

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

**G.No. 28**

**New Delhi,**

**15 January 2021**

**NOTIFICATION**

In exercise of the powers conferred under 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 Mumbai Port Trust (MBPT) for fixation of rate for usage of floating pontoon at Jetty 5, Gateway of India, as in the Order appended hereto.

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

**Tariff Authority for Major Ports**  
**Case No. TAMP/22/2020-MBPT**

**The Mumbai Port Trust**

- - -

**Applicant**

**QUORUM**

- (i). Shri. T.S. Balasubramanian, Member (Finance)
- (ii). Shri. Sunil Kumar Singh, Member (Economic)

**ORDER**

(Passed on this 28<sup>th</sup> day of December, 2020)

This case relates to a proposal received from Mumbai Port Trust (MBPT) vide its letter No. FA/ACC/200(FR)/1352 dated 23 June 2020 for fixation of rate for usage of floating pontoon at Jetty 5, Gateway of India.

2. This Authority vide its Order No. TAMP/5/2019-MBPT dated 24 July 2019 has notified the General Scale of Rates of MBPT. The revised Scale of Rates along with Performance Standards approved by this Authority was notified vide Gazette No. 308 dated 03 September 2019.

3.1. In this backdrop, the MBPT vide its letter dated 23 June 2020 has come up with a proposal for fixation of rate for usage of floating pontoon at Jetty 5, Gateway of India. The main submissions made by MBPT in its proposal are summarised below:

- (i). License has been awarded to Smt. Shripriya Dalmia Thirani for operation of Floating Restaurant at Gateway of India vide MBPT Letter No. TM/BDC/FR(04/2017-18)/247/ 2017-18 dated 27 June 2017. For safe and secure embarkation and disembarkation from Gateway of India, Jetty no.5, permission has been granted for placement of floating pontoon by Dy. Conservator. Important conditions are as given below:
  - (a). Pontoon usage will be on common user basis also for other users.
  - (b). Security and life guard are to be provided by Licensee.
  - (c). Pontoon to have safety and security features, as railings, lifebuoys, lighting/illumination, etc.
  - (d). Licensee may recover a nominal charge from users.
  - (e). Licensee will share 17% from these nominal charge with MBPT.
- (ii). The pontoon has been put up from 23.03.2019, and is being used for ferrying the guests to and fro floating restaurants. It is an important facility enhancing the safety and security and also comfort of boarding/ de boarding, etc.
- (iii). Smt. Shripriya Dalmia Thirani vide letter dated 16.04.2019 informed that several requests from users of Jetty No. 5 are received to allow them to use pontoon. In this regard, the meeting was held on 28.03.2019. The operator informed that with a view to allow other users to make use of the pontoon facility for their passengers, it was requested to approve the rates at least on ad-hoc basis, till the finally approved rates are conveyed by MBPT, so that they are not put to loss and the other users can avail the improved safe and secure services of pontoon for access to their boats.
- (iv). The operator was advised to submit a proposal with consent of probable users as is required for approval process by TAMP. Accordingly, Smt. Shripriya Dalmia Thirani vide letter dated 16.04.2019, has enclosed email from Royal Bombay Yacht Club and Vision Yacht Services both dated 17.04.2019 and of Kiran Resources Pvt. Ltd., M/s Marine Solutions, Shri Rajesh Aiya and M/s. Credence Logistics dated 10.04.2019, 13.04.2019, 02.04.2019 and 06.04.2019 respectively requesting to

accord permission to use floating Jetty (Pontoon) for embarking and disembarking at Jetty no. 5, Gateway of India.

- (v). Smt. Shripriya Dalmia Thirani vide letter dated 16.04.19 proposed the user rates as below;

- (a). ₹.70/- for one time / single use  
 (b). ₹.9000/- for a full season pass (1<sup>st</sup> October to 1<sup>st</sup> May )  
 (c). ₹.5000/- for half season pass (1<sup>st</sup> October to 15<sup>th</sup> Jan or 16<sup>th</sup> Jan to 1<sup>st</sup> May).

- (vi). A proposal was placed before the Board of Trustees of MBPT. The Board has accorded approval vide its TR No.102 dated 20.08.2019. A copy of the same is furnished by MBPT. The Board has approved the following:

- (a). To fix the ad-hoc rates for the usage of pontoon on common user basis, as below:-

- (i). ₹.68/- for one time / single use  
 (ii). ₹.9000/- for a full season pass (1<sup>st</sup> October to 15<sup>th</sup> May)  
 (iii). ₹.5000/- for half season pass (1<sup>st</sup> October to 15<sup>th</sup> Jan or 16<sup>th</sup> Jan to 1<sup>st</sup> May)

- (b). to submit proposal to TAMP for obtaining approval of rates at (a) above.

- (vii). Financial implications for the port is the revenue share that MBPT will get from the charges received by the Licensee @17% of gross receipts on account of these charges. The minimum annual revenue expected by the Licensee is ₹.85.40 lakhs. The MBPT is entitled to 17% of this annually.

- (viii) The calculation as made by MBPT for single usage of pontoon as one time rate of ₹.68/- and initial capital investment and annual recurring expenditure is given below:

- (a). Basis of calculation:

The Operator has proposed rates based on their initial investment in setting up the floating pontoon dock and the recurring costs in operating and maintaining the same.

- (b). Initial Capital Investment:

|     |  | (₹. in Lakhs) |
|-----|--|---------------|
| (a) | Cost of Marinetek pontoon (for a 26 x 6m floating dock) with mooring set, aluminum gangway, including transportation, installation, gangway fixing and overheads | 188.00        |
| (b) | Cost of security cabin, scanning machines, metal detectors, electrical connections, security lights, including transportation, installation and overheads        | 23.00         |
| (c) | Safety and rescue arrangements at Jetty 5 including rescue boat (Zodiac RIB) SOS pedestals, walkie-talkies and life-saving gear                                  | 18.00         |
| (d) | Total (a) + (b) + (c) =(d)   | 229.00        |

- (c). Annual Recurring

|     |   | (₹. in Lakhs) |
|-----|---|---------------|
| (a) | Manpower, including Jetty supervisor, dock hands, medical attendant, security staff and life guards | 35.00         |
| (b) | Electricity   | 4.00          |

|      |  |       |
|------|--|-------|
| (c). | Annual mobilization and demobilization of floating jetty (before and after monsoons) Safety and rescue arrangements at Jetty 5 including rescue boat (Zodiac RIB) SOS pedestals, walkie-talkies and life-saving gear | 5.00  |
| (d)  | Monsoon storage  | 4.00  |
| (e)  | Miscellaneous  | 3.00  |
| (f)  | Total (a) + (b) + (c) + (d) +(e) =(f)  | 51.00 |

(d). Expected Minimum Annual Revenue

(₹. in Lakhs)

|     |  |       |
|-----|--|-------|
| (a) | Towards recovery of annual recurring cost        | 51.00 |
| (b) | Towards amortization of capital investment (15%) | 34.40 |
| (c) | Total expected minimum annual revenue            | 85.40 |

(e). Number of Users

(Number)

|     |  |            |
|-----|--|------------|
| (a) | Average daily number of traditional users including RBYC members other boat owners, their guests and staff | 200 Nos.   |
| (b) | Average daily number of restaurant users   | 400 Nos    |
| (c) | Total number of users for 1 month (600 users x 30 days)  | 18000 Nos. |
| (c) | Total number of users for season ( 7 months)   | 126000     |

(f). Calculation of Applicable Charge per User visit

Applicable charges =  $\frac{\text{Expected minimum annual revenue}}{\text{Total number of users for a season}}$

= ₹.85,40,000/1,26,000 users= 68.

**i.e. ₹. 68.00 per for one time single use**

3.2. Accordingly, the MBPT vide its letter no. TM/BDC/FR(04/2017-18)/51/363/2018-19 dated 01.10.2019 has informed Mrs. Shripriya Dalmia Thirani that the ad-hoc rates for the usage of pontoon by other users on common user basis till the time TAMP Rates are approved.

3.3. In view of the above, the MBPT has requested this Authority to approve the following proposed charges for Floating pontoon usage at Jetty No.5, Gateway of India and to incorporate in the existing approved Scale of Rates at Section 9.8 of SOR :

**“Section – 9.8 – Charges/rate for Floating pontoon usage at Jetty No.5, Gateway of India.**

- (i) ₹.68/- for one time / single use
- (ii). ₹.9000/- for a full season pass ( 1<sup>st</sup> October to 15<sup>th</sup> May )
- (iii). ₹.5000/- for half season pass (1<sup>st</sup>October to 15<sup>th</sup>Jan or 16<sup>th</sup> Jan to 1<sup>st</sup> May)

**Detailed terms and conditions**

- (i). The pontoon usage will be on common use basis and the members of RBYC, private yacht owners are to be permitted to utilize the facility or pontoon.
- (ii). The permission to utilize pontoon on 24/7 basis is given provided security personnel and life guard are provided round the clock.
- (iii). The pontoon shall be provided with guard-rail and gangway for safe access from sloping jetty No.5 to the pontoon and also from pontoon to vessel that comes

alongside for embarkation and disembarkation of passengers. Lifebuoys to be kept easily available on the pontoon and pontoon to be well lit at night so that passenger do not face any difficulty in alighting or boarding.

- (iv). All expenses towards installation, operation, maintenance and removal prior to monsoon and reinstallation post monsoon will be borne by the operator of the pontoon.
- (v). The operator will share 17% of the revenue that has been earned by levying nominal fee from the users of pontoon on the similar lines of percentage share basis of the floating restaurant.
- (vi). Pontoon to be maintained in seaworthy condition at all times.
- (vii). The MbPT reserves the right to reject/ alter/ change/ withdraw/ discontinue the permission subject to safety and security or any other reason in full or in part or stipulate additional conditions if and when deemed necessary on the found of misuse, lack of compliance, act in bad faith and / or any grounds arising from time to time.”

4. In accordance with the consultative procedure prescribed, a copy of the MBPT proposal was forwarded to the concerned users/ user organizations / prospective users (as suggested by MBPT) vide letter dated 23 July 2020 seeking their comments. In spite of a reminder dated 18 August 2020, none of the users have given their comments except for Royal Bombay Yacht Club (RBYC), till the case was finalised. The RBYC vide its e-mail dated 30 July 2019 has furnished its comments which was forwarded to MBPT vide our e-mail dated 07 August 2020 as feedback information. After reminders dated 18 August 2020 and 7 October 2020, the MBPT vide its letter No. FA/ACC/200(FR)/2317 dated 29 October 2020 has responded.

5. In view of the outbreak of COVID – 19 and in pursuance of the Ministry of Shipping (MOS) letter No. 11053/30/2020-Coord. dated 16 April 2020 to hold virtual meetings, a joint hearing on the case in reference was held on 26 August 2020 through Video Conferencing. At the joint hearing, MBPT made a brief power point presentation of its proposal. The MBPT and the users/ user organizations have made their submissions during the joint hearing.

6. On a preliminary scrutiny of the proposal, additional information/ clarification was sought from MBPT on few points. In spite of reminders dated 18 August 2020 and 7 October 2020, the MBPT has not furnished the requisite information till the case is taken up for finalisation, since the proposal is received as a “tariff Case”, it is not desirable to keep it pending indefinitely.

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

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

- (i). The Mumbai Port Trust (MBPT) has awarded License to a Licensee for operation of Floating Restaurant at Gateway of India. In this connection, in order to ensure safe and secure embarkation and disembarkation of the patrons visiting the Floating Restaurant, the MBPT has granted permission to the Licensee for placement of floating pontoon at Jetty no. 5 of Gateway of India. However, the arrangement envisaged is that the said Pontoon will be used not only by the patrons visiting the Floating Restaurant, but will be used by other users also.

In accordance with clause 8.1, 8.2 and 8.2 of the Tariff Policy 2018 issued by the then Ministry of Shipping read with clause 6 of the working guidelines issued to operationalize the Tariff Policy 2018, (Working Guidelines 2018), the concerned Major Port Trust after identifying authorized services coming under the ambit of tariff regulation, shall forward a proposal for the ceiling rates to be levied by the operators, in the cases where authorization arrangement u/s 42(3) is other than by way of a BOT concession agreement.

In this backdrop, the MBPT has come up with a proposal for fixation of rate for usage of Floating Pontoon. The MBPT proposes to incorporate the rates in its Scale of Rates, without reference to any service provider. The proposal of the port has the approval of the Board of Trustees of MBPT.

- (ii). Clause 8.2 of the Tariff Policy, 2018, stipulates that, in case there is no ceiling tariff prescribed in the concerned Major Port for a particular service/ facility under such arrangement, the port shall adopt the tariff prescribed for the similar service/ facility prescribed in any other Major Port Trust. If there is no tariff prescribed in any Major Port Trust or the rate prescribed is not representative for the cargo/ service/ facility envisaged, the Port Trust may file a proposal with reference to optimal capacity following the principles of 2008 guidelines or based on rated capacity. [with reference to the technical specification of the service/ facility/ equipment]. Clause 5.7.1 of the Working Guidelines also prescribes, in the context of clause 7.6.1 of the Tariff Policy, 2018, cost plus 16% return formula
- (iii). No charges have been fixed by this Authority for usage of floating pontoon at any other Major Port Trusts. There is no specific guidelines for determining the tariff for Floating Pontoon facilities in the 2008 Tariff Guidelines. Accordingly, the MBPT has formulated its proposal so as to recover the annual recurring charges plus amortization of capital expenditure, as discussed in the subsequent paragraphs.
- (iv). **Number of Users expected to utilize the facility per annum:**  
The average daily number of restaurant users has been estimated at 400 numbers and average of other users has been estimated at 200 per day, thereby aggregating to 600 users in a day. Considering 30 days per month and 7 months season period in a year, the MBPT has arrived at the annual number of users expected to utilize the facility at 1,26,000. It is based on the estimates given by the licensee to the MBPT and considered in the proposal by MBPT. The number of estimated users furnished by MBPT is relied upon.
- (v). Each of the cost component considered by the MBPT to arrive at the proposed rate is discussed in the following paragraphs:
  - (a). **Capital cost:**  
Initial capital cost for the development of the floating pontoon and other related facilities is estimated at ₹.229.00 lakhs. This is reported to be comprising of cost of Marinetek pontoon (26 x 6m floating dock) with mooring set, aluminum gangway, transportation, installation, gangway fixing, overheads, cost of security cabin, scanning machines, metal detectors, electrical connections, security lights, including transportation, installation, overheads, Safety and rescue arrangements at Jetty 5 including rescue boat (Zodiac RIB) SOS pedestals, walkie-talkies and life-saving gears. The capital investment to the tune of ₹.229.00 lakhs is relied upon. There is no objection from RBYC consulted in this regard.
  - (b). **Annual Recurring Cost**

- (i). The total annual recurring expenses have been estimated at ₹.51.00 lakhs per annum. This comprises of an amount of ₹.35.00 lakhs per annum towards Manpower comprising of Jetty supervisor, dock hands, medical attendant, security staff and life guards, ₹.5.00 lakhs per annum towards expenses of mobilization and demobilization of floating jetty (before and after monsoons) and expenses towards Safety and rescue arrangements at Jetty no. 5 etc., ₹.4.00 lakhs per annum each towards expenditure on Electricity consumption and Monsoon Storage and an amount of ₹.3.00 lakhs towards other miscellaneous expenditure. The estimated expenses are relied upon. There is no objection from the RBYC in this regard.
- (ii). The initial capital investment of ₹ 229 lakhs has been amortised by the Port @ 15% per annum, which works out to about ₹ 34.40 lakhs per annum.
- (vi). Based on the various cost components as discussed in the preceding paragraphs, the annual revenue requirement for the facility has been estimated by the MBPT at ₹.85.40 lakhs per annum. Considering that number of users utilizing the floating pontoon at 1,26,000 per annum, as stated earlier, the MBPT has worked out the average cost of ₹.67.78 /- per person for one visit, which has been rounded off by MBPT to ₹.68.00 per person. Accordingly, the charges for usage of floating pontoon has been proposed at ₹. 68 for one time/ single use.

The MBPT has also proposed charges towards Full Season pass for usage of Floating Pontoon for the period from 1<sup>st</sup> October to 15 May (i.e. 7.5 months) at ₹.9000/- per person and a charge of ₹.5000/- towards Half Season pass for the period from 1<sup>st</sup> October to 15 Jan (i.e.3.5 months) or from 16<sup>th</sup> Jan to 1<sup>st</sup> May (i.e. 3.5 months). There is no specific objection from the RBYC for the proposed rates for full season pass and half season pass. These proposed rates are relied upon.

Given that none of the users have objected to the rates proposed by the MBPT and also since the proposal of the Port has the approval of the Board of Trustees of MBPT, this Authority is inclined to approve the charges as proposed by the port.

- (vii). The MBPT has proposed a note (i) to the effect that the pontoon usage will be on common use basis and the members of RBYC, private yacht owners are to be permitted to utilize the facility or pontoon. Since the proposed note gives clarity and avoids ambiguity, the prescription of the above note is approved.
- (viii). The Notes (ii) and (iii) have been proposed to the effect that the permission to utilize pontoon on 24/7 basis is given provided security personnel and life guard are provided round the clock and the pontoon shall be provided with guard-rail and gangway for safe access from sloping jetty No.5 to the pontoon and also from pontoon to vessel that comes alongside for embarkation and disembarkation of passengers. Lifebuoys to be kept easily available on the pontoon and pontoon to be well lit at night so that passenger do not face any difficulty in alighting or boarding.
- Since the proposed notes relate to safety and security aspects of the passengers who use the floating pontoon, the prescription of the proposed notes is approved.
- (ix). The proposed Notes (iv), (v), (vi), and (vii) are generally seen to be conditions to be complied with licensee in relation to the MBPT. These notes can form part of the License Agreement between Port and Licensee. The said notes are not relevant in connection with the levy of tariff regarding Floating Pontoon. In view of the above, the Notes (iv), (v), (vi), and (vii) are not incorporated in the SOR of MBPT.

- (x). During the consultation process, RBYC had raised a point as to whether the rate of ₹.68/- prescribed for "one time" use would be applicable for the entire day or for each usage of the pontoon. In this regard, the MBPT has clarified "Return" use shall also be permitted in the same ticket cost, once in the same day. Accordingly, a note to this effect is prescribed in the SOR of MBPT.
- (xi). The tariff and the conditionalities governing the application of tariff shall into force from the date of implementation of the approved rates.

9.1. In the result, and for the reasons given above and based on a collective application of mind, this Authority approves incorporation of the following new section as Section 9.8 – Charges for Floating Pontoon usage at Jetty No.5, Gateway of India, under Chapter – IX – Miscellaneous Charges, in the existing Scale of Rates (SOR) of MBPT:

“

**Section – 9.8 – Charges for Floating pontoon usage at Jetty No.5, Gateway of India.**

- (i) ₹.68/- per person for one time / single use  
(ii). ₹.9000/- per person for a full season pass ( 1<sup>st</sup> October to 15<sup>th</sup> May )  
(iii). ₹.5000/- per person for half season pass (1<sup>st</sup>October to 15<sup>th</sup>Jan or  
16<sup>th</sup> Jan to 1<sup>st</sup> May)

**Detailed terms and conditions**

- (i). The charges for one time / single use prescribed at (i) above includes return usage on the same day.
- (ii). The pontoon usage will be on common use basis and the members of RBYC, private yacht owners are to be permitted to utilize the facility or pontoon.
- (iii). The permission to utilize pontoon on 24/7 basis is given provided security personnel and life guard are provided round the clock.
- (iv). The pontoon shall be provided with guard-rail and gangway for safe access from sloping jetty No.5 to the pontoon and also from pontoon to vessel that comes alongside for embarkation and disembarkation of passengers. Lifebuoys to be kept easily available on the pontoon and pontoon to be well lit at night so that passenger do not face any difficulty in alighting or boarding.

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9.2 The MBPT is directed to suitably incorporate the above provisions in its Scale of Rates.

9.3. The above prescription shall come into effect from the date of implementation of the approved rates and shall remain valid co-terminus to the validity of the existing Scale of Rates of MBPT.

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

**SUMMARY OF THE COMMENTS RECEIVED FROM THE PORT USERS / DIFFERENT USER ORGANISATIONS AND ARGUMENTS MADE IN THIS CASE DURING THE JOINT HEARING BEFORE THE AUTHORITY.**

|                          |          |   |
|--------------------------|----------|---|
| <b>TAMP/22/2020-MBPT</b> | <b>:</b> | <b>Proposal received from the Mumbai Port Trust (MBPT) for fixation of rate for usage of floating pontoon at Jetty 5, Gateway of India.</b> |
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A summary of the comments furnished by Royal Bombay Yacht Club (RBYC) and the comments of MBPT thereon is tabulated below:

| <b>No.</b>   | <b>Comments of Royal Bombay Yacht Club (RBYC)</b>   | <b>Reply received from MBPT</b>  |  |          |  |          |   |            |                                      |               |
|--|---|--|--|----------|--|----------|---|------------|--------------------------------------|---------------|
| i(a)   | The calculation of 600 users per day (200 users of RBYC and 400 users of Restaurant) is an error. Maximum usage on week days and especially on weekends is by private boat owners and by private operators who use Jetty 5 for embarkation/disembarkation. Usages by RBYC members would not exceed 50 per day on weekdays and would rarely touch 200 even on weekends. However, it is estimated that the usages by private boat owners would average 400 users daily. | <p>(i) Smt. Shripriya Dalmia Thirani vide letter dated 07.12.2018 has brought out that the total number of users would be around 600 per day.</p> <p><b>Number of users</b></p> <table border="1"> <tr> <td>(a). Average daily number of traditional users including advice member and other boat owners, their guests and staff</td> <td>200 nos.</td> </tr> <tr> <td>(b) Average daily number of restaurant users</td> <td>400 nos.</td> </tr> <tr> <td>(c) Total number of users for one month (600 users X 30 days)</td> <td>18000 nos.</td> </tr> <tr> <td>(d) Total number of users for season</td> <td>1,26,000 nos.</td> </tr> </table> <p>ii) If the number of users is likely to be short of the projected numbers, the licensee will have to take further action, if any.</p> | (a). Average daily number of traditional users including advice member and other boat owners, their guests and staff | 200 nos. | (b) Average daily number of restaurant users | 400 nos. | (c) Total number of users for one month (600 users X 30 days) | 18000 nos. | (d) Total number of users for season | 1,26,000 nos. |
| (a). Average daily number of traditional users including advice member and other boat owners, their guests and staff | 200 nos.  |  |  |          |  |          |   |            |                                      |               |
| (b) Average daily number of restaurant users   | 400 nos.  |  |  |          |  |          |   |            |                                      |               |
| (c) Total number of users for one month (600 users X 30 days)  | 18000 nos.  |  |  |          |  |          |   |            |                                      |               |
| (d) Total number of users for season   | 1,26,000 nos.   |  |  |          |  |          |   |            |                                      |               |
| (i)(b)   | It needs to be confirmed that the rates of the season pass and half season pass offered are for the boat for the concerned duration. It is suggested that rate should be for the boat and that all the users of the boat could use the pontoon under the pass   | <p>i). Smt. Sripriya Dalmia Thirani has requested pass per person for half season/full season.</p> <p>ii. (a) Tender is awarded to M/s Shripriya Dalmia Thirani for operation of floating restaurant at Gateway of India.</p> <p>(ii) (b). To facilitate boarding of passenger the pontoon is placed by Smt. Shripriya Dalmia Thirani.</p> <p>(ii).(c). To make that available on common user basis, the rates to be charged to the users, are requested to be approved by TAMP.</p> <p>In this scenario, the request of Smt.Shripriya Dalmia Thirani at para 2(i) above seems to be in order.</p>   |  |          |  |          |   |            |                                      |               |
| i(c)   | Would the rate of ₹.68 offered for "one time" use be applicable for the entire day or for each usage of the pontoon. Eg- if the pontoon is used by a member who is sailing for embarking his /her boat, would the payment have to be made on return of the  | It was clarified by licensee that Passes will be per person and not boat. With regard to the validity /duration of pass, Smt. Shripriya Dalmia Thirani has enclosed copy of email dated 9/4/2019 to her letter dated 16/4/2019 (Annexure-IV of proposal) wherein it is   |  |          |  |          |   |            |                                      |               |

|      |  |  |
|------|--|--|
|      | sail also or would one time usage cover usage for the entire day   | stated that the rates/charges are for one-time/Single usage.<br>MbPT's view is that "Return" use shall be permitted in the same ticket cost.<br>Licensee agreed to the "Return" facility once in the same day.   |
| i(d) | The RBYC has been providing the complete security apparatus and manpower at Jetty 5, including positioning of a porta-cabin, provision of DFMD, baggage scanner, security cameras and provision of guards. The RBYC also undertakes the cleaning of the jetty and its surrounding areas. The RBYC incurs a huge expenditure of approximately Rupees 13 lakhs annually to provide these services and facilities | RBYC management brought out that they have been providing the complete security apparatus and management at Jetty no.5 including positioning of porta-cabin, provision of DFMD, baggage scanner, security cameras, provision of guards, and upkeep and management of jetty no.5. It is further stated they incur expenditure of ₹.13 lakhs per annum for providing the services. RBYC vide their letter dated 16/11/2019 |
| i(e) | RBYC has written to the Chairman, MBPT requesting for approval from the MBPT for the RBYC to recover these costs from all users. [RBYC has furnished a copy of its letter dated 16 November 2015 addressed to Chairman, MBPT along with Annex].  | requested for the approval to collect proportionate amount from each boat user of the jetty. They have proposed annual charges as at Annexure-B. Similar request has also been made by them to TAMP. The issue may be dealt separately as it is not within the purview of the tender and the present exercise.   |
| i(f) | TAMP is requested to resolve the above issue at an early date and rates promulgated so that the RBYC can recover this cost from all users.   |  |

2. In view of the outbreak of COVID – 19 and in pursuance of the Ministry of Shipping (MOS) letter No. 11053/30/2020-Coord. dated 16 April 2020 to hold virtual meetings, a joint hearing on the case in reference was held on 26 August 2020 through Video Conferencing. At the joint hearing, MBPT made a brief power point presentation of its proposal. The MBPT and the users/ user organizations have made the following submissions during the joint hearing:

**Mumbai Port Trust (MBPT)**

- (i). The MBPT is gearing up to move towards tourism activities besides cargo handling to leverage the harbour and utilize the port for tourism facilities by the citizens. Among the tourism facilities, the first facility is the development of Floating Restaurant.
- (ii). License for operation of Floating Restaurant at Gateway of India was given to Smt. Shripriya Dalmia Thirani, through a bidding process. The commercial operation was commenced on 31 December 2018.
- (iii). As part of the Agreement, the licensee is to provide floating pontoon at Jetty no. 5 at Gateway of India for safe and secure embarkation/ disembarkation from Jetty no.5, for the users of Floating Restaurant Jetty No. 5 is used by so many other users. The permission to put up the floating pontoon was granted to the licensee with the conditions viz. pontoon usage will be on common user basis for other users. Also, security and life guard was to be provided and also have safety and security features viz. railings, lifebuoys, lightings/ illuminations etc. In return, the licensee may recover a nominal charge from users.
- (iv). The pontoon was put up on 23.3.2019 for ferrying the guest to and fro floating restaurant and other users.
- (v). Based on the proposal of the licensee, the Board has approved the rate of ₹.68 for one time single use, ₹.9000 for full season pass and ₹.5000 for half season pass. Licensee will share 17% of the revenue with port.

- (vi). We seek approval of the TAMP for the rates to enable the other users to utilize the facility of floating pontoon.
- (vii). The number of users expected to utilize the service is 600 users.

**RBYC**

- (i). Full Season pass or Half Season pass - is it for per boat or for an individual person? Per Boat would be more reasonable.  
[MBPT : As per proposal of Licensee, it is per Person. Return journey included].
- (ii). How the ticketing will be done per each individual?  
[Thirani : Ticketing solution is being provided by the Book My Show Company with RFID Tap cards technology]
- (iii). At present no Security cabin has been provided by the Thirani. The Security facility setup by RBYS is being used at present. With the limited space, where the Thirani is going to do this activities like charging the people on the top or on the pontoon?  
[ Thirani : We will be doing it on the pontoon ]  
  
[ MBPT : We are following up with the Mumbai Municipality for getting extra space, they are ready to give the space keeping in view of the economic activity involved. Municipality is seeking the NOC from the Mumbai Heritage Committee, which is to be received. Once NOC is received from Mumbai Heritage Committee, we will get the extra space]
- (iv). We had incurred a cost of about 13 lakhs per annum for providing security arrangements, cleaning the jetty No. 5. Please permit to charge from the users of security arrangement at jetty no. 5 to recover the cost of the expenditure incurred.

**Member (Finance), TAMP**

- (i). MBPT may look into this.

**RBYC**

- (i). Jetty No. 5 should not be allowed to be crowded from safety perspective. There are other 4 jetties.  
[MBPT : we will convey your concern to Dy. Conservator].

**Thirani**

- (i). We have not yet started to charge. It will be after monsoon.

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