iron Ore Pellets, Limestone, Manganese Ore, Manganese Slag/ Silico Manganese, Magnesite, Met Coke, Millscale (iron-Oxide), Olivine Sand/ Pyroxenite, Pig-Iron, Raw Petroleum Coke, Rock Phosphate, Sulphur, Sugar, Silica Sand, Soda Ash and Salt.
- (vi). Based on the parameters viz., Density of the commodity, Grab size, Grab picking factor for full/ partial cargo operation, productivity of Ship cranes, productivity per vessel, the KOPT has arrived at the Performance norm in respect of each of the above listed dry bulk cargo items. Each of the above mentioned parameters is discussed below:
- (a). Density of the Commodities:
- The Berthing Policy, 2016, at Annexure – 1 has provided the density in respect of 7 dry bulk cargo items. Thus, the density of Coal, Iron Ore and Fertiliser as considered by the Port is as prescribed in the Berthing Policy. In respect of other dry bulk cargo, the Berthing Policy does not indicate density of cargo, except salt, Dolomite and Mill scale. The density indicated for salt, Dolomite and Mill scale are 1.20, 0.7 and 2.0 respectively against which the port has considered the density at 1.09, 1.70 and 2.50 respectively. The density of various commodities as considered by KOPT is relied upon.
- (b). Size of Grab:
- The Berthing Policy, 2016, at Annexure – 1, has furnished the size of Grab in respect of 7 dry bulk cargo items. In the Policy, the size of Grab has been prescribed at 12 cbm for Coal, Fertiliser, Foodgrains and Dolomite, at 10 cbm

for Salt and Minerals and at 8 cbm for Iron Ore and Mill scale, for handling with 4 Ship Cranes. The Policy does not prescribe the size of Grabs in the event of usage of 3 Cranes and 2 Cranes.

As brought out in the earlier part of the Order, the KOPT has worked out different Benchmark productivity for 2 Cranes, 3 Cranes and 4 Cranes separately, on the ground that the Dry Bulk Cargo Vessels arriving at HDC is generally with 2 or 3 number of cranes and applying the performance norm based incentive / penalty calculated on 4 no. of cranes on such vessels with 2 or 3 no. of cranes may not be correct. Further, in the absence of norms for usage of 2 ship cranes or 3 ship cranes in the Berthing Policy, the Size of Grab at 8/ 10/ 12 CBM each has been considered by KOPT in respect of each of commodities in the event of usage of 2 Cranes and 3 Cranes.

Further, the Policy prescribes the Size of Grab only for the 7 dry bulk cargo items as listed above. As brought out in the earlier part of the Order, KOPT has proposed benchmark productivity for 22 cargo items. In the absence of norms for each of the dry bulk cargo envisaged to be handled at KOPT, the Size of Grab at 8, 10 and 12 CBM considered by KOPT for each of these commodities viz., Cement Clinker, Gypsum, Iron-ore Lumps/ Iron Ore Pellets, Limestone, Manganese Ore, Manganese Slag/ Silico Manganese, Magnesite, Met Coke, Olivine Sand/ Pyroxenite, Pig-Iron, Raw Petroleum Coke, Rock Phosphate, Sulphur, Silica Sand and Soda Ash, is relied upon in the analysis.

In respect of handling of Coal, Fertiliser, Food grains and Dolomite, though the Policy prescribes deployment of Grabs with size of 12 cbm, the KOPT in addition to deployment of 12 cbm Grabs, has also envisaged deployment of 8 cbm and 10 cbm grabs. Similarly, for handling of Salt and Minerals, though the Policy prescribes deployment of Grabs with size of 10 cbm, the KOPT in addition to deployment of 10 cbm Grabs, has also envisaged deployment of 8 cbm and 12 cbm grabs. While deployment of higher size grabs may lead to improvement in productivity, the deployment of lower size grabs i.e. 8 cbm and 10 cbm grabs for Coal, Fertiliser, Food grains and Dolomite and 8 cbm grabs for Salt and Minerals, as compared to the Berthing Policy, may have an impact on the productivity of the cargo.

Considering that the Berthing Policy gives flexibility to the Ports to use the actual grab size available and allows them to plan for optimal grab procurement at a later stage in case available grab is lower than as prescribed in the Policy, the proposal of port for considering lower size grabs is considered. However, the KOPT is advised to plan and ensure deployment of grabs in the gradual manner as envisaged in the Guidelines.

(c). Grab picking factor:

The Berthing policy indicates the picking factor of Grab at around 90%. The grab picking factor has been considered at 75% by KOPT for all commodities. It may be recalled that in the January 2017 Order of KOPT also, the grab picking factor at 75% was considered based on the submission made by KOPT then that after the initial two shifts of cargo operation when the picking factor could be 90%, the bottom cargo is to be discharged from the holds, when the picking factor would be around 50%-60%. Based on the above position, the grab picking factor of 75% as considered by the KOPT and as considered in the January 2017 Order, is relied upon.

(d). Cycles per hour for full load and partial load operations:

In the event of deployment of ship cranes, the Berthing Policy prescribes 18 cycles/ moves per hour incase of Full load operations and 12 cycles/ moves per hour incase of Partial load operations for all dry bulk cargo. The KOPT has



considered 12 average crane cycles per hour. It may be recalled that in the January 2017 Order of KOPT, the average crane cycles per hour was considered at 12 based on the submission made by KOPT then that all the dry bulk cargo carrying vessels at HDC arrive in less than half load condition due to draft limitation at HDC, due to which there is no scope for considering the full load condition of vessels at HDC. In view of the above position, the proposal of the port to retain the average crane cycles per hour at 12 in respect of all commodities, as prescribed in the Berthing Policy, is considered in the analysis.

(e). Working Hours:

With regard to number of working hours, the Policy requires considering typically 0.5 hour per shift towards idle time, translating to number of working hours of 22.5 per day. Though the Policy also provides that initially, ports can use 1 hour idle time per shift for calculation of norms, the KOPT has considered 0.5 hours per shift towards idle time which translates to 22.5 working hours in a day, which is considered in the analysis. It is noteworthy that in the January 2017 Order also, the working hours has been considered at 22.5 hours per day.

(vii). Based on the various parameters as discussed above, the KOPT has arrived at the Benchmark productivity in respect of each of the dry bulk cargo items, for each of the below mentioned combination of number of cranes with the size of grabs:

- (a). 4 Cranes fitted with 8 CBM Grabs
- (b). 4 Cranes fitted with 10 CBM Grabs
- (c). 4 Cranes fitted with 12 CBM Grabs
- (d). 3 Cranes fitted with 8 CBM Grabs
- (e). 3 Cranes fitted with 10 CBM Grabs
- (f). 3 Cranes fitted with 12 CBM Grabs
- (g). 2 Cranes fitted with 8 CBM Grabs
- (h). 2 Cranes fitted with 10 CBM Grabs
- (i). 2 Cranes fitted with 12 CBM Grabs

The workings to arrive at the Benchmark Productivity in respect of each of the dry bulk cargo items under each of the above mentioned combinations as furnished by KOPT is attached as **Annex-I (a) to I (i)**.

(viii). A summary of the Performance Norms (before arriving at the Benchmark Productivity) so derived and rounded off by KOPT in respect of each of the dry bulk cargo items under each of the above mentioned combinations is given below:

Sr. no.	Commodities	4 Cranes fitted with 8 CBM Grabs	4 Cranes fitted with 10 CBM Grabs	4 Cranes fitted with 12 CBM Grabs	3 Cranes fitted with 8 CBM Grabs	3 Cranes fitted with 10 CBM Grabs	3 Cranes fitted with 12 CBM Grabs	2 Cranes fitted with 8 CBM Grabs	2 Cranes fitted with 10 CBM Grabs	2 Cranes fitted with 12 CBM Grabs
1	Coal	5600	6900	8300	4200	5200	6200	2800	3500	4200
2	Cement Clinker	9800	12200	14600	7300	9200	11000	4900	6100	7300
3	Dolomite	11100	13800	16600	8300	10400	12400	5600	6900	8300
4	Fertilizer	5200	6500	7800	3900	4900	5900	2600	3300	3900
5	Gypsum	9800	12200	14600	7300	9200	11000	4900	6100	7300
6	Iron-Ore	13000	16200	19500	9800	12200	14600	6500	8100	9800
7	Iron-ore Lumps/Iron Ore Pellets	15000	18700	22400	11200	14000	16800	7500	9400	11200
8	Limestone	9100	11400	13700	6900	8600	10300	4600	5700	6900
9	Manganese Ore	7800	9800	11700	5900	7300	8800	3900	4900	5900

10	Manganese Slag/ Silico Manganese	19500	24300	29200	14600	18300	21900	9800	12200	14600
11	Magnesite	2800	3500	4200	2100	2700	3200	1400	1800	2100
12	Met Coke	5200	6500	7800	3900	4900	5900	2600	3300	3900
13	Millscale (iron-Oxide)	16200	20300	24300	12200	15200	18300	8100	10200	12200
14	Olivine Sand/ Pyroxenite	11100	13800	16600	8300	10400	12400	5600	6900	8300
15	Pig-Iron	19500	24300	29200	14600	18300	21900	9800	12200	14600
16	Raw Petroleum Coke	5900	7300	8800	4400	5500	6600	3000	3700	4400
17	Rock Phosphate	11700	14600	17500	8800	11000	13200	5900	7300	8800
18	Sulphur	9100	11400	13700	6900	8600	10300	4600	5700	6900
19	Sugar	3700	4600	5500	2800	3500	4100	1900	2300	2800
20	Silica Sand	13000	16200	19500	9800	12200	14600	6500	8100	9800
21	Soda Ash	12000	15000	17900	9000	11200	13500	6000	7500	9000
22	Salt	7100	8900	10600	5300	6700	8000	3600	4500	5300

- (ix). It may be recalled that in the January 2017 Order, the Benchmark Productivity for the dry bulk commodities was prescribed at 75% of the Performance norms arrived then as proposed by the KOPT, based on the submission made by the port then that the average ship day productivity of the dry bulk cargo vessels handled during the last three years at Berth no. 9 is only 50% of the norms proposed by KOPT then. The KOPT had also stated then that from the second year onwards, the norms arrived then will be applicable for determination of penalty/ incentive in respect of handling of dry bulk cargo vessels at Berth no. 9 of HDC.

In this connection, the KOPT is seen to have proposed the Benchmark Productivity at 85% of the Performance norms arrived above. From the submissions made by KOPT, as brought out above, it is seen that even the only vessel with bulk fertilizer (Urea) which was handled during the relevant period (when the Berthing Policy benchmark productivity was introduced at HDC), could not achieve even the Benchmark Productivity prescribed at 75% of the Performance norms and that penalty was imposed on the said vessel. In such a scenario, the KOPT has envisaged prescription of 85% of the benchmark productivity, rather than proposing a status quo position.

Clause 7.3 of the Berthing Policy gives leverage to the Chairman of the Port in consultation with Board of Trustees of the Port to relax the Performance norms in the event more than 70% of ships cannot meet the norms. Based on the position that the Board of Trustees of the KOPT have approved prescription of Benchmark Productivity at 85% of the Performance norms, the Benchmark Productivity as proposed by the Port is approved. As stipulated in Clause 7.2 of the Berthing Policy, the KOPT is advised to review the performance norms every quarter and strive towards meeting the Performance Norms.

Thus, the Ship-day productivity per vessel per Day as arrived by KOPT for the various dry bulk cargo items at 85% of the Performance Norms, will be applicable for determination of penalty/ incentive.

- (x). The KOPT has not proposed any changes to the existing notes and conditionalities governing levy of the performance norms, which was prescribed vide the January 2017 Order. The same will continue intact.
- (xi). The port has not quantified the financial impact of the proposed tariff arrangement. Given that the proposal of the port is in the nature of levy of penalties/ incentive on account of over stayl of vessel/ early evacuation of berth and is dependent on the performance of the ship, it may not be possible for the port to ascertain the financial impact of the proposed tariff arrangement.

- (xii). From the submissions made by the KOPT as brought out in the earlier part of the Order, it is seen that the performance norms approved by this Authority vide its Order of January 2017 has been continued to be applied by the KOPT for a period of 3 months upto 31 December 2017 beyond the tariff validity period upto 30 September 2017 as prescribed in the January 2017, with the approval of its Board of Trustees. Considering that the period is already over, this Authority is constrained to regularize the performance norms for the period from 01 October 2017 to 31 December 2017, as proposed by the Port. The KOPT is advised to refrain from putting this Authority in fait accompli situation.
- (xiii). Further, from the submissions made by the KOPT as brought out in the earlier part of the Order, it is seen that the performance norms as being proposed by the KOPT in the proposal under reference has already been implemented by KOPT with effect from 01 January 2018 by way of issue of a Trade Circular much prior to filing its proposal on 26 February 2018. Thus, the KOPT has sought approval to the proposed performance norms with effect from 01 January 2018 presenting a fait accompli situation to this Authority. It is not unreasonable to expect a port to take advance action for modification of tariff or introduction of any new rates instead of presenting fait accompli situation before this Authority, considering that the validity period of the January 2017 Order upto 30 September 2017, was in the knowledge of the Port.
- (xiv). Orders of this Authority generally come into effect prospectively after expiry of 30 days from the date of Gazette Notification unless otherwise different arrangement is specifically mentioned in the respective tariff Orders. In exceptional cases, retrospective effect is given for reason to be recorded. In the case in reference, there is no objection from the users with regard to retrospective effect from 01 January 2018. In view of this position and considering that the proposal of the Port has the approval of its Board of Trustees, this Authority is inclined to grant retrospective approval with effect from 01 January 2018. However, the KOPT is advised to refrain from issuing Circulars to Trade intimating about change in the Scale of Rates and conditions, prior to this Authority according approval to the proposed changes.
- (xv). Based on the proposal of the KOPT, the validity of the revised performance norms is made applicable for a period of one year from 01 January 2018 to 31 December 2018.

8.1. In the result, and for the reasons given above, and based on collective application of mind, this Authority approves incorporation of the following provision in the existing Scale of Rates of KOPT:

**“(i). Benchmark Productivity for the various dry bulk commodities handled at HDC under the various Scenarios as follows**

Sr. no.	Commodities	4 Cranes fitted with 8 CBM Grabs	4 Cranes fitted with 10 CBM Grabs	4 Cranes fitted with 12 CBM Grabs	3 Cranes fitted with 8 CBM Grabs	3 Cranes fitted with 10 CBM Grabs	3 Cranes fitted with 12 CBM Grabs	2 Cranes fitted with 8 CBM Grabs	2 Cranes fitted with 10 CBM Grabs	2 Cranes fitted with 12 CBM Grabs
1	Coal	4760	5865	7055	3570	4420	5270	2380	2975	3570
2	Cement Clinker	8330	10370	12410	6205	7820	9350	4165	5185	6205
3	Dolomite	9435	11730	14110	7055	8840	10540	4760	5865	7055
4	Fertilizer	4420	5525	6630	3315	4165	5015	2210	2805	3315
5	Gypsum	8330	10370	12410	6205	7820	9350	4165	5185	6205
6	Iron-Ore	11050	13770	16575	8330	10370	12410	5525	6885	8330
7	Iron-ore Lumps/Iron Ore Pellets	12750	15895	19040	9520	11900	14280	6375	7990	9520
8	Limestone	7735	9690	11645	5865	7310	8755	3910	4845	5865
9	Manganese Ore	6630	8330	9945	5015	6205	7480	3315	4165	5015
10	Manganese Slag/ Silico Manganese	16575	20655	24820	12410	15555	18615	8330	10370	12410
11	Magnesite	2380	2975	3570	1785	2295	2720	1190	1530	1785

12	Met Coke	4420	5525	6630	3315	4165	5015	2210	2805	3315
13	Millscale (iron-Oxide)	13770	17255	20655	10370	12920	15555	6885	8670	10370
14	Olivine Sand/Pyroxenite	9435	11730	14110	7055	8840	10540	4760	5865	7055
15	Pig-Iron	16575	20655	24820	12410	15555	18615	8330	10370	12410
16	Raw Petroleum Coke	5015	6205	7480	3740	4675	5610	2550	3145	3740
17	Rock Phosphate	9945	12410	14875	7480	9350	11220	5015	6205	7480
18	Sulphur	7735	9690	11645	5865	7310	8755	3910	4845	5865
19	Sugar	3145	3910	4675	2380	2975	3485	1615	1955	2380
20	Silica Sand	11050	13770	16575	8330	10370	12410	5525	6885	8330
21	Soda Ash	10200	12750	15215	7650	9520	11475	5100	6375	7650
22	Salt	6035	7565	9010	4505	5695	6800	3060	3825	4505

(ii). Penalty/Incentive:

- (a). The stipulated time for a vessel's stay at berth will be calculated based on the Benchmark performance norms i.e 85% on the performance norms as mentioned above.
- (b). For failure or success in achieving the stipulated time at berth, penalty / incentive will be applicable as per the provision given below:
- (i). If the actual working period of the ship (time between berthing at the working berth till completion of vessel's operation) remains within 5% (higher or lower) of the stipulated time for that commodity, then no penalty / incentive will be levied / paid.
- (ii). In case where actual working period of the ship (time between berthing at the working berth till completion of vessel's operation) exceeds 5% of the stipulated time for that commodity, penalty will be levied @ 2 times of the normal berth hire charges for additional hours taken to complete the ship's cargo operation.
- (iii). In cases where actual working period of the ship (time between berthing at the working berth till completion of vessel's operation) is lower than the stipulated time by more than 5% of the same then incentive will be paid at the rate of berth hire charges for every additional hour saved.

**Note to provisions regarding penalty / incentives norms:**

- (i). For the purpose of calculation of time for computation of penalty / incentive, fraction of an hour will be considered as full hour.
- (ii). In computing actual performance achieved by each ship for the purpose of calculating penalty / incentive and stoppage of operation on account of port related or weather related issues will be discounted. Such exclusions are listed below:
- (a). Breakdown / non-availability of port provided equipment at berth.
- (b). Weather related stoppage
- (c). Shifting of ships between berths on account of port.
- (d). Time consumed for each draft surveys upto maximum period of 30 minutes
- (e). Any other reason which are beyond the control of vessel, Importer / Exporter or Handling Agent.

(iii). Levy of Anchorage / penal charges at the reporting stations / lighterage points:

Even after calling a vessel and allocation of pilots, if the vessel refuses to call at the Port or lighterage point due to the reason attributable to the vessel/ importer / exporter then anchorage charges will be leviable at the following rates:

<b>Idling Time</b>	<b>Applicable penal charges</b>
For first 48 hours after calling the vessel	10% of the applicable Berth Hire charges as per SOR for the entire duration of waiting since the vessel was initially called
After 48 hours & upto 96 hours	25% of the applicable Berth Hire charges as per SOR for the entire duration of waiting since the vessel was initially called
After 96 hours till boarding of pilot	50% of the applicable Berth Hire charges as per SOR for the entire duration of waiting since the vessel was initially called

Idling period is to be considered from the time when the vessel is initially called till actual pilot boarding time.”

8.2. The notified provisions are deemed to have come into effect from 01 January 2018 and shall remain valid upto 31 December 2018.

8.3. The extension of the validity of the performance norms approved by the Authority vide Order of January 2017 beyond 31 September 2017 and upto 31 December 2017 with the approval of the Board of KOPT is regularised.

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

## Annex - I (a)

## Statement showing the workings to arrive at the Benchmark productivity in respect of 4 Cranes fitted with 8 CBM Grabs

Sr. no.	Commodities	Average Bulk Density	Average Crane cycles per hour	Number of cranes per vessel	Grab capacity (CBM)	Average Picking Factor (MT)	Productivity per hour per ship's crane	Productivity per day considering working time to be 22.5 hours (MT)	Performance norms (MT) after rounding off to next 100 MT	Benchmark productivity norms calculated @ 85% of performance norms
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8) = (3) x (4) x (6) x (7)	(9) = (8) x (5) x 22.50 hours	(10) = Round off	(11) = (10) x 85%
1	Coal	0.85	12	4	8	0.75	61.20	5508	5600	4760
2	Cement Clinker	1.50	12	4	8	0.75	108.00	9720	9800	8330
3	Dolomite	1.70	12	4	8	0.75	122.40	11016	11100	9435
4	Fertilizer	0.80	12	4	8	0.75	57.60	5184	5200	4420
5	Gypsum	1.50	12	4	8	0.75	108.00	9720	9800	8330
6	Iron-Ore	2.00	12	4	8	0.75	144.00	12960	13000	11050
7	Iron-ore Lumps/ Iron Ore Pellets	2.30	12	4	8	0.75	165.60	14904	15000	12750
8	Limestone	1.40	12	4	8	0.75	100.80	9072	9100	7735
9	Manganese Ore	1.20	12	4	8	0.75	86.40	7776	7800	6630
10	Manganese Slag/Silico Manganese	3.00	12	4	8	0.75	216.00	19440	19500	16575
11	Magnesite	0.43	12	4	8	0.75	30.96	2786.4	2800	2380
12	Met Coke	0.80	12	4	8	0.75	57.60	5184	5200	4420
13	Millscale (iron-Oxide)	2.50	12	4	8	0.75	180.00	16200	16200	13770
14	Olivine Sand/ Pyroxenite	1.70	12	4	8	0.75	122.40	11016	11100	9435
15	Pig-Iron	3.00	12	4	8	0.75	216.00	19440	19500	16575
16	Raw Petroleum Coke	0.90	12	4	8	0.75	64.80	5832	5900	5015
17	Rock Phosphate	1.80	12	4	8	0.75	129.60	11664	11700	9945
18	Sulphur	1.40	12	4	8	0.75	100.80	9072	9100	7735
19	Sugar	0.56	12	4	8	0.75	40.32	3628.8	3700	3145
20	Silica Sand	2.00	12	4	8	0.75	144.00	12960	13000	11050
21	Soda Ash	1.84	12	4	8	0.75	132.48	11923.2	12000	10200
22	salt	1.09	12	4	8	0.75	78.48	7063.2	7100	6035

## Statement showing the workings to arrive at the Benchmark productivity in respect of 4 Cranes fitted with 10 CBM Grabs

Sr. no.	Commodities	Average Bulk Density	Average Crane cycles per hour	Number of cranes per vessel	Grab capacity (CBM)	Average Picking Factor (MT)	Productivity per hour per ship's crane	Productivity per day considering working time to be 22.5 hours (MT)	Performance norms (MT) after rounding off to next 100 MT	Benchmark productivity norms calculated @ 85% of performance norms
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8) = (3) x (4) x (6) x (7)	(9) = (8) x (5) x 22.5 hours	(10) = Round off	(11) = (10) x 85%
1	Coal	0.85	12	4	10	0.75	76.50	6885	6900	5865
2	Cement Clinker	1.50	12	4	10	0.75	135.00	12150	12200	10370
3	Dolomite	1.70	12	4	10	0.75	153.00	13770	13800	11730
4	Fertilizer	0.80	12	4	10	0.75	72.00	6480	6500	5525
5	Gypsum	1.50	12	4	10	0.75	135.00	12150	12200	10370
6	Iron-Ore	2.00	12	4	10	0.75	180.00	16200	16200	13770
7	Iron-ore Lumps/ Iron Ore Pellets	2.30	12	4	10	0.75	207.00	18630	18700	15895
8	Limestone	1.40	12	4	10	0.75	126.00	11340	11400	9690
9	Manganese Ore	1.20	12	4	10	0.75	108.00	9720	9800	8330
10	Manganese Slag/Silico Manganese	3.00	12	4	10	0.75	270.00	24300	24300	20655
11	Magnesite	0.43	12	4	10	0.75	38.70	3483	3500	2975
12	Met Coke	0.80	12	4	10	0.75	72.00	6480	6500	5525
13	Millscale (iron- Oxide)	2.50	12	4	10	0.75	225.00	20250	20300	17255
14	Olivine Sand/ Pyroxenite	1.70	12	4	10	0.75	153.00	13770	13800	11730
15	Pig-Iron	3.00	12	4	10	0.75	270.00	24300	24300	20655
16	Raw Petroleum Coke	0.90	12	4	10	0.75	81.00	7290	7300	6205
17	Rock Phosphate	1.80	12	4	10	0.75	162.00	14580	14600	12410
18	Sulphur	1.40	12	4	10	0.75	126.00	11340	11400	9690
19	Sugar	0.56	12	4	10	0.75	50.40	4536	4600	3910
20	Silica Sand	2.00	12	4	10	0.75	180.00	16200	16200	13770
21	Soda Ash	1.84	12	4	10	0.75	165.60	14904	15000	12750
22	Salt	1.09	12	4	10	0.75	98.10	8829	8900	7565

## Annex - I (c)

## Statement showing the workings to arrive at the Benchmark productivity in respect of 4 Cranes fitted with 12 CBM Grabs

Sr. no.	Commodities	Average Bulk Density	Average Crane cycles per hour	Number of cranes per vessel	Grab capacity (CBM)	Average Picking Factor (MT)	Productivity per hour per ship's crane	Productivity per day considering working time to be 22.5 hours (MT)	Performance norms (MT) after rounding off to next 100 MT	Benchmark productivity norms calculated @ 85% of performance norms
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8) = (3) x (4) x (6) x (7)	(9) = (8) x (5) x 22.50 hours	(10) = Round off	(11) = (10) x 85%
1	Coal	0.85	12	4	12	0.75	91.80	8262	8300	7055
2	Cement Clinker	1.50	12	4	12	0.75	162.00	14580	14600	12410
3	Dolomite	1.70	12	4	12	0.75	183.60	16524	16600	14110
4	Fertilizer	0.80	12	4	12	0.75	86.40	7776	7800	6630
5	Gypsum	1.50	12	4	12	0.75	162.00	14580	14600	12410
6	Iron-Ore	2.00	12	4	12	0.75	216.00	19440	19500	16575
7	Iron-ore Lumps/ Iron Ore Pellets	2.30	12	4	12	0.75	248.40	22356	22400	19040
8	Limestone	1.40	12	4	12	0.75	151.20	13608	13700	11645
9	Manganese Ore	1.20	12	4	12	0.75	129.60	11664	11700	9945
10	Manganese Slag/Silico Manganese	3.00	12	4	12	0.75	324.00	29160	29200	24820
11	Magnesite	0.43	12	4	12	0.75	46.44	4179.6	4200	3570
12	Met Coke	0.80	12	4	12	0.75	86.40	7776	7800	6630
13	Millscale (iron-Oxide)	2.50	12	4	12	0.75	270.00	24300	24300	20655
14	Olivine Sand/ Pyroxenite	1.70	12	4	12	0.75	183.60	16524	16600	14110
15	Pig-Iron	3.00	12	4	12	0.75	324.00	29160	29200	24820
16	Raw Petroleum Coke	0.90	12	4	12	0.75	97.20	8748	8800	7480
17	Rock Phosphate	1.80	12	4	12	0.75	194.40	17496	17500	14875
18	Sulphur	1.40	12	4	12	0.75	151.20	13608	13700	11645
19	Sugar	0.56	12	4	12	0.75	60.48	5443.2	5500	4675
20	Silica Sand	2.00	12	4	12	0.75	216.00	19440	19500	16575
21	Soda Ash	1.84	12	4	12	0.75	198.72	17884.8	17900	15215
22	Salt	1.09	12	4	12	0.75	117.72	10594.8	10600	9010



## Annex - I (d)

## Statement showing the workings to arrive at the Benchmark productivity in respect of 3 Cranes fitted with 8 CBM Grabs

Sr. no.	Commodities	Average Bulk Density	Average Crane cycles per hour	Number of cranes per vessel	Grab capacity (CBM)	Average Picking Factor (MT)	Productivity per hour per ship's crane	Productivity per day considering working time to be 22.5 hours (MT)	Performance norms (MT) after rounding off to next 100 MT	Benchmark productivity norms calculated @ 85% of performance norms
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8) = (3) x (4) x (6) x (7)	(9) = (8) x (5) x 22.50 hours	(10) = Round off	(11) = (10) x 85%
1	Coal	0.85	12	3	8	0.75	61.20	4131	4200	3570
2	Cement Clinker	1.50	12	3	8	0.75	108.00	7290	7300	6205
3	Dolomite	1.70	12	3	8	0.75	122.40	8262	8300	7055
4	Fertilizer	0.80	12	3	8	0.75	57.60	3888	3900	3315
5	Gypsum	1.50	12	3	8	0.75	108.00	7290	7300	6205
6	Iron-Ore	2.00	12	3	8	0.75	144.00	9720	9800	8330
7	Iron-ore Lumps / Iron Ore Pellets	2.30	12	3	8	0.75	165.60	11178	11200	9520
8	Limestone	1.40	12	3	8	0.75	100.80	6804	6900	5865
9	Manganese Ore	1.20	12	3	8	0.75	86.40	5832	5900	5015
10	Manganese Slag/Silico Manganese	3.00	12	3	8	0.75	216.00	14580	14600	12410
11	Magnesite	0.43	12	3	8	0.75	30.96	2089.8	2100	1785
12	Met Coke	0.80	12	3	8	0.75	57.60	3888	3900	3315
13	Millscale (iron-Oxide)	2.50	12	3	8	0.75	180.00	12150	12200	10370
14	Olivine Sand/Pyroxenite	1.70	12	3	8	0.75	122.40	8262	8300	7055
15	Pig-Iron	3.00	12	3	8	0.75	216.00	14580	14600	12410
16	Raw Petroleum Coke	0.90	12	3	8	0.75	64.80	4374	4400	3740
17	Rock Phosphate	1.80	12	3	8	0.75	129.60	8748	8800	7480
18	Sulphur	1.40	12	3	8	0.75	100.80	6804	6900	5865
19	Sugar	0.56	12	3	8	0.75	40.32	2721.6	2800	2380
20	Silica Sand	2.00	12	3	8	0.75	144.00	9720	9800	8330
21	Soda Ash	1.84	12	3	8	0.75	132.48	8942.4	9000	7650
22	Salt	1.09	12	3	8	0.75	78.48	5297.4	5300	4505

## Annex - I (e)

## Statement showing the workings to arrive at the Benchmark productivity in respect of 3 Cranes fitted with 10 CBM Grabs

Sr. no.	Commodities	Average Bulk Density	Average Crane cycles per hour	Number of cranes per vessel	Grab capacity (CBM)	Average Picking Factor (MT)	Productivity per hour per ship's crane	Productivity per day considering working time to be 22.5 hours (MT)	Performance norms (MT) after rounding off to next 100 MT	Benchmark productivity norms calculated @ 85% of performance norms
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8) = (3) x (4) x (6) x (7)	(9) = (8) x (5) x 22.50 hours	(10) = Round off	(11) = (10) x 85%
1	Coal	0.85	12	3	10	0.75	76.50	5163.75	5200	4420
2	Cement Clinker	1.50	12	3	10	0.75	135.00	9112.5	9200	7820
3	Dolomite	1.70	12	3	10	0.75	153.00	10327.5	10400	8840
4	Fertilizer	0.80	12	3	10	0.75	72.00	4860	4900	4165
5	Gypsum	1.50	12	3	10	0.75	135.00	9112.5	9200	7820
6	Iron-Ore	2.00	12	3	10	0.75	180.00	12150	12200	10370
7	Iron-ore Lumps/ Iron Ore Pellets	2.30	12	3	10	0.75	207.00	13972.5	14000	11900
8	Limestone	1.40	12	3	10	0.75	126.00	8505	8600	7310
9	Manganese Ore	1.20	12	3	10	0.75	108.00	7290	7300	6205
10	Manganese Slag/Silico Manganese	3.00	12	3	10	0.75	270.00	18225	18300	15555
11	Magnesite	0.43	12	3	10	0.75	38.70	2612.25	2700	2295
12	Met Coke	0.80	12	3	10	0.75	72.00	4860	4900	4165
13	Millscale (iron-Oxide)	2.50	12	3	10	0.75	225.00	15187.5	15200	12920
14	Olivine Sand/ Pyroxenite	1.70	12	3	10	0.75	153.00	10327.5	10400	8840
15	Pig-Iron	3.00	12	3	10	0.75	270.00	18225	18300	15555
16	Raw Petroleum Coke	0.90	12	3	10	0.75	81.00	5467.5	5500	4675
17	Rock Phosphate	1.80	12	3	10	0.75	162.00	10935	11000	9350
18	Sulphur	1.40	12	3	10	0.75	126.00	8505	8600	7310
19	Sugar	0.56	12	3	10	0.75	50.40	3402	3500	2975
20	Silica Sand	2.00	12	3	10	0.75	180.00	12150	12200	10370
21	Soda Ash	1.84	12	3	10	0.75	165.60	11178	11200	9520
22	Salt	1.09	12	3	10	0.75	98.10	6621.75	6700	5695

## Annex - I (f)

## Statement showing the workings to arrive at the Benchmark productivity in respect of 3 Cranes fitted with 12 CBM Grabs

Sr. no.	Commodities	Average Bulk Density	Average Crane cycles per hour	Number of cranes per vessel	Grab capacity (CBM)	Average Picking Factor (MT)	Productivity per hour per ship's crane	Productivity per day considering working time to be 22.5 hours (MT)	Performance norms (MT) after rounding off to next 100 MT	Benchmark productivity norms calculated @ 85% of performance norms
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8) = (3) x (4) x (6) x (7)	(9) = (8) x (5) x 22.50 hours	(10) = Round off	(11) = (10) x 85%
1	Coal	0.85	12	3	12	0.75	91.80	6196.5	6200	5270
2	Cement Clinker	1.50	12	3	12	0.75	162.00	10935	11000	9350
3	Dolomite	1.70	12	3	12	0.75	183.60	12393	12400	10540
4	Fertilizer	0.80	12	3	12	0.75	86.40	5832	5900	5015
5	Gypsum	1.50	12	3	12	0.75	162.00	10935	11000	9350
6	Iron-Ore	2.00	12	3	12	0.75	216.00	14580	14600	12410
7	Iron-ore Lumps / Iron Ore Pellets	2.30	12	3	12	0.75	248.40	16767	16800	14280
8	Limestone	1.40	12	3	12	0.75	151.20	10206	10300	8755
9	Manganese Ore	1.20	12	3	12	0.75	129.60	8748	8800	7480
10	Manganese Slag/Silico Manganese	3.00	12	3	12	0.75	324.00	21870	21900	18615
11	Magnesite	0.43	12	3	12	0.75	46.44	3134.7	3200	2720
12	Met Coke	0.80	12	3	12	0.75	86.40	5832	5900	5015
13	Millscale (iron-Oxide)	2.50	12	3	12	0.75	270.00	18225	18300	15555
14	Olivine Sand/Pyroxenite	1.70	12	3	12	0.75	183.60	12393	12400	10540
15	Pig-Iron	3.00	12	3	12	0.75	324.00	21870	21900	18615
16	Raw Petroleum Coke	0.90	12	3	12	0.75	97.20	6561	6600	5610
17	Rock Phosphate	1.80	12	3	12	0.75	194.40	13122	13200	11220
18	Sulphur	1.40	12	3	12	0.75	151.20	10206	10300	8755
19	Sugar	0.56	12	3	12	0.75	60.48	4082.4	4100	3485
20	Silica Sand	2.00	12	3	12	0.75	216.00	14580	14600	12410
21	Soda Ash	1.84	12	3	12	0.75	198.72	13413.6	13500	11475
22	Salt	1.09	12	3	12	0.75	117.72	7946.1	8000	6800

## Annex - I (g)

## Statement showing the workings to arrive at the Benchmark productivity in respect of 2 Cranes fitted with 8 CBM Grabs

Sr. no.	Commodities	Average Bulk Density	Average Crane cycles per hour	Number of cranes per vessel	Grab capacity (CBM)	Average Picking Factor (MT)	Productivity per hour per ship's crane	Productivity per day considering working time to be 22.5 hours (MT)	Performance norms (MT) after rounding off to next 100 MT	Benchmark productivity norms calculated @ 85% of performance norms
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8) = (3) x (4) x (6) x (7)	(9) = (8) x (5) x 22.50 hours	(10) = Round off	(11) = (10) x 85%
1	Coal	0.85	12	2	8	0.75	61.20	2754	2800	2380
2	Cement Clinker	1.50	12	2	8	0.75	108.00	4860	4900	4165
3	Dolomite	1.70	12	2	8	0.75	122.40	5508	5600	4760
4	Fertilizer	0.80	12	2	8	0.75	57.60	2592	2600	2210
5	Gypsum	1.50	12	2	8	0.75	108.00	4860	4900	4165
6	Iron-Ore	2.00	12	2	8	0.75	144.00	6480	6500	5525
7	Iron-ore Lumps / Iron Ore Pellets	2.30	12	2	8	0.75	165.60	7452	7500	6375
8	Limestone	1.40	12	2	8	0.75	100.80	4536	4600	3910
9	Manganese Ore	1.20	12	2	8	0.75	86.40	3888	3900	3315
10	Manganese Slag/Silico Manganese	3.00	12	2	8	0.75	216.00	9720	9800	8330
11	Magnesite	0.43	12	2	8	0.75	30.96	1393.2	1400	1190
12	Met Coke	0.80	12	2	8	0.75	57.60	2592	2600	2210
13	Millscale (iron-Oxide)	2.50	12	2	8	0.75	180.00	8100	8100	6885
14	Olivine Sand/Pyroxenite	1.70	12	2	8	0.75	122.40	5508	5600	4760
15	Pig-Iron	3.00	12	2	8	0.75	216.00	9720	9800	8330
16	Raw Petroleum Coke	0.90	12	2	8	0.75	64.80	2916	3000	2550
17	Rock Phosphate	1.80	12	2	8	0.75	129.60	5832	5900	5015
18	Sulphur	1.40	12	2	8	0.75	100.80	4536	4600	3910
19	Sugar	0.56	12	2	8	0.75	40.32	1814.4	1900	1615
20	Silica Sand	2.00	12	2	8	0.75	144.00	6480	6500	5525
21	Soda Ash	1.84	12	2	8	0.75	132.48	5961.6	6000	5100
22	Salt	1.09	12	2	8	0.75	78.48	3531.6	3600	3060

Annex - I (h)

Statement showing the workings to arrive at the Benchmark productivity in respect of 2 Cranes fitted with 10 CBM Grabs

Sr. no.	Commodities	Average Bulk Density	Average Crane cycles per hour	Number of cranes per vessel	Grab capacity (CBM)	Average Picking Factor (MT)	Productivity per hour per ship's crane	Productivity per day considering working time to be 22.5 hours (MT)	Performance norms (MT) after rounding off to next 100 MT	Benchmark productivity norms calculated @ 85% of performance norms
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8) = (3) x (4) x (6) x (7)	(9) = (8) x (5) x 22.50 hours	(10) = Round off	(11) = (10) x 85%
1	Coal	0.85	12	2	10	0.75	76.50	3442.5	3500	2975
2	Cement Clinker	1.50	12	2	10	0.75	135.00	6075	6100	5185
3	Dolomite	1.70	12	2	10	0.75	153.00	6885	6900	5865
4	Fertilizer	0.80	12	2	10	0.75	72.00	3240	3300	2805
5	Gypsum	1.50	12	2	10	0.75	135.00	6075	6100	5185
6	Iron-Ore	2.00	12	2	10	0.75	180.00	8100	8100	6885
7	Iron-ore Lumps / Iron Ore Pellets	2.30	12	2	10	0.75	207.00	9315	9400	7990
8	Limestone	1.40	12	2	10	0.75	126.00	5670	5700	4845
9	Manganese Ore	1.20	12	2	10	0.75	108.00	4860	4900	4165
10	Manganese Slag/Silico Manganese	3.00	12	2	10	0.75	270.00	12150	12200	10370
11	Magnesite	0.43	12	2	10	0.75	38.70	1741.5	1800	1530
12	Met Coke	0.80	12	2	10	0.75	72.00	3240	3300	2805
13	Millscale (iron-Oxide)	2.50	12	2	10	0.75	225.00	10125	10200	8670
14	Olivine Sand/Pyroxenite	1.70	12	2	10	0.75	153.00	6885	6900	5865
15	Pig-Iron	3.00	12	2	10	0.75	270.00	12150	12200	10370
16	Raw Petroleum Coke	0.90	12	2	10	0.75	81.00	3645	3700	3145
17	Rock Phosphate	1.80	12	2	10	0.75	162.00	7290	7300	6205
18	Sulphur	1.40	12	2	10	0.75	126.00	5670	5700	4845
19	Sugar	0.56	12	2	10	0.75	50.40	2268	2300	1955
20	Silica Sand	2.00	12	2	10	0.75	180.00	8100	8100	6885
21	Soda Ash	1.84	12	2	10	0.75	165.60	7452	7500	6375
22	Salt	1.09	12	2	10	0.75	98.10	4414.5	4500	3825

## Annex - I (i)

## Statement showing the workings to arrive at the Benchmark productivity in respect of 2 Cranes fitted with 12 CBM Grabs

Sr. no.	Commodities	Average Bulk Density	Average Crane cycles per hour	Number of cranes per vessel	Grab capacity (CBM)	Average Picking Factor (MT)	Productivity per hour per ship's crane	Productivity per day considering working time to be 22.5 hours (MT)	Performance norms (MT) after rounding off to next 100 MT	Benchmark productivity norms calculated @ 85% of performance norms
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8) = (3) x (4) x (6) x (7)	(9) = (8) x (5) x 22.50 hours	(10) = Round off	(11) = (10) x 85%
1	Coal	0.85	12	2	12	0.75	91.80	4131	4200	3570
2	Cement Clinker	1.50	12	2	12	0.75	162.00	7290	7300	6205
3	Dolomite	1.70	12	2	12	0.75	183.60	8262	8300	7055
4	Fertilizer	0.80	12	2	12	0.75	86.40	3888	3900	3315
5	Gypsum	1.50	12	2	12	0.75	162.00	7290	7300	6205
6	Iron-Ore	2.00	12	2	12	0.75	216.00	9720	9800	8330
7	Iron-ore Lumps/ Iron Ore Pellets	2.30	12	2	12	0.75	248.40	11178	11200	9520
8	Limestone	1.40	12	2	12	0.75	151.20	6804	6900	5865
9	Manganese Ore	1.20	12	2	12	0.75	129.60	5832	5900	5015
10	Manganese Slag/Silico Manganese	3.00	12	2	12	0.75	324.00	14580	14600	12410
11	Magnesite	0.43	12	2	12	0.75	46.44	2089.8	2100	1785
12	Met Coke	0.80	12	2	12	0.75	86.40	3888	3900	3315
13	Millscale (iron-Oxide)	2.50	12	2	12	0.75	270.00	12150	12200	10370
14	Olivine Sand/ Pyroxenite	1.70	12	2	12	0.75	183.60	8262	8300	7055
15	Pig-Iron	3.00	12	2	12	0.75	324.00	14580	14600	12410
16	Raw Petroleum Coke	0.90	12	2	12	0.75	97.20	4374	4400	3740
17	Rock Phosphate	1.80	12	2	12	0.75	194.40	8748	8800	7480
18	Sulphur	1.40	12	2	12	0.75	151.20	6804	6900	5865
19	Sugar	0.56	12	2	12	0.75	60.48	2721.6	2800	2380
20	Silica Sand	2.00	12	2	12	0.75	216.00	9720	9800	8330
21	Soda Ash	1.84	12	2	12	0.75	198.72	8942.4	9000	7650
22	Salt	1.09	12	2	12	0.75	117.72	5297.4	5300	4505

**SUMMARY OF ARGUMENTS MADE IN THIS CASE DURING THE JOINT HEARING BEFORE THE  
AUTHORITY.**

<b>F. No. TAMP/19/2018-KOPT</b>	<b>Proposal received from Kolkata Port Trust seeking approval for the norms for Conventional Berths using ship's gears and extension of validity for Performance, Incentive/ Penalty and Anchorage Charge in respect of Dry Bulk Cargo handled at Haldia Dock Complex.</b>
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A joint hearing on the case in reference was held on 22 March 2018 at the KOPT premises. At the joint hearing, the KOPT has made the following submissions:

- (i). Berthing Policy was introduced in HDC w.e.f 1.10.2016 and was valid upto 30.09.2017. 75% of the performance norms as per Berthing Policy was set as benchmark.
- (ii). Based on the advice of TAMP, specific performance norms for various dry bulk cargo which have been either handled or is likely to be handled using Ship's Cranes with different combination of cranes and grabs has been assessed in the proposal under reference.
- (iii). We have now considered 85% of the performance norms as benchmark in our current proposal, in discussion with the users, since many vessels may not achieve the performance norms as per Berthing Policy. Board has approved the proposal for 1.1.18 to 31.12.18. TAMP is requested to give retrospective effect.
- (iv). Board has also approved continuance of the existing norms for the period from 01.10.17 to 31.12.17. TAMP is requested to ratify.
- (v). The Berthing Policy has been made applicable only for 1 berth i.e. berth no. 9, as other berths are governed by contractual obligations.
- (vi). Please allow the proposal of the Port.

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