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Tariff Authority for Major Ports

G.No.511

New Delhi,

19 November 2020

NOTIFICATION

In exercise of the powers conferred by Section 48 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby disposes of the proposal received from V. O. Chidambaranar Port Trust (VOCPT) for approval of Reference Tariff on Conversion of 9th berth as Container Terminal on Build, Operate, Transfer (BOT) basis under Public Private Participation (PPP) mode at VOCPT as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports
Case No. TAMP/40/2020-VOCPT

V. O. Chidambaranar 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 28th day of October 2020)

This case relates to the proposal received from V. O. Chidambaranar Port Trust (VOCPT) vide its letter No.MEE-CMEP1-MIS-9thB-V1-20/D.2867 dated 23 September 2020 for approval of Reference Tariff on Conversion of 9th berth as Container Terminal on Build, Operate, Transfer (BOT) basis under Public Private Participation (PPP) mode at VOCPT adopting Upfront Tariff fixed for Container Terminal for 8th berth on BOT basis for a period of 30 years at VOCPT approved by this Authority, under the Tariff Guidelines, 2008.

1.2. The Ministry of Shipping (MOS) vide its letter No.PR-14019/16/2012-PG dated 31 July 2013 has issued 'Guidelines for Determination of Tariff for Projects at Major Ports, 2013' under Section 111 of the Major Port Trusts (MPT) Act, 1963 on 09 and 12 September 2013. In compliance of the policy directives issued by the (MOS) under Section 111 of the MPT Act, 1963, the said Guidelines were notified vide Notification No.TAMP/18/2013-Misc., in the Gazette of India on 30 September 2013 vide Gazette no.254. The said Guidelines are effective from 9 September 2013 and valid for five years.

1.3. The validity of the said Guidelines have been subsequently extended by the MOS beyond its expiry from time to time and the validity last extended by the MOS is till 8 March 2021. This Authority has notified the Order extending the validity of the Reference Tariff Guidelines till 8 March 2021 as communicated by the MOS vide Gazette No.373 dated 24 September 2020.

1.4. The current proposal filed by the VOCPT is based on the Reference Tariff Guidelines of 2013.

2.1. It is relevant here to mention that earlier based on the proposal filed by the VOCPT this Authority had passed an Order No.TAMP/34/2008-TPT dated 16 October 2008 fixing upfront tariff under Tariff Guidelines, 2008 following normative approach for Container Terminal on BOT basis for a period of 30 years at VOCPT. The said Order was notified in the Gazette of India on 12 November 2008 vide Gazette No.191.

2.2. Subsequently, based on the proposal of the BOT operator viz. Dakshin Bharat Gateway Terminal Pvt. Ltd. (DBGTPL) who was awarded the project by the VOCPT for operating Berth No.8, this Authority has notified the indexed Scale of Rates in the name of DBGTPL vide Order No.TAMP/7/2014- VOCPT dated 14 February 2014 for operation of Container Terminal at Berth No.8 at VOCPT.

3.1. Now, the VOCPT under cover of its letter dated 23 September 2020 has filed a proposal for approval of Reference Tariff on conversion of its existing berth No.9 as Container Terminal on BOT basis under PPP mode at VOCPT adopting Upfront Tariff for Container Terminal for berth no.8 approved by this Authority vide Order No.TAMP/34/2008-TPT dated 16 October 2008, under the Tariff Guidelines, 2008.

3.2. The main submissions made by the VOCPT in its letter dated 23 September 2020 are summarised below:

- (i). As per the traffic forecast projected by the Drewry Maritime Advisers, the total containerized traffic throughput of VOCPT is likely to exceed 1.08 million TEUs, which will exceed the total combined capacity of the existing two container terminals, 1.02 million TEUs. The traffic report further projected a steady growth in the containerized traffic with CAGR of 5.5% and it is likely to reach 1.9 million TEUs in the year 2032-33. Based on the low case scenario, the container traffic is likely to reach 2.8 million TEUs

in the year 2048-49. The requirement for an additional container terminal is justified as per the Drewry report's container traffic projections.

- (ii). There are two exclusive container terminals each with one berth operated by two different BOT operators.

Berth VII

This Quay is a single berth having 11.7 m draft and 370 m of quay length facing perpendicular to Berth V–VI. It is a container berth operated by M/s.PSA SICAL on BOT basis since July 1998. This berth is capable of accommodating container vessel sizes up to 50,000 DWT. Total capacity of the berth is 4,50,000 TEUs.

Berth VIII

This berth has a draft of 14.2 m and 345.50 m of quay length. It is also a container berth and operated by M/s.Dakshin Bharat Gateway Terminals on BOT basis. This berth is capable of accommodating container vessel sizes up to 80,000 DWT. Total capacity of the berth is 6,00,000 TEUs.

Even after handling the containers to its full capacity in the existing container terminals, there is a mismatch of the total combined capacity of the existing terminal and the projected traffic. Hence, it is necessary to create an additional container terminal to sustain the EXIM trade.

- (iii). VOCPT handles mainly dry bulk cargoes and containers. The Drewry forecasts India's GDP to grow at a CAGR of 5.1% over the period 2017-18 till 2048-49 with 0.5% up and downside in case of high and low case respectively. Due to recently commissioned power plants in and nearby VOCPT, the coal cargo volume demand has been increasing. Both coal and container has shown traffic growth consistently for the past 5 years.
- (iv). The Sagarmala is a National Program conceived by Ministry of Shipping, Government of India to modernize ports in India to reach world class standards, to develop new ports based on requirements in notable locations based on new trends and demands, thereby increasing the traffic volumes and in turn accelerating the economic growth of the country. In line with development programme outlined by Ministry of Shipping, Government of India, the VOCPT intends to handle Neo (New) Panamax vessels of 12,500 TEUs. It is estimated that by 2047-48, container traffic in VOCPT will reach 3.6 million TEU in base case, 4.3 million TEU in high case, and 2.8 million TEU in low case scenarios as per the study conducted by M/s. Drewry Maritime Services engaged by VOCPT. The port can also convert itself from a feeder to a mainline port to attract more cargo. It could leverage its optimal location near the international trade route and capture the cargo currently transshipped at Colombo and other Asian Ports.
- (v). Given the situation, with minor dredging in the inner and outer channel as well as in the approaches leading to Berth no.IX and its berth pocket, 14.5m vessels can be handled without any major hurdle and Berth no 9 can handle container vessel of size 8,000 TEUs (75,000 DWT) and/or 10,000 TUEs vessels upto a maximum LOA of 290m without resorting to any major structural modification to the existing berthing structure except upgrading the fendering system for handling higher capacity vessels.
- (vi). (a). Summary of container traffic forecast by M/s.AECOM (2017) and M/s.Drewry (2018) is given below:

FY	M/s. AECOM (excluding transshipment) in Million TEUs	M/s. AECOM (including transshipment in Million TEUs	M/s. Drewry (excluding transshipment) in Million TEUs
2020	0.99	1.7	0.83
2025	1.18	4.9	1.16
2030	1.95	9.2	2.03

- (b). The details of containers Handled at VOCPT for the last 5 years is furnished below:

Period	TEUs
2015-16	611714
2016-17	642103
2017-18	697631
2018-19	739246
2019-20	795511

For the last consecutive five years, compounded annual growth rate of container traffic at VOCPT is 6%.

- (vii). The recent traffic forecast study done by M/s. Drewry also reveals that the future traffic growth at VOCPT depends mainly on the projected container traffic. There are 2 existing container berths available at VOCPT viz., berth 7 & berth 8. The existing container facility may not be adequate to accommodate the present trend of container vessels due to restriction in quay length of the berths. Berth 7 can accommodate vessels up to 320m LoA (quay length: 370m) but with a draft restriction of 11.7m. Berth 8 can accommodate vessels up to 310m LoA (quay length: 345.5m) with a draught of (-) 14.2m using tidal advantage of min 0.65m.

Based on the Gateway traffic forecasted by M/s. Drewry by 2024 – 25 is 1.16 MTEUs, the existing capacity being around 1 MTEUs, hence, it is necessary to develop 3rd container terminal with (-)14.50m draught to handle the projected Gateway traffic, as an immediate requirement.

- (viii). The VOCPT vide its e-mail dated 08 October 2020 has furnished following details:

Sr. No.	Particulars	Berth No.8 Container Terminal As considered in the tariff Order dated 16.10.2008	Berth No.9 Container Terminal
1.	Capacity of the Project.	6.00 Lakhs [As per the Order dated 16 October 2008 the Optimal capacity in the calculation of upfront tariff is 597870 TEUs]	6.00 Lakhs
2.	Container Handling Equipment's required.	Rail Mounted Quay Crane (RMQC) – 3 Nos. Rubber Tyred Gantry Crane (RTGC) – 9 Nos. Reach Stacker – 1 No. Tractor / Trailer – 18 Nos.	Rail Mounted Quay Crane (RMQC) – 3 Nos. Rubber Tyred Gantry Crane (RTGC) – 9 Nos. Reach Stacker – 1 No. Tractor / Trailer – 18 Nos.
3.	Capital Cost with indexation for 8 th Berth/ Proposed Capital Cost for 9 th Berth.	₹312.23 X 1.4141 = ₹441.52 Crores	₹434.17 Crores

- (ix). In this background, a proposal for fixation of tariff for conversion of berth no.9 as container terminal on BOT basis to handle containerized cargo is submitted to the Authority for sanction. The provisions of the reference Tariff Guidelines, 2013 have been examined and it is found that the tariff available for existing 8th berth Container Terminal for handling Container approved vide Gazette No.191 dated 12 November 2008 of Order No.TAMP/34/2008-VOCPT dated 16 October 2008 with relevant indexation is found suitable in respect of tariff for container handling operations for the proposed IX berth.
- (x). Performance Standards are considered as envisaged in the above said reference tariff order for handling the containers.
- (xi). **Details of Upfront tariff Order adopted for Proposed Reference Tariff:**
- (a). Reference Tariff:

The present project is basically a Container Terminal to handle up to Neo Panamax vessels. TAMP had notified tariffs for a similar project viz. Development of Container Terminal Berth-VIII for handling Container under PPP mode on BOT basis at the VOCPT vide Gazette No.191 dated 12 November 2008 and Case No.TAMP/34/2008-TPT dated 16 October 2008. Therefore, VOCPT proposes to follow the reference tariff for the present project by considering indexation factor up to the year 2017-18 at 35.08%, 2.07% for year 2018-19, 2.56% for year 2019-20 and 1.13% for year 2020-21 in pursuance to the annual indexation factors notified in TAMP website. The cumulative indexation factor amounts to 143%.

(b). Performance Standards:

The justifications of the tariffs applicable for the present proposal are based on the notified tariffs for the project Development of Container Terminal Berth-VIII for handling Container and Clean Cargo under PPP mode on DBFOT basis at the VOCPT. Hence, the Performance Standards have also been taken in the same manner at same productivity level.

- (xii). It is hereby confirmed that the upfront tariff passed by TAMP vide Gazette No.191 dated 12 November 2008 Order No.TAMP/34/2008-TPT dated 16 October 2008 adopted by considering indexation factor up to the year 2017-18 at 35.08%, 2.07% for year 2018-19, 2.56% for year 2019-20 and 1.13% for year 2020-21 for fixation of Reference Tariff of the proposed project "Development of Berth No.IX as Third Container Terminal at VOCPT on BOT basis" is representative enough for the new project to be developed.
- (xiii). The Authority is requested to consider the above proposal to fix the upfront tariff for operations of 9th berth container terminal at the rates as stated above alongwith terms and conditions.

3.3. The VOCPT has attached the proposed 'Reference Tariff Schedule' applying indexation factor up to the year 2017-18 at 35.08%, 2.07% for year 2018-19, 2.56% for year 2019-20 and 1.13% for year 2020-21.

3.4. The Performance Standards proposed by the VOCPT are as follows:

(a). Gross Berth Output:

In the case of containers the crane rate shall be measured by dividing total number of TEUs lifted on/off from ships by the elapsed crane time. The elapsed crane time is the total allocated crane hours less operational and non-operational delays.

The norms for Gross Berth Output for Containers are as follows:

CONTAINER	NORMS
Main line vessels	25 moves per hour / crane
Feeder vessels	22 moves per hour / crane

Note: Weightage in case of a shortfall in meeting the prescribed performance standard - 50%

(b). Transit Storage Dwell Time: Containers:

The Transit Storage Dwell Time for a container shall mean the total time for which the container remains in the terminal. The Transit Storage Dwell Time for containers shall be calculated as an average and shall be the sum of the transit storage of each container handled during the month at that terminal divided by the number of containers. To further clarify, the date and time a container is discharged from the vessel till the said container leaves the out - gate of the Terminal, is the total transit storage time for import box. In case of export the time and date from which the container enters the terminal till the time and date it is loaded on to a vessel will be the storage time. The details of time of discharge, gate-in, gate-out and loading need

to be maintained in respect of each container including ICD containers.

CONTAINER	NORMS
Import at Terminal	2 days
Export at Terminal	4 days

Weightage in case of a shortfall in meeting the prescribed performance standard - 25%.

(c). Turnaround Time for receipt / delivery operation:

The Turnaround Time for receipt/delivery operation shall be the sum of time taken for loading/unloading of cargo divided by the number of trailers/rakes deployed, as the case may be, in a month. Further, in case the trailer/rake does both unloading and loading operations on a single entry into the terminal, the time allocated shall be doubled for those trailers/rakes.

CONTAINER	NORMS
(i) Trailer for container (Single operation)	2 hours
(ii) Trailer for container (Double operation)	4 hours
(i) Rake for ICD container (Single operation)	6 hours
(ii) Rake for ICD container (Double operation)	12 hours

Weightage in case of a shortfall in meeting the prescribed performance standard - 25%.

4. The VOCPT Board, during the 4th Ordinary Meeting of Board of Trustees held on 16 December 2019, accorded approval vide Resolution No.87 and has resolved the following:

- (i). To implement the Project "Development of 9th Berth as container terminal on BOT basis through PPP mode" based on the recommendations of the Consultant's Report, subject to approval of Standing Finance Committee of GOI.
- (ii). File an application to TAMP for fixing tariff for the subject project.
- (iii). Submit the SFC Memorandum to Ministry of Shipping for approval for implementing the project.
- (iv). Appoint transaction Advisor from the IPA empanelled consultant to assist the Project Authority/ Port for implementing the Project successfully.
- (v). Authorize Chairman/ VOCPT to do all acts and deeds for implementing the project by following the PPP guidelines, subject to approval of Ministry of Shipping for the project U/S 42 of MPT Act 1963.

5. Since the proposal of VOCPT is to adopt the upfront tariff already approved vide Order dated 16 October 2008 after consulting the stakeholders, the said proposal was not taken up for consultation in line with the approach followed in the other similar reference tariff cases.

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

- (i). The proposal of the V. O. Chidambaranar Port Trust (VOCPT) is for fixation of Reference Tariff on conversion of existing berth No.9 as Container Terminal on Build, Operate, Transfer (BOT) basis under Public Private Participation (PPP) mode at VOCPT.

The VOCPT has given the background for filing the current proposal which is based on the traffic forecast for containers by the Consultant M/s.Drewry Maritime Advisers engaged by the Port. Based on the Report, the VOCPT is of the view that it is necessary to develop 3rd container terminal of 290 Mts LOA with (-)14.50 m draught immediately to handle the projected container traffic to sustain the EXIM trade.

The port has filed the current proposal seeking approval of this Authority for the proposed Reference Tariff under the Reference Tariff Guidelines, 2013 adopting Upfront Tariff approved by this Authority following normative approach vide Order

No.TAMP/34/2008-TPT dated 16 October 2008 for the Container Terminal at Berth No.8 of VOCPT on BOT basis. The validity of the rates approved in the said Order of 16 October 2008 is for 30 years subject to indexation of the prescribed rate at 60% of variation in WPI with base year 01 January 2008. The port has proposed the reference tariff for the current project adopting the upfront tariff approved in the said Order and after applying the applicable annual indexation factors announced by this Authority under the Upfront Tariff Guidelines.

- (ii). As brought out in the earlier part of the Order, the equipment profile envisaged in the earlier project for Container Terminal (8th berth) on BOT basis for a period of 30 years was RMQCs and Rubber Tyred Gantry Crane (RTGCs) for container handling, Reach Stackers and Tractor Trailers. In current proposal, the VOCPT envisages conversion of Berth no.9 to Container Terminal with similar equipment profile. The Port has confirmed that Upfront Tariff fixed for Container Terminal (8th berth) on BOT basis vide Order No.TAMP/34/2008-TPT dated 16 October 2008 is representative enough for the new project to be developed i.e. Development of Berth No.IX as Third Container Terminal at VOCPT on BOT basis. The current proposal filed by VOCPT has been approved by the Board of the Trustees of the Port.

The VOCPT has, therefore, filed a proposal seeking approval of Upfront Tariff on Conversion of 9th berths as Container Terminal on BOT basis under PPP mode at VOCPT adopting ceiling tariff fixed by this Authority vide Order No.TAMP/34/2008-TPT dated 16 October 2008 after applying applicable indexation factor.

- (iii). As per Clause 2.2 of the Revised Tariff Guidelines of 2013, port has the option to adopt the highest upfront tariff fixed by this Authority for that commodity/ service in the concerned Major Port Trust under the upfront Tariff Guidelines of 2008. In case no tariff has been fixed for that commodity at the concerned Major Port Trust or the highest tariff fixed in the concerned Major Port Trust does not represent the project proposed to be developed, then the port have the option to adopt highest upfront tariff fixed by this Authority in any other Major Port Trust which is representative enough for the commodity/ service envisaged in the project after giving detailed and sufficient justification.

In the current proposal, the port has proposed to adopt the upfront tariff fixed by this Authority for container terminal in its own port for Berth No.8. The Port has also justified that the Container Terminal envisaged at Berth No.9 is comparable to the parameters considered in the upfront tariff fixed for Berth No.8 vide Order dated 16 October 2008 in terms of optimal Capacity, equipment profile, capital cost (after applying applicable indexation considered for indexing the upfront adopted tariff) which has been brought out in the earlier paragraphs and hence not reiterated for the sake of brevity. The port has also confirmed that the highest Upfront Tariff approved vide Order dated 16 October 2008 for container terminal at berth no.8 is representative enough for the current project. Thus, in short, the proposal of the VOCPT fits in the options prescribed in clause 2.2 of the Reference Tariff Guidelines, 2013.

In view of the above position and recognising that the upfront tariff approved by this Authority vide Order No.TAMP/34/2008-VOCPT dated 16 October 2008 is based on the norms and principles of the Upfront Tariff Guidelines of 2008, this Authority is inclined to proceed based on the proposal of the VOCPT for adoption of the upfront tariff approved in the said Order.

- (iv). The Upfront Tariff schedule for container terminal at berth no.8 approved by this Authority vide Order No.TAMP/34/2008-VOCPT dated 16 October 2008, prescribes that the tariff caps will be indexed to inflation but only to an extent of 60% of the variation in Wholesale Price Index (WPI) occurring between 1 January 2008 and 1 January of the relevant year.

Since the base year of WPI for indexation in the said Order is prescribed as 1 January 2008, the VOCPT has proposed indexed rate after applying cumulative indexation factor announced by this Authority for the base year as 1 January 2008 at 35.08 % upto the year 2017-18 and subsequent annual indexation factor announced by this Authority

at 2.07% for year 2018-19, 2.56% for year 2019-20 and 1.13% for year 2020-21 under the Upfront tariff Guidelines 2008. The aggregate of the above indexation factor comes to 1.43 (i.e. $1.3508 * 1.0207 * 1.0256 * 1.0113$). The indexed rate proposed by VOCPT after applying the applicable indexation over the rates approved by this Authority with base year January 2008 is found to be in order and in line with clause 2.2 of the Tariff Guidelines, 2013.

The Port has proposed indexed rate for all the tariff items prescribed in the adopted upfront tariff in the SOR approved by this Authority in October 2008 Order after applying applicable indexation. Therefore, the container-wise indexed rate proposed by VOCPT as Reference tariff is approved.

- (v). The note proposed by VOCPT governing the indexation of reference tariff for future period is with reference to 1 January 2008. Since the reference tariff is to be notified in the year 2020, indexation for future period will be with reference to 1 January 2020. Therefore, the general note as proposed by VOCPT is modified to that extent.
- (vi). All the other conditionalities governing the application of the rates as approved in the Scale of Rates of the Order dated 16 October 2008 proposed for incorporation by the VOCPT is prescribed as proposed by the Port subject to updating the note no.(ii) under general terms and conditions relating to conversion of foreign going vessel into coastal run and levy of cargo related charges in line with common adoption Order passed by this Authority for all the Major Ports and BOT operators as regards system of classification of vessel and Criteria for levy of cargo Related Charges at Concessional Coastal rate. Since vessel related charge is not relevant, those provisions prescribed in the common adoption Order are not prescribed in this case.
- (vii). The Upfront tariff approved by this Authority vide Order dated 16 October 2008 and adopted by the port in current proposal does not prescribe any Performance Standards. Clause 2.2 of the revised tariff guidelines of 2013 requires this Authority to prescribe the Reference Tariff along with the Performance Standards. Hence, the port has proposed Performance Standards in the current proposal. The Port has furnished basis for the same which are discussed in the following paragraphs:
 - (a). The VOCPT has proposed Performance Standard for container terminal at Berth No.9 at 25 moves/ crane/ hour for main line vessels and 22 moves/ crane/ hour for feeder vessels for gross berth output/ hour.

The upfront tariff approved in the Order dated 16 October 2008 is based on the productivity of 25 moves per crane per hour as in the formula considered for quay capacity determination. Hence, the proposed productivity at 25 moves per crane per hour for main line vessel is found to be in order and hence is approved as proposed by the port. It is relevant here to mention that 25 moves/ crane/ hour is prescribed in the reference tariff fixed in the container terminal projects of other Major Port Trusts like Jawaharlal Nehru Port Trust (JNPT), Chennai Port Trust (CHPT), Kolkata Port Trust (KOPT) and Deendayal Port Trust (DPT) as well.

As regards 22 moves for feeder vessels at VOCPT, it is relevant to mention that the upfront tariff Order of VOCPT in October 2008 Order does not capture separate productivity for feeder vessels. In the reference tariff for Container Terminal at Syama Prasad Mookerjee Port Trust (SPMT) which was based on adoption of the upfront tariff fixed at JNPT upfront tariff, the port had proposed productivity for feeder vessel at 22 moves per hour per crane which was approved by this Authority. That being so, the proposed performance standards for feeder vessel at 22 moves per crane per hour is prescribed as proposed by the port which is in line with the prescription in SPMT.

- (b). The other performance standards prescribed by the VOCPT relating to Transit Storage Dwell Time for Import and Export Containers are seen to be in line with standards considered for the capacity assessment and hence are prescribed as proposed by VOCPT. The parameter for Turnaround Time for

receipt/ delivery operation are seen to be in line with performance standard prescribed while approving Referent tariff for Container Terminals at SPMT and JNPT and hence prescribed as proposed by VOCPT.

- (viii). **If there is any error apparent on the face of records considered or for any other justifiable reasons, the VOCPT may approach this Authority for review of the reference tariff fixed, prior to completion of bidding process of the project giving adequate justification/ reasoning within 30 days from the date of notification of the Order in the Gazette of India.**

7.1. Subject to above, the Reference Tariff Schedule and the Performance Standards on conversion of Berth no.9 to container berth at VOCPT as proposed by the port are attached as **Annex - I** and **Annex - II** respectively.

7.2. In the result, and for the reasons given above, and based on a collective application of mind, the proposed Reference Tariff Schedule on conversion of Berth no.9 to container berth at VOCPT is approved and notified along with the Performance Standards, which is attached as **Annex - I** and **Annex - II**.

7.3. As per clause 2.5 of the Revised Tariff Guidelines 2013, the Reference Tariff and Performance Standards notified by this Authority shall be mentioned in the bid document and subsequently in the Concession Agreement in respect of PPP Projects. Accordingly, the VOCPT is advised to incorporate the Reference Tariff and Performance Standards, in the bid document and subsequently in the Concession Agreement in respect of PPP Project in reference.

8.1. From the date of Commercial Operation (CoD) till 31st March of the same financial year, the tariff would be limited to the indexed Reference Tariff relevant to that year, which would be the ceiling. The aforesaid Reference Tariff shall be automatically revised every year based on an indexation as provided in para 2.2 of the tariff guidelines of 2013 which will be applicable for the entire concession period.

However, the PPP operator would be free to propose a tariff along with Performance Standards (the "Performance Linked Tariff") from the second year of operation onwards, over and above the indexed Reference Tariff for the relevant financial year, at least 90 days before the 1st April of the ensuing financial year. Such Performance Linked Tariff shall not be higher than 15% over and above the indexed Reference Tariff for that relevant financial year (and this will be the Tariff Cap). The Performance Linked Tariff would come into force from the first day of the following financial year and would be applicable for the entire financial year.

8.2. The proposal shall be submitted to this Authority along with a certificate from the independent engineer appointed under the Concession Agreement of the Project indicating the achievement of Performance Standards in the previous 12 months as incorporated in the Concession Agreement or for the actual number of months of operation in the first year of operation, as the case may be.

8.3. On receipt of the proposal, this Authority will seek the views of the VOCPT on the achievement of Performance Standards as outlined in para 5 of the tariff guidelines of 2013, within 7 days of receipt.

8.4. In the event of Operator not achieving the Performance Standards as incorporated in the Concession Agreement in previous 12 months, this Authority will not consider the proposal for notifying the Performance Linked Tariff for the ensuing financial year and the Operator shall be entitled to only the indexed Reference Tariff applicable for the ensuing financial year.

8.5. After considering the views of the VOCPT, if this Authority is satisfied that the Performance Standards as incorporated in the Concession Agreement have been achieved, it shall notify the performance linked tariff by 15th of March to be effective from 1st of April of the ensuing financial year.

8.6. While considering the proposal for Performance Linked Tariff, this Authority will look into the Performance Standards and its adherence by the Operator. This Authority will decide on the acceptance or rejection of the Performance Linked Tariff proposal based on the achievement or

otherwise of the Performance Standards by the operator. Determination of indexed Reference Tariff and Performance Linked Tariff will follow the illustration shown in the Appendix attached to the tariff guidelines of 2013.

8.7. From the third year of operation, the Performance Linked Tariff proposal from the PPP operator shall be automatically notified by this Authority subject to the achievement of Performance Standards in the previous 12 months period as certified by the Independent Engineer. The PPP operator, for the Performance Linked Tariff from the third year onwards, will submit the Performance Linked Tariff proposal along with the achievement certificate from the independent engineer by 1st March and this Authority shall notify by 20th March, the Performance Linked Tariff to be effective from the ensuing financial year.

8.8. In the event any user has any grievance regarding non-achievement by the PPP operator of the Performance Standards as notified by this Authority, he may prefer a representation to this Authority which, thereafter, shall conduct an inquiry into the representation and give its finding VOCPT. The VOCPT will be bound to take necessary action on the findings as per the provisions of the respective Concession Agreement.

8.9. Within 15 (fifteen) days of the signing of the Concession Agreement, the concerned operator will forward the Concession Agreement to this Authority which will host it on its website.

8.10. The PPP operator shall furnish to this Authority quarterly reports on cargo traffic, ship berth day output, average turnaround time of ships, average pre-berthing waiting time as well as the tariff realized for each berth. The quarterly reports shall be submitted by the PPP operator within a month following the end of each quarter. Any other information which is required by this Authority shall also be furnished to them from time to time.

8.11. This Authority shall publish on its website all such information received from PPP operator. However, this Authority shall consider a request from any PPP operator about not publishing certain data/ information furnished which is commercially sensitive. Such requests should be accompanied by detailed justification regarding the commercial sensitiveness of the data/information in question and the likely adverse impact on their revenue/ operation of upon publication. The decision of this Authority in this regard would be final.

(T.S. Balasubramanian)
Member (Finance)

REFERENCE TARIFF SCHEDULE FOR DEVELOPMENT OF BERTH NO. IX AS THIRD CONTAINER TERMINAL AT V.O. CHIDAMBARANAR PORT TRUST ON BOT BASIS

CHAPTER 1 – DEFINITIONS AND GENERAL TERMS AND CONDITIONS

1.1. Definitions –General

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

- (i). **“Coastal Vessel”** shall mean any vessel exclusively employed in trading between any Terminal or place in India to any other Port or place in India having a valid coastal license issued by the Directorate General of Shipping /Competent Authority.
- (ii). **“Container”** shall mean the standard ISO container, suitable for the transport and stacking of cargo and must be capable of being handled as a unit and lifted by a crane with a container spreader.
- (iii). **“Demurrage”** shall mean charges payable for storage of cargo in transit area within the Terminal premises beyond free period, as specified in the Scale of Rates.
- (iv). **“Foreign-going Vessel”** shall mean any vessel other than a coastal vessel.
- (v). **“Free period”** shall mean the period during which cargo/container is allowed storage free of demurrage charges/ground rent and this period shall exclude Customs notified holidays and Terminal’s non-operating days.
- (vi). **“Full Container Load”** (FCL) shall mean a container containing cargo belonging to one consignee in the vessel’s manifest.
- (vii). **“Hazardous container”** shall mean a container containing hazardous goods as classified under International Maritime Organisation (IMO).
- (viii). **“ICD”** shall mean Inland Container Depot.
- (ix). **“Less than a Container Load”** (LCL) shall mean a container containing cargo belonging to more than one consignee in the vessel’s manifest.
- (x). **“Over Dimensional Container”** shall mean a container carrying over dimensional cargo beyond the normal size of standard containers and needing special devices like slings, shackles, lifting beam, etc. Damaged Containers (including boxes having corner casting problem) and Container requiring special devices for lifting is also classified as Over Dimensional Container.
- (xi). **“Port”** shall mean V.O. Chidambaranar Port Trust.
- (xii). **“Per day”** shall mean a calendar day or part thereof.
- (xiii). **“Reefer Container”** shall mean a refrigerated container used for carriage of goods with provisions for electrical supply to maintain the desired temperature.
- (xiv). **“Shut Out Container”** shall mean a container, which enters into the Terminal as an export intake for a particular vessel as indicated by the Vessel Identification Advice No.(VIAN) Container Advance Information List (COPRAR) and is not shipped into the particular vessel for reasons whatsoever.
- (xv). **“Transshipment container”** shall mean any container, which is discharged from one vessel stored in the container Terminal and shipped through another vessel for other port.

1.2. General Terms & Conditions:

- (i). The status of a vessel as borne out by its certification by the Customs or the Director General

of Shipping, shall be the deciding factor for its classification as 'coastal' or 'foreign-going' for the purpose of levy of vessel related charges; and, the nature of cargo or its origin will not be of any relevance for this purpose.

- (ii). (A). System of classification of vessel for levy of Vessel Related Charges (VRC).
 - (a). Foreign going vessel of Indian flag having a General Trading Licence can convert to coastal run on the basis of a Customs Conversion Order. Such vessel that converts into coastal run based on the Customs Conversion Order at her first port of call in Indian Port, no further custom conversion is required, so long as it moves on the Indian Coast.
 - (b). A Foreign going vessel of foreign flag can convert to coastal run on the basis of a Licence for Specified Period or voyage issued by the Director General of Shipping and a custom conversion order.
- (B). Criteria for levy of Cargo Related Charges (CRC) at Concessional Coastal rate
 - (a). Foreign going Indian Vessel having General Trading License issued for 'worldwide and coastal' operation should be accorded applicable coastal rates with respect to Handling Charges (HC) i.e., ship to shore transfer and transfer from/ to quay to/ from storage yard including wharfage in the following scenario:
 - (i). Converted to coastal run and carrying coastal cargo from any Indian Port and destined for any other Indian Port.
 - (ii). Not converted* to coastal run but carrying coastal cargo from any Indian Port and destined for any other Indian Port.
 - * The Central Board of Excise and Customs Circular no.15/2002-Cus. dated 25 February 2002 allows carriage of coastal cargo from one Indian port to another port in India, in Indian flag foreign going vessels without any custom conversion.
 - (b). In case of a Foreign flag vessel converted to coastal run on the basis of a License for Specified Period or Voyage issued by the Director General of Shipping, and a Custom Conversion Order, the coastal cargo/ container loaded from any Indian Port and destined for any other Indian Port should be levied at the rate applicable for coastal cargo/ container.
- (iii). Interest on delayed payments / refunds.
 - (a). The user shall pay penal interest on delayed payments of any charge under this Scale of Rates. The rate of interest will be at 2% above the Prime Lending Rate of State Bank of India.
 - (b). Likewise, the Terminal operator shall pay penal interest on delayed refunds. The rate of interest will be at 2% above the Prime Lending Rate of State Bank of India.
 - (c). The delay in refunds by the Terminal Operator will be counted beyond 20 days from the date of completion of services or on production of the documents required from the users, whichever is later.
 - (d). The delay in payments by the users will be counted beyond 10 days after the date of raising the bills by the Terminal Operator. This provision shall, however, not apply to the cases where payment is to be made before availing the services as stipulated in the Major Port Trusts Act, 1963 and/or where payment of charges in advance is prescribed in this Scale of Rates.
- (iv). All charges worked out shall be rounded off to the next higher rupee on the grand total of each bill.

- (v). No claims for refund shall be entertained unless the amount refundable is ₹100/- or more. Likewise, Terminal Operator shall not raise any supplementary or under charge bills, if the amount due to Terminal is ₹100/- or less.
- (vi). Containers less than and upto 20' in length will be reckoned as one TEU for the purpose of tariff.
- (vii). An LCL Container coming in and going out of the Terminal as a unit load will be regarded as an FCL for the purpose of levying charges.
- (viii). Users shall not be required to pay charges for delays beyond a reasonable level attributable to the Terminal.
- (ix). In case a vessel idles due to breakdown or non-availability of the shore based facilities of Terminal Operator or any other reasons attributable to Terminal Operator, rebate equivalent to berth hire charges payable to the V. O. Chidambaranar Port Trust accrued during the period of idling of vessel shall be allowed by Terminal Operator.
- (x). (a). The container related charges for all Coastal containers should not exceed 60% of the normal container related charges.
- (b). The concession will be on all the relevant charges for ship-shore transfer, and transfer from/ to quay to/ from storage yard as well as wharfage on cargo and containers.
- (c). A container from a foreign port landing at VOCPT Berth No.9 Container Terminal for subsequent transshipment to an Indian port on a coastal voyage or vice versa would be charged at 50% of the transshipment charge prescribed for foreign going vessel and 50% of that prescribed for the coastal category.
- (xi). (a). The rates prescribed in this Scale of Rates are ceiling levels; likewise, rebates and discounts are floor levels. The Terminal Operator may, if he so desire, charge lower rates and/ or allow higher rebates and discounts.
- (b). The Terminal Operator may also, if he so desires, rationalise the prescribed conditionalities governing the application of rates prescribed in the Scale of Rates if such rationalization gives relief to the user in rate per unit and the unit rates prescribed in the Scale of Rates do not exceed the ceiling levels. Provided that the Terminal should notify the public such lower rates and/ or rationalization of the conditionalities governing the application of such rates and continue to notify the public any further changes in such lower rates and/ or in the conditionalities governing the application of such rates provided the new rates fixed shall not exceed the rates notified by the TAMP.

CHAPTER – II **CHARGES FOR CONTAINER OPERATIONS**

2.1. Charges for normal and reefer containers.

Note: The consolidated container handling charges prescribed in Schedule 2.1(A)(i), 2.2, 2.3(A)(i), 2.4(A)(i) include the following elements, viz., stevedoring, handling by quay crane, lashing and unlashng, stowage planning, wharfage on containers and containerized cargo and charges for all other miscellaneous services not specifically prescribed in the Scale of Rates.

2.1.A. (i). Handling by Quay Crane including lashing/unlashing

Sr. No.	Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	Loaded Container	2110.8	3166.2	4221.59	1266.48	1899.72	2532.95
(ii).	Empty Container	2110.8	3166.2	4221.59	1266.48	1899.72	2532.95

2.1.A. (ii). Transportation from QC to Yard & Vice Versa and Handling at Container Yard including lift on/lift off and Delivery/ Receipt to and from Customers.

	Foreign-Going (in ₹)	Coastal (in ₹)

Sr. No.	Particulars	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	Loaded Container	1,231.30	1846.95	2,462.60	738.77	1108.17	1477.56
(ii).	Empty Container	879.5	1319.25	1758.99	527.7	791.54	1055.4

2.1.B. Yard to CFS/CFS to yard - Transport and lifts at CFS

Sr. No.	Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	Loaded Container	1465.83	2198.75	2931.67	1465.83	2198.75	2931.67
(ii).	Empty Container	1465.83	2198.75	2931.67	1465.83	2198.75	2931.67

2.1.C. Yard to Truck/ Truck to Yard - For Direct Delivery

Sr. No.	Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	Loaded Container	439.75	659.62	879.5	439.75	659.62	879.5
(ii).	Empty Container	439.75	659.62	879.5	439.75	659.62	879.5

Note: Normal containers are the general type containers, not falling under any special categories mentioned in subsequent schedules.

2.2. Charges for Transshipment containers.

Sr. No.	Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	Loaded Container	3166.2	4749.3	6332.39	1899.72	2849.58	3799.43
(ii).	Empty Container	3166.2	4749.3	6332.39	1899.72	2849.58	3799.43

Note: A container originally declared as transshipment container, subsequently moved by rail or road will lose its identity as a transshipment container and shall be treated as normal import container and the prescribed charges as applicable shall be payable.

2.3. Charges for Hazardous containers.

2.3.A. (i). Handling by Quay Crane including lashing/unlashing

Sr. No.	Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	Loaded Container	2638.49	3957.74	5276.99	1583.1	2374.64	3166.2

2.3.A. (ii). Transportation from QC to Yard & Vice Versa and Handling at Container Yard including Lift On/Lift Off and Delivery Receipt to and from Customers

Sr. No.	Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	Loaded Container	1539.13	2308.72	3078.25	923.48	1385.25	1846.95

2.3.B. Yard to CFS /CFS to yard– Transport and lifts at CFS

Foreign-Going (in ₹)				Coastal (in ₹)			
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Sr. No.	Particulars	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	Loaded Container	1832.29	2748.47	3664.58	1832.29	2748.47	3664.58

2.3.C. Yard to Truck/ Truck to Yard - For Direct Delivery

Sr. No.	Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	Loaded Container	549.72	824.58	1099.44	549.72	824.58	1099.44

2.4. Charges for Over Dimensional Cargo Containers.

2.4.A. (i). Handling by Quay Crane including lashing/unlashing

Sr. No.	Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	Loaded Container	2638.49	3957.74	5276.99	1583.1	2374.64	3166.2
(ii).	Empty Container	2638.49	3957.74	5276.99	1583.1	2374.64	3166.2

2.4.A. (ii). Transportation from QC to Yard & Vice Versa and Handling at Container Yard including Lift On/L Off and Delivery/ Receipt to and from Customers.

Sr. No.	Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	Loaded Container	1539.13	2308.72	3078.25	923.48	1385.25	1846.95
(ii).	Empty Container	1099.37	1649.03	2198.75	659.62	989.48	1319.25

2.4.B. Yard to CFS /CFS to Yard- Transport and lifts at CFS.

Sr. No.	Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	Loaded Container	1832.29	2748.47	3664.58	1832.29	2748.47	3664.58
(ii).	Empty Container	1832.29	2748.47	3664.58	1832.29	2748.47	3664.58

2.4.C. Yard to Truck/ Truck to Yard - For Direct Delivery

Sr. No.	Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	Loaded Container	549.72	824.58	1099.44	549.72	824.58	1099.44
(ii).	Empty Container	549.72	824.58	1099.44	549.72	824.58	1099.44

2.5. Rebates:

Rebates as follows shall be applicable to users for carrying out various operations with their own arrangements, with the prior written permission of the Terminal Operator when the equipment of the Terminal Operator are not available for some reasons.

Sr. No.	Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(a).	If the ship's gears are used for loading /unloading containers from ship to shore or vice versa.	1029.66	1544.49	2059.31	617.79	926.69	1235.59
(b).	If the Terminal user deploys his own tractor trailer for transporting containers from quay to container yard or container yard to quay.	214.52	321.77	429.02	128.71	193.06	257.42
(c).	If the Terminal user deploys his own equipment for lifting containers from the container yard to truck and vice versa	214.52	321.77	429.02	214.52	321.77	429.02
(d).	If the Terminal user provides labour for lashing/unlashing operation to container	102.97	154.45	205.93	61.78	92.67	123.56

Notes:

- (1). No rebate will be admissible for back to town containers handled by private equipment.
- (2). In case of Sr. No.(d), above rebate shall be limited to the number of containers actually lashed.

2.6. Charges for handling Hatch Covers of vessels

Sr. No.	Particulars	Foreign Going (in ₹)	Coastal (in ₹)
(i).	When placing the hatch cover on the quay	2702.85	1621.71
(ii).	Without placing the hatch cover on the quay	1084	650.4

Note: If only one operation is carried, half of the hatch cover handling charges as above shall be levied.

2.7. Charges for shifting containers within vessel(Restows)

(A). Shifting within hatch (without landing and reshipping)

Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
	Container not exceeding 20' in Length	Container exceeding 20' but upto 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but upto 40' in length	Container exceeding 40' in length
Loaded & Empty	908.10	1,362.15	1,816.20	544.86	817.29	1,089.72

(B). Shifting via quay (shifting by landing on quay and reshipping)

Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
	Container not exceeding 20' in Length	Container exceeding 20' but upto 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but upto 40' in length	Container exceeding 40' in length
Loaded & Empty	3,017.47	4,526.20	6,034.93	1,810.48	2,715.72	3,620.96

2.8. Charges for Shut Out containers.

Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
	Container not exceeding 20' in Length	Container exceeding 20' but upto 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but upto 40' in length	Container exceeding 40' in length
Loaded & Empty	1,649.03	2,473.54	3,298.05	1,649.03	2,473.54	3,298.05

Notes:

- (1). Above charges shall apply where an export container or transshipment container is shut out and delivered out of the Terminal.
- (2). In this case, the free storage period will be given to the container in accordance with section 2.10. from the time the container is first received. If the free storage period is exceeded,

storage charges shall be calculated after the expiry of the free period up to the time of lift on.

2.9. Charges for General services applicable to Reefer containers.

Sr. No.	Particulars	Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in Length	Container exceeding 20' but upto 40' in length	Container exceeding 40' in Length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	Pre-trip inspection (including supply of electricity)	1,979.23	1,979.23	1,979.23	1,979.23	1,979.23	1,979.23
(ii).	Connection or disconnection Services on board a Vessel	131.57	131.57	131.57	131.57	131.57	131.57
(iii).	Cleaning of Container	102.97	205.93	308.90	102.97	205.93	308.90
(iv).	Supply of electricity (including connection and disconnection, Monitoring of temperature at reefer yard) Per container per 4 hours or part thereof	213.08	319.62	639.24	213.08	319.62	639.24

Notes:

- (1). The tariff prescribed above does not include parameter setting or repair & maintenance of malfunctioning reefers.
- (2). The charges prescribed in the schedule above are also applicable to restow reefer containers.
- (3). Pre-trip inspection of the reefer containers, connection or disconnection services on board the vessel and cleaning of containers are optional services and shall be rendered when requested.
- (4). Pre-trip inspection of the reefer containers and connection or disconnection services on board the vessels will be uniform irrespective of the length of the containers.

2.10. Dwell time charges.

2.10.A. Loaded Import Containers

Sr. No.	Particulars	Rate per container per day or part thereof					
		Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in Length	Container exceeding 20' but upto 40' in length	Container exceeding 40' in Length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	First 2 Days	Free	Free	Free	Free	Free	Free
(ii).	3 Days to 7 Days	207.36	414.72	622.08	207.36	414.72	622.08
(iii).	8 Days to 15 Days	414.72	829.45	1,244.17	414.72	829.45	1,244.17
(iv).	Thereafter	829.45	1,658.90	2,488.33	829.45	1,658.90	2,488.33

2.10.B. Loaded Export containers

Sr. No.	Particulars	Rate per container per day or part thereof					
		Foreign-Going (in ₹)			Foreign-Going (in ₹)		
		Container not exceeding 20' in Length	Container exceeding 20' but upto 40' in length	Container exceeding 40' in Length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	First 4 Days	Free	Free	Free	Free	Free	Free
(ii).	5 Days to 7 Days	207.36	414.72	622.08	207.36	414.72	622.08
(iii).	8 Days to 15 Days	414.72	829.45	1,244.17	414.72	829.45	1,244.17
(iv).	Thereafter	829.45	1,658.90	2,488.33	829.45	1,658.90	2,488.33

2.10.C. Empty Import or Export containers

Sr. No.	Particulars	Rate per container per day or part thereof					
		Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in Length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length
(i).	First 2 Days	Free	Free	Free	Free	Free	Free
(ii).	3 Days to 7 Days	207.36	414.72	622.08	207.36	414.72	622.08
(iii).	8 Days to 15 Days	414.72	829.45	1,244.17	414.72	829.45	1,244.17
(iv).	Thereafter	829.45	1,658.90	2,488.33	829.45	1,658.90	2,488.33

2.10.D. Transshipment loaded/ empty Containers

Sr. No.	Particulars	Rate per container per day or part thereof					
		Foreign-Going (in ₹)			Foreign-Going (in ₹)		
		Container not exceeding 20' in Length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in Length	Container exceeding 20' but upto 40' in length	Container exceeding 40' in length
(i).	First 15 Days	Free	Free	Free	Free	Free	Free
(ii).	16 Days to 30 Days	207.36	414.72	622.08	207.36	414.72	622.08
(iii).	Thereafter	414.72	829.45	1,244.17	414.72	829.45	1,244.17

2.10. E. Shutout loaded & empty containers

Sr. No.	Particulars	Rate per container per day or part thereof					
		Foreign-Going (in ₹)			Coastal (in ₹)		
		Container not exceeding 20' in Length	Container exceeding 20' but up to 40' in length	Container exceeding 40' in length	Container not exceeding 20' in Length	Container exceeding 20' but upto 40' in length	Container exceeding 40' in length
(i).	First 15 Days	207.36	414.72	622.08	207.36	414.72	622.08
(ii).	16 Days to 30 Days	414.72	829.45	1,244.17	414.72	829.45	1,244.17
(iii).	Thereafter	829.45	1,658.90	2,488.33	829.45	1,658.90	2,488.33

Notes:

- (1). Free dwell-time (storage) period for import containers shall commence from the day after the day of landing of the container and for export containers the free period shall commence from the time container enters the terminal.
- (2). For the purpose of calculation of free time, Custom notified holidays and Terminal's non operating days shall be excluded.
- (3). Transshipment containers whose status is subsequently changed to local FCL/LCL/ICD shall lose the Concessional storage charges. The storage charges for such containers shall be recovered at par with the relevant import containers storage tariff.
- (4). Transshipment containers subsequently changing the mode of dispatch to rail shall be treated as other ICD containers for the purpose of levy of storage fees. In such cases additional shifting charges will be applicable for movement of containers from container yard to ICD yard.
- (5). The users will not have to pay storage charges for the period during which the Terminal operator is not in a position to deliver/ shift the containers when requested by the users.
- (6). Normal import containers subsequently changing the mode of dispatch to rail will enjoy the free period applicable to normal import containers only.
- (7). The total storage period for a shutout container shall be calculated from the day following the day when the container has become shutout till the day of Shipment/delivery.
- (8).
 - (i). Dwell time charges for Hazardous containers shall attract 1.25 times the normal applicable charges.
 - (ii). For Over Dimensional Containers, storage charge shall be based on actual number of ground slots the respective container occupies under the respective slab as given above.
- (9). The storage charges on abandoned FCL containers / shippers owned containers shall be levied up to the date of receipt of intimation of abandonment in writing or 75 days from the day of landing of the container, whichever is earlier subject to the following conditions:
 - (i). The consignee can issue a letter of abandonment at anytime.
 - (ii). If the consignee chooses not to issue such letter of abandonment, the container agent/ MLO can also issue abandonment letter subject to the condition that,

- (a). The Line shall resume custody of container alongwith cargo and either take it back or remove it from the Terminal premises; and
- (b). The line shall pay all Terminal charges accrued on the cargo and container before resuming custody of the container.
- (iii). The container Agent/ MLO shall observe the necessary formalities and bear the cost of transportation and de-stuffing. In case of their failure to take such action within the stipulated period, the storage charge on container shall be continued to be levied till such time all necessary actions are taken by the shipping lines for de-stuffing the cargo.
- (iv). Where the container is seized/confiscated by the Custom Authorities and the same cannot be de-stuffed within the prescribed time limit of 75 days, the storage charges will cease to apply from the day the Custom order release of the cargo subject to lines observing the necessary formalities and bearing the cost of transportation and de-stuffing. Otherwise, seized/confiscated containers should be removed by the line/consignee from the Terminal premises to the Customs bonded area and in that case the storage charge shall cease to apply from the day of such removal.

CHAPTER - III

3.1. Charges for miscellaneous services

Sr. No.	Particulars	Rate (in ₹)		
		Container not exceeding 20' in length	Container exceeding 20' but upto 40' in length	Container exceeding 40' in length
(i).	Fixing/removal of seal	286.02	286.02	286.02
(ii).	Lift on/lift off in the CY	929.56	1,394.33	1,859.10
(iii).	Charges for shifting within the Terminal	1,144.06	1,716.10	2,288.13
(iv).	Shifting of containers within the Terminal for customs inspection	1,287.07	1,930.61	2,574.14
(v).	Stacking of containers in the designated yard for customs examination	393.27	579.18	772.24
(vi).	Direct loading	715.04	1,072.56	1,072.56
(vii).	Reshuffling	1,215.57	1,823.35	1,823.35
(viii).	Change of shipment status	786.55	1,179.81	1,179.81
(ix).	Change of container status	643.54	643.54	643.54
(x).	Cancellation of document	429.02	429.02	429.02
(xi).	Visitor entries pass (Cost per pass)			
	(a). Yearly			286.02
	(b). Monthly			71.51
	(c). Daily			28.60
(xii).	Photography (Cost per day)			
	(a). For Shooting/ Filming			18591.03
	(b). For Photography of goods			915.25
	(c). For Photography of operations			5577.31

3.2. Charges for supply of fresh water alongside the container berths.

Particulars	Rate (in ₹)
Per 1000 Liters or part thereof	429.02

4. GENERAL NOTE :

- (i). The tariff caps will be indexed to inflation but only to an extent of 60% of the variation in Wholesale Price Index (WPI) occurring between 1 January 2020 and 1 January of the relevant year. Such automatic adjustment of tariff caps will be made every year and the adjusted tariff caps will come into force from 1 April of the relevant year to 31 March of the following year.
- (ii). From the date of Commercial Operation (CoD) till 31st March of the same financial year, the tariff would be limited to the indexed Reference Tariff relevant to that year, which would be the ceiling. The aforesaid Reference Tariff shall be automatically revised every year based on an

indexation as provided in para 2.2 of the tariff guidelines of 2013 which will be applicable for the entire license period.

However, the Licensee would be free to propose a tariff along with Performance Standards (the "Performance Linked Tariff") from the second year of operation onwards, over and above the indexed Reference Tariff for the relevant financial year, at least 90 days before the 1st April of the ensuing financial year. Such Performance Linked Tariff shall not be higher than 15% over and above the indexed Reference Tariff for that relevant financial year (and this will be the Tariff Cap). The Performance Linked Tariff would come into force from the first day of the following financial year and would be applicable for the entire financial year.

- (iii). The proposal shall be submitted to TAMP along with a certificate from the independent engineer appointed under the Concession Agreement of the Project indicating the achievement of Performance Standards in the previous 12 months as incorporated in the License Agreement or for the actual number of months of operation in the first year of operation as the case may be.
- (iv). On receipt of the proposal, TAMP will seek the views of the Major Port Trust on the achievement of Performance Standards as outlined in para 5 of the tariff guidelines of 2013, within 7 days of receipt.
- (v). In the event of Licensee not achieving the Performance Standards as incorporated in the License Agreement in previous 12 months, TAMP will not consider the proposal for notifying the Performance Linked Tariff for the ensuing financial year and the Licensee shall be entitled to only the indexed Reference Tariff applicable for the ensuing financial year.
- (vi). After considering the views of the Major Port Trust, if TAMP is satisfied that the Performance Standards as incorporated in the Concession Agreement have been achieved, it shall notify the performance linked tariff by 15th of March to be effective from 1st of April of the ensuing financial year.
- (vii). While considering the proposal for Performance Linked Tariff, TAMP will look into the Performance Standards and its adherence by the Licensee. TAMP will decide on the acceptance or rejection of the Performance Linked Tariff proposal based on the achievement or otherwise of the Performance Standards by the Licensee. Determination of indexed Reference Tariff and Performance Linked Tariff will follow the illustration shown in the Appendix attached to the tariff guidelines of 2013
- (viii). From the third year of operation, the Performance Linked Tariff proposal from the Licensee shall be automatically notified by TAMP subject to the achievement of Performance Standards in the previous 12 months period as certified by the Independent Engineer. The Licensee, for the Performance Linked Tariff from the third year onwards, will submit the Performance Linked Tariff proposal along with the achievement certificate from the independent engineer by 1st March and TAMP shall notify by 20th March, the Performance Linked Tariff to be effective from the ensuing financial year.

PERFORMANCE STANDARDS**1. Gross Berth Output**

In the case of containers the crane rate shall be measured by dividing total number of TEUs lifted on/off from ships by the elapsed crane time. The elapsed crane time is the total allocated crane hours less operational and non-operational delays.

The norms for Gross Berth Output for Containers are as follows:

CONTAINER	NORMS
Main line vessels	25 moves per hour / crane
Feeder vessels	22 moves per hour / crane

Note: Weightage in case of a shortfall in meeting the prescribed performance standard - 50%

2. Transit Storage Dwell Time: Containers:

The Transit Storage Dwell Time for a container shall mean the total time for which the container remains in the terminal. The Transit Storage Dwell Time for containers shall be calculated as an average and shall be the sum of the transit storage of each container handled during the month at that terminal divided by the number of containers. To further clarify, the date and time a container is discharged from the vessel till the said container leaves the out - gate of the Terminal, is the total transit storage time for import box. In case of export the time and date from which the container enters the terminal till the time and date it is loaded on to a vessel will be the storage time. The details of time of discharge, gate-in, gate-out and loading need to be maintained in respect of each container including ICD containers.

CONTAINER	NORMS
Import at Terminal	2 days
Export at Terminal	4 days

Weightage in case of a shortfall in meeting the prescribed performance standard - 25%.

3. Turnaround Time for receipt/delivery operation:

The Turnaround Time for receipt/delivery operation shall be the sum of time taken for loading/unloading of cargo divided by the number of trailers/rakes deployed, as the case may be, in a month. Further, in case the trailer/rake does both unloading and loading operations on a single entry into the terminal, the time allocated shall be doubled for those trailers/rakes.

CONTAINER	NORMS
(i) Trailer for container (Single operation)	2 hours
(ii) Trailer for container (Double operation)	4 hours
(i) Rake for ICD container(Single operation)	6 hours
(ii) Rake for ICD container (Double operation)	12 hours

Weightage in case of a shortfall in meeting the prescribed performance standard - 25%.
