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Tariff Authority for Major Ports

G.No. 215

New Delhi,

18 June 2020

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 notifies the revised Scale of Rates disposing of the proposal received from TM International Logistics Limited (TMILL) for General revision of its Scale of Rates (SOR) under Tariff Guidelines, 2019, as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports
Case No. TAMP/53/2019-TMILL

TM International Logistics Limited

- - -

Applicant

QUORUM

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

ORDER

(Passed on this 1st day of June, 2020)

This case relates to the proposal received from TM International Logistics Limited (TMILL), a BOT Operator at Kolkata Port Trust (KOPT), for general revision of its Scale of Rates.

2.1. The TMILL has filed a proposal vide its letter dated 01 October 2019 for general revision of its Scale of Rates. The said proposal was taken on consultation with the Licensor port viz., Kolkata Port Trust (KOPT) and concerned users/ user organisations at the TMILL. None of the users/ user organisations have furnished their comments.

2.2. The proposal of the TMILL was internally scrutinized in the office. The additional information/ clarifications were sought from the TMILL. The TMILL has responded to the additional information/ clarifications sought. A joint hearing in this case was held on 17 October 2019 at the KOPT premises in Kolkata. At the joint hearing, the TMILL and KOPT have made their submissions.

3. With reference to the totality of information collected during the processing of the case, this Authority has approved the revised Scale of Rates of TMILL.

4.1. 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. Therefore, this Authority desires that the revised Scale of Rates may come into force without waiting for notification of the Order. Accordingly, this Authority notifies the revised Scale of Rates of the TMILL immediately which is attached as **Annex**. The revised Scale of Rates will come into force after expiry of 30 days from the date of notification of this Order in the Gazette of India and shall be in force for a period of three years thereafter, subject to annual indexation, as discussed in para no. 5 below.

4.2. In the meanwhile, the validity of the existing SOR of TMILL is deemed to have been extended from 01 April 2020 till the revised SOR of TMILL comes into effect.

4.3. The Speaking Order passed by this Authority in respect of TMILL will be notified separately and communicated to the TMILL, KOPT and the relevant users/ user organisations in due course of time.

5. As per Clause 2.12 of the Tariff Guidelines, 2019, the SOR will be indexed annually to inflation to the extent of 60% of the variation in Wholesale Price Index (WPI) announced by the Government of India occurring between 1st January to 31st December of the relevant year. Such adjusted SOR is to come into force from 1st May of the relevant year to 30th April of the following year. It is relevant here to state that in the instant case indexation for the year 2019-20 is already considered in the ARR and for drawing the SOR. Thus, the first annual indexation will be applicable from the date the revised SOR comes into effect. For the subsequent years, the annual indexed SOR will come into force from 1st May of the relevant year to 30th April of the following year. The indexed SOR shall be intimated by the TMILL to the KOPT, users and to this Authority.

(T.S. Balasubramanian)
Member (Finance)

**T M International Logistics Limited
Scale of Rates for operations at Berth No.13 of Haldia Dock Complex**

1. Short title of Commencement

The Scale of Rates set out herein shall be called SCALE OF RATES of the T M International Logistics Limited (TMILL), Berth No. 13, Haldia Dock Complex of the Kolkata Port Trust.

2. Definition

In this Scale of Rates, unless the context otherwise requires, the following definitions shall apply.

- (i). 'T M International Logistics Limited' shall mean the company registered under Companies Act, 2013 having its registered office at 43, Chowringhee Road, Kolkata – 71.
- (ii). TMILL premises shall mean the area licensed to TMILL including the backup area and any additional land allotted under the License agreement.
- (iii). 'Day' shall mean the period starting from 6 am of a day and ending at 6 am on the following day.
- (iv). 'Demurrage' shall mean charges payable for storage of cargo within TMILL premises beyond free period as specified in this Scale of Rates and shall not include the cargo stored at the area allotted to a port user on licence basis for storage of cargo.
- (v). 'Hazardous I' shall mean the cargo categorized as Hazardous-I in the list of Hazardous Cargo adopted by the Board of Trustees of Kolkata Port Trust from time to time.
- (vi). 'Month' shall mean 30 consecutive calendar days including holidays unless otherwise specified.
- (vii). 'On Board handling Charges' shall mean charges on Cargo/ Commodity/ Article/ Package/ Container for rendering on board services by the TMILL in the form of supply of manpower for ship loading/ unloading operation.
- (viii). 'On-board supervision' shall mean certain services, both on-board and on-shore, rendered by TMILL during ship to shore/shore to ship transfer operation of cargo which are not included within the purview of On-board handling charges or loading / unloading charges or Miscellaneous charges and are ancillary in nature and some of which are needed for achieving better productivity / efficiency during vessel operation.
- (ix). 'Over-side Discharge/ Shipment' shall mean the operation of unloading/ loading of cargo ex/into vessel without passing through the quay at the time of discharge/ shipment operation.
- (x). 'Shut out' cargo shall mean export cargo left in the TMILL premises having not been shipped on board the vessel for which it was received for shipment in TMILL premises.
- (xi). 'Stock Cargo' shall mean cargo received at the Port for shipment without export documents.
- (xii). 'TEU' shall mean Twenty Feet Equivalent Unit of container.
- (xiii). 'Transshipment' shall mean transfer of cargo/ container from a sea going vessel/ barge to another sea going vessel/barge for destination to other Port/ Ports.
- (xiv). 'Wharfage' shall mean the basic dues recoverable on all cargo/ container landed or shipped or transhipped within the TMILL premises.
- (xv). Shore Handling includes arranging and receiving the cargo to/from the hook point, intermodal transport from wharf to stackyard and vice-versa and also receiving and delivering of cargo from/to wagons/trucks.

3. General Principles of Assessment:

- (i). The minimum weight/ measurement chargeable shall be 1 tonne/1 CBM although the gross weight/measurement may be less than 1 tonne/1 CBM. In case where the charge is on weight basis and the gross weight is not an exact multiple of 100 Kgs, the same will be rounded off to the next higher multiple of 100 Kgs. Where the gross CBM includes decimals, the same should be rounded off to the next higher whole unit of CBM.
- (ii). Rates applicable for a period/ unit other than weight shall be applicable to the part of a period/ unit thereof.
- (iii). Unless otherwise specified, if TMILL equipment is booked for landing/ shipment of cargo/ container from/ into vessel or for any other purpose by the vessel, equipment hire charge as specified in Section 10.1 shall be levied.
- (iv). Cargo Related Charges shall be levied on the owners of the cargo or their Clearing and Forwarding Agents / Handling Agents except where specified otherwise, or in cases where Ship Owners/Steamer Agents agree to pay such charges.
- (v). Samples, Catalogues and other articles for which Shipping Companies charge no freight and on which no Customs duty is payable, diplomatic mail bags, crew baggage and all goods meant for TMILL's use at Berth no.12, HDC shall be exempted from payment of all cargo related charges.
- (vi). No demurrage shall be charged for the days during which delivery cannot be effected due to strike by the Kolkata Port Trust/ TMILL employees provided, the concerned Importer or his Authorized Agent files the complete delivery documents on payment of all charges prior to commencement of the strike.
- (vii). Interest on delayed payments / refunds:
 - (a). The user shall pay penal interest on delayed payments under this Scale of Rates. Likewise, the TMILL shall pay penal interest on delayed refunds.
 - (b). The rate of penal interest will be 15%. The penal interest rate will apply to both the TMILL and the port users equally.
 - (c). 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.
 - (d). The delay in payments by the users will be counted only 10 days after the date of raising the bills by the TMILL. This provision shall, however, not apply to the cases where payment is to be made before availing the services / use of TMILL Terminal facilities as stipulated in the Major Port Trust Act and / or where payment of charges in advance is prescribed as a condition in this Scale of Rates.
- (viii). Before classifying any cargo under "unspecified category" or otherwise, if required, to know the nature of cargo for levy of cargo handling charges, the relevant Customs classification shall be referred to in order to find out whether the cargo can be classified under any of the specified categories mentioned in the schedules.
- (ix). Users will not be required to pay charges for delays, beyond a reasonable level, attributable to TMILL.
- (x). (a). Whenever a specific tariff for a new service/ cargo/ equipment/ facility is not available in the SOR of TMILL, the TMILL can approach TAMP for notification of tariff for the said new cargo/ equipment/ service adopting the tariff if any fixed for comparable cargo/ equipment/ service in any Major Port Trust or BOT operator governed under Tariff Guidelines, 2019. If there is no rate available in any Major Port Trust or BOT operator governed under Tariff Guidelines, 2019, or if the rate available is not representative enough of the proposed new cargo/ service/ equipment/ facility, then the TMILL may file the proposal for notification of tariff for the said new cargo/equipment/service/ facility with reference to optimal capacity assessed following the principles of 2008 guidelines or based on rated

capacity or technical specification of service/facility/equipment. If determination of tariff based on the above prescribed options is not available, then the TMILL after giving sufficient reasons may propose rates based on cost plus 16% return formula.

- (b). Proposal for notification of rate for use of a new facility or a new service shall be forwarded to TAMP at least 60 days prior to the expected date of commissioning of the new cargo/ facility or a new service. For determination of tariff for new cargo/new service, TAMP will follow normal consultation process as prescribed. In case of prescription of tariff for new miscellaneous services, the BOT operator shall submit a proposal not later than 15 days from the date of introducing the services.
- (c). Simultaneously with the submission of proposal, the proposed rate can be levied on an ad hoc basis till the rate is finally notified.
- (d). The ad hoc rate to be operated in the interim period must be based on the approach outlined in clause 5.6.1 of Tariff Guidelines, 2019.
- (e). The final rate fixed by the TAMP for new cargo/service for which rate is not prescribed in the SOR will ordinarily be effective only prospectively. The interim rate adopted in an ad hoc manner will be recognised as such unless it is found to be excessive requiring some moderation retrospectively.
- (xi). The rates prescribed in this Scale of Rates are ceiling level; like-wise the rebates and discounts are floor levels. The TMILL may, if it so desires, change lower rates and/ or allow higher rebates and discounts.
- (xii). The TMILL does not handle the following cargoes at Berth no. 12:
 - (a). Thermal Coal in bulk.
 - (b). Coking Coal in bulk.
 - (a). Various types of coke and other black cargo in bulk.
 - (a). Various types of liquid bulk cargo handled through pipelines.
- (xiii). The rate prescribed for handling of containers is applicable for 20 ft. container. For container above 20 ft. and up to 40 ft. the rate would be 150% of the prescribed rate. For containers exceeding 40 ft. the rate would be 200% of the prescribed rate.
- (xiv). In case of coastal cargo/ containers, other than thermal coal, iron ore and iron ore pellets, 60% of the prescribed rates shall be applicable.
- (xv). The SOR approved by the Authority is subject to automatic annual indexation at 60% of the WPI to be announced by the Authority. The annual indexation will be from 01 May 2020. The indexed SOR shall be intimated by the TMILL to the KOPT, users and to the Authority.

4. Wharfage Charges:

4.1 Wharfage on Foreign cargo shall be levied at the rates as mentioned in the table below:

SL. No.	Particulars	Rate per MT (in ₹.)
1	Iron Ore, Iron Ore pellets, Sand, Fly Ash, Salt	33.74
2	Limestone, Dolomite, Pyroxenite, Olivine and all other dry bulk not specified and all types of ore except iron ore; Sponge Iron, Pig Iron;	67.47
3	Mill Scale, Magnesite, Granite, all types of scrap, Oil Cake; Bone & Bone Meal, Non-Ferrous metals of all kinds, Fire Bricks and other refractory materials, Fertilizer raw materials, MOP, Rock Phosphate, Soda, Sulphur, C.I. Goods	118.77
4	Tubes and pipes, Iron and Steel, Newsprint, HRC/CRC, Steel Slabs, Beams, Rails, Wheels, Sheets and bagged cargo.	99.32
5	Project cargo and machinery & spares (Immobile units) of various shapes and sizes, all other cargo not specified above	310.30
6	Containers (₹. per TEU) - other than over dimensional container	3642.01

7	Car, any rubber tyre vehicle, earth moving equipment (Rs per unit)	6621.81
8	Logs/Timber/Veneer (₹. per CBM)	173.82

- 4.2 On cargo discharged/ shipped overside, charges shall be levied 70% of the above-mentioned rates.
- 4.3 For transshipment of cargo or shifting of cargo on board, charges shall be recovered at 1.5 times the rates specified in 4.1 above.
- 4.4 On shutout/ stock cargo, which is taken back from TMILL premises, 50% of wharfage shall be levied. In addition, on-board handling charges & shore handling charges, as may be applicable, shall be levied if labour and/or equipment are/ is supplied by TMILL for handling of cargo.

No additional wharfage shall be levied on shutout cargo if the same is subsequently shipped without being removed from port premises.

5. On-Board Charges:

5.1 On-Board Charges shall be levied on Foreign cargo at the rates as mentioned in the table below:

Sl. No.	Particulars	Rate per MT (in ₹.)
1	All types of dry bulk cargo (excludes bag cargo)	49.65
2	Tubes and pipes, Iron and Steel, Newsprint, HRC/CRC, Steel Slabs, Beams, Logs, Rails, Wheels, Sheets.	132.44
3	Project cargo and machinery & spares (Immobile units) & all other cargo not specified including bagged cargo	160.00
4	Containers (₹. per TEU)	455.26
5	Car, any rubber tyre vehicle, earth moving equipment when discharged/shipped by using of slings (₹. per Unit)	160.00

- 5.2 On cargo discharged / shipped over-side, charges shall be levied 70% of the abovementioned rates.
- 5.3 For transshipment of cargo or shifting of cargo on board, charges shall be recovered at 1.5 times the rates specified in 5.1 above.

6. On-board supervision:

- 6.1 On-board supervision charges shall be levied for the following services provided by TMILL at berth no. 12 terminal in respect of import/ export cargo at the rates specified below:
- Unlashing of import cargo.
 - Lashing, securing and dunnaging of export cargo.
 - Providing slings and gears for the cargo handling operation.
 - Tally survey of cargo during discharge.
 - Survey of cargo quality discharged/ shipped.
 - Placement and removal of dunnages at jetty during discharge.
 - Heaping of export bulk cargo at hook point.
 - Supervising/ monitoring/ directing the entire cargo handling work during vessel operation including queuing of trailers/ dumper from plot to jetty and vice versa in order to achieve better discharge/ loading thereby reducing the turnaround of the vessel.

Sl. No.	Particulars	Rate per MT (in ₹.)
1	Limestone, Pig Iron and other Ferrous metals, all types of ore and other dry bulk cargo	7.00
2	Tubes and pipes, Logs, Iron and Steel, Bagged cargo, Newsprint discharged from the ship.	120.00
3	Tubes and pipes, Logs, Iron and Steel, Newsprint shipped into ship.	160.00

4	Project cargo and machinery & spares (Immobile units) and all other cargo not specified above except those specified at Sec 3.xii.	275.92
5	Containers (₹. per TEU)	459.86
6	Car, any rubber tyre vehicle, earth moving equipment (₹. per unit)	5518.17

7. Loading/ Unloading/ Re-Stacking:

7.1 Following charges for supply of manpower and equipment for loading/ un-loading/ re-stacking of foreign cargo shall be levied at the rates specified in the table below:

Sl. No.	Particulars	Rate per MT (in ₹.)
1	Limestone, Olivine, Pyroxenite, Dolomite, Other Flux Materials, Clinker, Salt, Iron Ore, Pig Iron, Sugar and other Ferrous metals and all types of ore	33.74
2	Soda, Sulphur, C.I. Goods, Cement, all types of bag cargo and other dry bulk not specified	74.97
3	Iron and Steel Hot Rolled Coils, Cold Rolled Coils, Galvanized Coils, Steel Slabs	82.78
4	Tubes, Pipes, Steel Billets, Wire Rod Coils, Plates & Sheets, Steel Rails, Beams and structural, Newsprint, LOG (CBM), Project cargo and machinery & spares including their packages, all other cargo not specified	90.67
5	Containers ₹. per TEU	297.96
6	Unloading / Loading of break bulk cargo like steel coils from / to Railway wagons including shifting from siding or handling at siding	144.87
7	Unloading / Loading of break bulk cargo like steel wire rod coils, billets, TMT bars, plates and sheets, pipes & tubes and other cargo from / to Railway wagons including shifting from siding to plot and unloading	158.67
8	Unloading of dry bulk cargo from Railway wagons including loading at siding and shifting from siding to plot and unloading	167.41

Note: For removal of doubts it is hereby clarified that where equipment support is provided, and charges are levied under clause 12 – ‘Miscellaneous charges’ then no separate levy will be made under this section.

- 7.2 Where a cargo is unloaded and stacked simultaneously at the place of unloading, then it would amount to one operation only.
- 7.3 Where hoppers are used for the unloading of cargo from the vessel and dumpers are loaded using the hopper then it would constitute one operation of loading activity.
- 7.4 Dispatch related services by Rail both for receiving of cargo and dispatch of cargo by rail will be charged separately as per section 9.3 (1)

8. Transportation

8.1 The following charges shall be levied on cargo, for which TMILL Terminal undertakes any transportation within the port limits.

Sl. No.	Particulars	Rate per MT (In ₹.)
1	All types of dry bulk cargo	66.19
2	Iron and Steel Hot Rolled Coils, Cold Rolled Coils, Galvanized Coils, Steel Slabs	57.92
3	Tubes, Pipes, Steel Billets, Wire Rod Coils, Plates & Sheets, Steel Rails, Beams and structurals, Newsprint, LOG (CBM), Project cargo and machinery & spares including their packages, all other cargo not	63.43

	specified.	
4	Containers (Per TEU)	496.61

9. Shore Handling Services:

9.1 Shore Handling Charges for Foreign Cargo shall be levied at the following rates:

Sl. No.	Particulars	Rate per MT (in ₹.)
1	Shore Handling Services for dry bulk cargo involving transfer of cargo from hook point to storage point including loading at hook point and unloading at storage point	99.93
2	Shore Handling Services for import break bulk cargo like steel HR/CR/GP coils / Slabs involving transfer of cargo from hook point to storage point including loading at hook point and unloading at storage point	223.48
3	Shore Handling Services for import break bulk cargo like steel pipes, wire rod coils, billets, Rails, Beams and Structural as well as machinery or project cargo or bagged cargo involving transfer of cargo from hook point to storage point including loading at hook point and unloading at storage point	244.77
4	Shore Handling Services for export break bulk cargo like steel HR / CR / GP coils / Slabs involving transfer of cargo from storage point including loading at storage point and unloading at hook point	223.48
5	Shore Handling Services for export break bulk cargo like steel Pipes, Wire Rod Coils, Billets, Rails, Beams and Structural or Machinery & Project cargo or Bagged cargo involving transfer of cargo from storage point including loading at storage point and unloading at hook point	244.77

9.2 Shore handling services involving loading at storage point for delivery by road / rail or unloading at storage point during receiving by road / rail will be charged separately as per Section 7 (Loading / Unloading / Stacking) and section 9.3

9.3 Charges for Stacking / heaping / high heaping and / or dispatch related services by Rail or other shore handling services:

Sl. No.	Particulars	Rate per MT (in ₹.)
1	Despatch Related services for door opening, cleaning and door closing of wagons or other activities applicable for rail bound cargo for export & import cargo	21.31
2	Stacking / Heaping / High heaping of bulk cargo at plot	14.45
3	Cleaning of Jetty/hatch/deck and water sprinkling for bulk Cargo Handling wherever necessary for bulk cargo handling	7.23
4	Placement and removal of dunnages or sand bags for steel cargo or pipe cargo where-ever customer demands/needed	18.40

10. Demurrage

10.1 Demurrage shall be levied on Import cargo (other than containerised cargo) after allowing a demurrage-free period as specified below: -

Sl. No.	Description	Demurrage-free period
1.	Hazardous-I cargo	Actual date of landing
2.	All other cargo except those mentioned at Sl. No. 1,3 & 4	3 days after the last landing date of the vessel by which the cargo is imported.
3.	Non-hazardous cargo using port equipment for delivery, non-hazardous cargo for Nepal and Bhutan, Log, Timber and Veneer.	6 days after the last landing date of the vessel by which the cargo is imported.
Sl. No.	Description	Demurrage-free period

4.	Cargo imported by voluntary/relief organization like Missionaries of Charity, Bharat Sevashram Sangha, Ramkrishna Mission, CARE, CRS, WFP and others as may be accepted by Kolkata Port Trust from time to time on the basis of certification by the Appropriate Govt. Authority of Central Govt./State Govt. and Govt. of Nepal/ Bhutan or their local Consulate General.	30 days after the last landing date of the vessel by which the cargo is imported.
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Note

- i) Last Landing Date (LLD) is the date on which a vessel completes her import discharge. However, TMILL may declare any other date as such LLD for cargo already discharged from the vessel when the vessel is not doing cargo operation work in working berth for more than 24 hours for any fault/ reason not attributable to TMILL. In such cases, a vessel may have more than one LLD.
- ii) For the purpose of calculation of free time, Customs notified holidays and the KoPT/ TMILL's non-operational days shall be excluded. Sundays shall not be excluded for the purpose of calculation of free time unless Customs notified holidays and the KOPT/ TMILL's non-operational days fall on Sundays.

After demurrage charge begins to accrue no allowance is made for Customs notified holidays or KOPT/ TMILL's non-operational days.

10.2 Demurrage on Import cargo (except log, timber, veneer) shall be levied after the expiry of demurrage free period at the following rates: -

Sl. No.	Type of cargo	Rate in ₹. per tonne per day or part thereof.	
		For the first 15 days.	16 th day onwards
1.	Hazardous – I	227.16 per tonne	267.24 per tonne
2	All other cargo	53.46 per tonne	80.16 per tonne

10.3 Demurrage on Import log, timber, veneer shall be levied after the expiry of demurrage free period at the following rates: -

Sl. No	Type of cargo	Rate in ₹. per CBM per day or part thereof.		
		For the first 7 days.	8 th to 14 th day	From 15 th day onwards
1.	Log, Timber, Veneer	8.03	16.03	24.02

10.4. No demurrage shall be levied on export/stock cargo, except Hazardous-I category, if such cargo is shipped within 30 days from the date of receipt. However, after the 31st day, demurrage on such cargo shall be levied @ ₹. 53.46 per tonne per week or part thereof from the date of receipt till the date of shipment.

10.5 Export cargo of Hazardous-I category shall be received only for direct shipment. In case such cargo is not shipped on the date of receipt, demurrage shall be levied at rate of ₹. 227.16 per tonne per day or part thereof from the day following the date of receipt upto the date of shipment or removal from port premises.

10.6 Demurrage shall be levied on shutout/stock cargo, other than Hazardous I cargo, @ ₹. 13.36 per tonne per day or part thereof from the date of receipt of cargo upto the date of removal of cargo from the port premises without being shipped. If shutout cargo is shipped by any subsequent vessel provision of clause 10.4 shall apply.

10.7 On cargo/commodity which is received neither as import nor as export nor as stock for shipment, demurrage shall be levied @ ₹. 53.46 per tonne per day or part thereof from the date of receipt upto the date of removal of the cargo from the port premises.

10.8 On uncleared /Customs confiscated cargo sold by auction or tender or private agreement or in any other manner demurrage shall be levied at the rates specified at clause 9.2 or 9.3, as the case may be, after allowing free time of 10 days after the date the cargo is made available for delivery.

10.9 The demurrage on cargo shall not accrue for the period during which the TMILL is not in a position to deliver cargo for reasons attributable to the TMILL when requested by the user.

11. Mobile Harbor Crane Charges & Pay Loader / Forklift On Board:

Sl. No.	Particulars	Rate per MT (in ₹.)
11 (a)	On-board Equipment Operation (applicable on full parcel size)	
	All dry Bulk Cargo	6.96
	HRC/CRC, Plates Sheets, WRC, Tubes/Pipes	13.65
11 (b)	Equipment Assistance Charges for Harbour Mobile Crane (₹. per MT)	
	Limestone, dolomite, pyroxenite, olivine & other dry bulk cargo	77.82
	Steel Imports – HRC/CRC/Plates Sheets / Slabs/ WR Coils / Pipes / Tubes Etc..	136.23
	Steel Export – HRC / CRC / Plates Sheets / Slabs / WR Coils / Pipes / Tubes Etc.	112.40
	Project Cargo / Machinery Equipment	528.91

12. Storage and Miscellaneous Services:

12.1 Charges shall be levied for the following services/facility as per table below –

Sl. No.	Particulars	Rate per MT (in ₹.)
1	Lease Rentals for short term allotment of Hard Stand Plot open yard(₹. per SQM per month)	74.67
2	Lease Rentals for short term allotment of Hard Stand Covered Sheds (₹. per SQM per month)	117.71
3	Charges for supply of unskilled labours (₹. per man-shift)	507.00
4	Equipment Assistance Charges for Front end loaders of Bucket Capacity exceeding 3.5 CBM (₹. per shift)	14,000.00
5	Equipment Assistance Charges for Front end loaders of Bucket Capacity not exceeding 3.5 CBM (₹. per shift)	9,000.00
6	Equipment Assistance Charges for forklifts/integrated payloaders with fork of capacity below 10 MT (₹. per shift)	9,000.00
7	Equipment Assistance Charges for forklifts of capacity between 10 MT and 25 MT (₹. per shift)	18,000.00
8	Equipment Assistance Charges for forklift or Crane of capacity above 25 MT (₹. per shift)	32,000.00
9	Clearing and forwarding expenses (₹. per MT)	8.27

12.2 Equipment hire charges on per shift basis shall be levied at 50% of the specified rates wherever the deployment of equipment is less than or equal to 4 hours in any shift.

13 Licensing of Plots

The licensing of open/ covered space by TMILL within its allotted area for a period of up to (11) eleven months on monthly rent basis for storage of import/ export cargo may be done without recourse to a tender procedure. The following conditions shall be followed in such cases:

- (i). The period of license shall not exceed (11) eleven months.
- (ii). The space allotted shall not be sub-let/ assigned/ transferred/ shared by the allottees.

- (iii). Encroachment or unauthorized occupation of land and Railway Tracks etc. by the licensee will involve a liability to pay a penalty at the rate of ten times the scheduled license fee in addition to the cost of rectification of damages caused to the TMILL's properties. If the licensee fails to remove the cargo from the encroached area in spite of notice to do so, the cargo will be removed elsewhere within TMILL's allotted area by TMILL at the risk and cost of the licensee and penal license fee at the rate of ten times the normal rate will be levied on the space occupied by the cargo so removed.
- (iv). Cargo stored under a license shall be at the entire risk and responsibility of the licensee. The licensee shall post his own watchman to safeguard the cargo stored at the allotted space and to prevent any unauthorized occupation of such space by others.
- (v). The licensee shall not construct or put up any building, erection or convenience on space occupied under license.
- (vi). In case the licensee fails to hand over the space in vacant possession on the date of expiry of the license, TMILL shall levy normal demurrage charges as per TMILL's Scale of Rates as applicable from time to time for the period the cargo remains in TMILL's premises beyond the period for which the license was granted.
- (vii). The licensee shall agree to comply with all rules and directions issued by TMILL from time to time. If the licensee neglects to comply with such rules or directions, TMILL may terminate the license.
- (viii). The license is terminable on 15 days' notice on either side. No claim for any compensation whatsoever for revocation of the license will be entertained.
- (ix). The licensee shall agree that all payments and expenses of whatever sort due to TMILL in respect of the license be recovered at the rates prescribed on TMILL's Scale of Rates from time to time.
- (x). The licensee shall comply with all instructions, rules or regulations that may from time to time be issued by KOPT, Municipal Authority, the Chief Controller of Explosives, Government of India or whosoever concerned in relation to storage of cargo.
- (xi). The license fee will be charged from the date of handing over possession of the land on the actual area to be found on demarcation.
- (xii). When the storage area is allotted on license basis for storage of import / export cargo, demurrage on cargo stored in the licensed premises shall not be levied again.
- (xiii). The licensee shall be required to utilize the allotted land for the purpose for which it is licensed. No change in purpose of utilization will be allowed without specific written permission from TMILL.
- (xiv). The licensee will not cause any damage to TMILL's properties. If, however, any damage is caused, the licensee shall be liable to make good the damages at his own cost and arrangement to the satisfaction of TMILL.
- (xv). The licensee shall have to make his own arrangements to keep the allotted land and its surroundings neat, clean and in proper sanitary condition.
- (xvi). After the expiry of the licences of the yard/shed, or termination or determination or forfeiture of licence, if the licensee continues to occupy it unauthorisedly, the licensee shall be liable to pay compensation for wrongful use and occupation at the following rates till vacant possession is obtained: -

First 30 days	3 times the rate as per prevailing SOR
Next 30 days	5 times the rate as per prevailing SOR
Continued unauthorized occupation beyond 60 days	10 times the rate as per prevailing SOR

14. Rebates/ Refunds:

- (a). In case a vessel idles at berth no. 12 due to non-availability or breakdown of the port equipment or power failure at TMILL or for any other reasons attributable to TMILL, rebate equivalent to the berth hire charges accrued during the idling period of vessel shall be levied.
- (b). If a vessel discharges more than 25000 MT of Limestone/ Fertiliser/ raw material for fertiliser in a single call at Berth no.12, a rebate of 10% shall be allowed on Wharfage charge on quantity exceeding 25000 MT.

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