



श्यामा प्रसाद मुखर्जी पोर्ट, कोलकाता
Syama Prasad Mookerjee Port, Kolkata

15, स्ट्रैंड रोड/15, Strand Road,

कोलकाता Kolkata – 700 001

दूरभाष/Phone : 2230-3451

फैक्स/Fax : 033-2230-4901

ई-मेल/E-mail : secretary@kolkataporttrust.gov.in

वेबसाइट-Website : www.kolkataporttrust.gov.in



सामान्य प्रशासन विभाग
Genl. Admn. Deptt.

No. Admn/7343/9800/Stv/Main File/VIII

31-07-2020

All prospective applicants for
Stevedoring and Shore Handling License

CIRCULAR

The Kolkata Port Trust (Stevedoring and Shore Handling License) Regulations, 2020, as approved by the Central Government has been published and notified in the Gazette of India; Extraordinary; Part II – Section 3- Subsection (i) on June 11, 2020 and the said Regulations has come into force on and from the aforementioned date of its publication. The same is available in the port website www.kolkataporttrust.gov.in (Rules and Regulations>Non-Service Regulations). A copy of the same is also attached (Annexure-I) for information and guidance of all concerned.

In continuation to Trade Circular Tfc/G 7964/Stv & SH dated 24.06.2020, all interested to work as Stevedoring and Shore Handling Agents should apply for licence in **Form A** as provided in the Regulations, along with all attachments as mentioned in the format and copies of Trade License, PAN, TIN, GST, IT Return and authorization of the signatory to make the application. The application may be sent by mail to license@kolkataporttrust.gov.in with copy to tm@kolkataporttrust.gov.in. Hard copies to be submitted within 10 days thereafter.

Those already holding a license under earlier Kolkata Port Trust (Licensing of Stevedores) Regulations 1987 should migrate to the new license. No person shall be allowed to undertake stevedoring and shore-handling activities in the port 60 days from June 11, 2020 without a valid license issued under The Kolkata Port Trust (Stevedoring and Shore Handling License) Regulations, 2020.

The Nodal Officers appointed under Clause 8(6) are Sr. Asstt. Traffic Manager (Licence) for KDS and Dy. Manager-Incharge, G.C. Berth for HDC.

Some salient features for renewal/new license are given below (not exhaustive):-

- Application fee – Rs. 1 lakh
- Security Deposit – Interest free refundable SD of Rs. 5 lakh.
- Solvency Certificate from applicant's Banker for a financial ability of at least 25 lakh.
- Application for fresh license can be submitted at any time. For renewal, application to be submitted 3 months prior to expiry of license. For existing

licensees desirous of migrating to the new scheme, application to be submitted well in advance to enable issuance of fresh license before 11.8.2020.

- Validity – 3 years from date of issue.
- Eligibility – A company registered under the Companies Act, 2013 (18 of 2013) or a Partnership Firm or any other legal entity.
- Agent should employ at least 6 supervisory personnel possessing minimum 2 years experience in cargo handling or stowage planning. Such personnel shall not be on the pay roll of another company or deployed by the applicant in any other port.
- In case of renewal, if certificate of Dock Safety Inspectorate is not available, Indemnity Bond to be submitted.
- Performance standards laid by the Board to be followed. Incentives for performance and penalty for non-compliance.
- Ceiling rate for mechanized and manual operations as notified by TAMP to be followed.
- Royalty to be paid to the Port as License Fee on percentage basis of the ceiling tariff. Such royalty to be paid in advance, prior to calling of vessels, on the basis of IGM (for import) and declaration of vessel's agent or EGM (for export). Actual royalty (difference, if any) to be calculated and paid within 10 days from date of completion of vessel work, interest applicable for delay. The royalty effective from the first vessel commencing work on or after 12.8.2020 will be 12.36% of upfront tariff. Till then the prevailing royalty at KDS and HDC will continue.
- The tariff charged by the agent should be published in its own website (in the same format in which TAMP has notified the Upfront tariff) and also in the website of the Port. (A link to the agent's website will be provided from the Port website, where names of all licensed agents will be uploaded).
- Ancillary arrangements such as sweeping, filling, stitching, repairing, vessel's stenciling, lashing and de-lashing, stacking and storage required for cargo operations on board and on shore and ancillary services shall not be separately charged.
- The agent shall deploy the workers of the Port and/or Dock Labour Board in accordance with the law for the time being in force.
- If agent desires, foreclosure of license with refund of security deposit permissible.
- List of equipment, gears and attachment required for Stevedoring and Shore Handling activities as per Clause 5(c) is at Annexure-II.
- Performance Standards and Upfront Tariffs for Stevedoring and Shore Handling Activities as fixed by the Board and notified by TAMP under Clause 8 in respect of KDS & HDC are at Annexure-III(A) & III(B) respectively. Upfront Tariff for Stevedoring Operations at Anchorages and for Barge Handling at HDC is at Annexure III(C).

It is to be noted that the above is not an exhaustive list. In case of any ambiguity/clarification, provisions of the Regulations, copy of which is attached for information and guidance, will prevail.

(S. Pradhan)
Secretary



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-12062020-219898
CG-DL-E-12062020-219898

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 289]

नई दिल्ली, बृहस्पतिवार, जून 11, 2020/ज्येष्ठ 21, 1942

No. 289]

NEW DELHI, THURSDAY, JUNE 11, 2020/JYAISHTHA 21, 1942

पोत परिवहन मंत्रालय

अधिसूचना

नई दिल्ली, 11 जून, 2020

सा.का.नि. 370(अ).— महापत्तन न्यास अधिनियम, 1963 (1963 का 38) की धारा 132 की उप-धारा (1) के साथ पठित धारा 124 की उप-धारा (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्र सरकार, खंड 123 के तहत कोलकाता पत्तन न्यास के न्यासी मण्डल द्वारा निर्मित कोलकाता पत्तन न्यास (स्टेवर्डरिंग व तट संचालन लाइसेंस) विनियम, 2020, को संशोधन सहित अनुमोदित करती है। उक्त अधिनियम की धारा 124 की उप-धारा (2) के तहत आवश्यकतानुसार इसे प्रकाशित किया गया है, जैसा कि इस अधिसूचना के संलग्न अनुसूची में उल्लिखित है।

2. उक्त अनुमोदित विनियम शासकीय राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से लागू होगा।

अनुसूची

महापत्तन न्यास अधिनियम, 1963 (1963 का 38) की धारा 123 में प्रदत्त शक्तियों का प्रयोग करते हुए, कोलकाता पत्तन न्यास के न्यासी मण्डल द्वारा, कोलकाता पत्तन न्यास (स्टेवर्डोर्स की लाइसेंसिंग) विनियम, 1987 के अधिक्रमण में, ऐसे अधिक्रमण से पहले पूरे किए गए या हटाए जाने वाले मामलों को छोड़कर निम्नलिखित विनियम बनाए गए हैं :-

1. लघु शीर्षक और प्रारंभ: (1) यह विनियम कोलकाता पत्तन न्यास (स्टेवर्डरिंग व तट संचालन लाइसेंस) विनियम, 2020 कहा जा सकेगा।

(2) ये शासकीय राजपत्र में केंद्र सरकार द्वारा अनुमोदन के प्रकाशन की तारीख से प्रवृत्त होंगे।

2. परिभाषाएँ- इन विनियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो, -

- (क) "अधिनियम" से महापत्तन न्यास अधिनियम 1963 (1963 का 38) अभिप्रेत है ;
- (ख) "एजेंट" से वह व्यक्ति जिसे विनियमन 6 के तहत स्टेवेडरिंग और तट संचालन लाइसेंस जारी किया गया है, अभिप्रेत है;
- (ग) "बोर्ड" से इस अधिनियम के तहत गठित कोलकाता पत्तन के लिए न्यासी मण्डल अभिप्रेत है;
- (घ) "अध्यक्ष" से बोर्ड का अध्यक्ष अभिप्रेत है;
- (ङ.) "प्रपत्र" से इन विनियमों के परिशिष्ट अभिप्रेत है;
- (च) "महाप्रबंधक (यातायात)" से कोलकाता पत्तन न्यास के हल्दिया गोदी परिसर के यातायात परिचालन विभाग के प्रभारी अधिकारी और उनके प्राधिकार के तहत काम कर रहे, उप-अधिकारी और सहायक या कोई अन्य अधिकारी अभिप्रेत हैं;
- (छ) कोलकाता पत्तन न्यास की दरों के प्रचलित पैमाने में परिभाषित, हल्दिया गोदी परिसर से हल्दिया गोदी परिसर अभिप्रेत है।
- (ज) कोलकाता पत्तन न्यास के दरों के प्रचलित मानों में उल्लिखित कोलकाता गोदी प्रणाली से कोलकाता गोदी प्रणाली अभिप्रेत है।
- (झ) "लाइसेंस" से विनियम 6 के तहत जारी किए गये स्टेवेडरिंग और तट संचालन लाइसेंस अभिप्रेत है।
- (ञ) "पत्तन" से कोलकाता पत्तन अभिप्रेत है;
- (ट) "रॉयल्टी" से बोर्ड द्वारा निर्धारित राशि जो एजेंट द्वारा बोर्ड को स्टेवेडरिंग और तट संचालन सेवाओं के लिए देय है; अभिप्रेत है;
- (ठ) "तट संचालन" में हुक प्वाईट से/को माल/कंटेनर को व्यवस्थित करना और प्राप्त करना, घाट से स्टैकयार्ड तक अंतर-पत्तन परिवहन और बैगनों/ट्रकों/बार्जों से/को माल/कंटेनर की प्राप्ति और सुपुर्दगी भी शामिल है;
- (ड) "स्टेवेडरिंग गतिविधियाँ" में वे सभी परिचालन गतिविधियाँ शामिल हैं, जिनमें जेटी, बर्थ, घाट, पियर, क्रे, डॉक्स या लंगरगाह में, जो बोर्ड के नियंत्रणाधीन या स्वामित्वधीन है, माल के पोतों पर लादने या उतारने से संबन्धित कार्यबल और जहाजों पर उपकरण रखना शामिल है। इसमें आयात और निर्यात कार्गो के लिए ऑन-बोर्ड हुक लगाने और हुक नहीं लगाने सहित कंटेनरों को भरना या खाली करना शामिल है;
- (ढ) "टैरिफ प्राधिकरण" से इस अधिनियम की धारा 47ए के तहत गठित महापत्तनों हेतु शुल्क प्राधिकरण अभिप्रेत है।
- (ण) "यातायात प्रबन्धक" से कोलकाता पत्तन न्यास के तहत कोलकाता गोदी प्रणाली के यातायात विभाग के प्रभारी अधिकारी और उसके प्राधिकार के तहत काम कर रहे उनके उपअधिकारी और सहायक या अन्य अधिकारी शामिल है;
- (त) यहां प्रयोग किए गए शब्द या अभिव्यक्तियां जिन्हें परिभाषित नहीं किया गया है, लेकिन अधिनियम में परिभाषित है, उसका वही अर्थ होगा जो अधिनियम में दिया गया है।

अनुप्रयोग

3. ये विनियम पत्तन के अधिकार क्षेत्र के तहत एजेंट द्वारा पोतों पर स्टेवेडरिंग कार्यकलाप और तटों पर तट संचालन कार्यकलाप के लिए प्रयोज्य होगा। यह उन कार्यकलापों के लिए प्रयोज्य नहीं होगा जो बोर्ड द्वारा सीधे या ठेकेदार के माध्यम से अथवा पब्लिक प्राइवेट पार्टनरशिप करार के किसी व्यक्ति द्वारा अथवा बिल्ड-ऑपरेट ट्रांसफर करार या ऐसे अन्य करार जिसमें बोर्ड शामिल है, किया जाएगा।

4. कोई भी व्यक्ति स्टेवेडरिंग या तट संचालन गतिविधियां लाइसेंस के बिना नहीं कर सकता - कोई भी व्यक्ति पत्तन में स्टेवेडरिंग या तट संचालन गतिविधियां को तब तक नहीं करेगा जब तक कि उसे इन विनियमों के तहत वैध लाइसेंस जारी नहीं किया गया हो :

बशर्ते कि कोई व्यक्ति जिसे इन विनियमों के लागू होने से पहले लाइसेंस जारी किया गया हो, मौजूदा लाइसेंस के

तहत साठ दिनों तक के लिए या जब तक वह इन नियमों के तहत लाइसेंस प्राप्त नहीं कर लेता, इनमें से जो पहले हो, परिचालन जारी रख सकता है।

5. लाइसेंस को जारी करने हेतु मानदंड – स्टेवडरिंग व तट संचालन गतिविधियों के लिए लाइसेंस ऐसे आवेदक को जारी किया जा सकता है जो निम्नलिखित मानदण्डों को पूरा करता है, यथा –

क) आवेदक, कंपनी अधिनियम, 2013 (2013 के 18)के तहत पंजीकृत एक कंपनी है या एक साझेदारी फर्म या कोई अन्य विधिक इकाई है;

ख) आवेदक कम से कम छः पर्यवेक्षीय कार्मिकों को जिन्हें माल संचालक अथवा माल रखने की प्रक्रिया योजना में न्यूनतम दो वर्षों का अनुभव हो, नियुक्त करे या नियुक्त करने का वचन दे ;

बशर्ते कि, ऐसे पर्यवेक्षी कर्मी किसी अन्य कंपनी के वेतन अनुक्रम पर या किसी अन्य नियोक्ता का कर्मचारी या आवेदक द्वारा किसी अन्य पत्तन में तैनात किया गया न हों;

ग) आवेदक, स्टेवडरिंग व तट संचालन गतिविधियों के लिए बोर्ड द्वारा विनिर्दिष्ट उपकरण, गियर्स और अपेक्षित आनुषंगिक सामग्री रखता हो;

घ) आवेदक, किसी भी आकस्मिकता को पूरा करने के लिए, पांच लाख रुपए की ब्याज-मुक्त वापसी योग्य सिन्क्योरिटी डिपॉजिट या बोर्ड द्वारा समय-समय पर यथानिर्धारित राशि जमा करने का इच्छुक हो ;

6. लाइसेंस जारी करना :- (1) जो भी व्यक्ति इन विनियमों के तहत स्टेवडरिंग व तट संचालन गतिविधियों के लिए लाइसेंस प्राप्त करने की इच्छा रखता है, वह किसी भी समय बोर्ड की वेबसाइट पर उपलब्ध प्रारूप में ऑनलाइन आवेदन प्रस्तुत कर सकता है या अध्यक्ष को फॉर्म –ए में लिखित रूप में आवेदन कर सकता है। साथ ही इसमें उल्लिखित दस्तावेज संलग्न करेगा और शुल्क स्वरूप एक लाख रुपए या, बोर्ड द्वारा समय-समय पर निर्धारित उच्चतर शुल्क अदा करेगा।

(2) यदि अध्यक्ष संतुष्ट है कि आवेदक विनियमन 5 के तहत निर्दिष्ट मानदंडों को पूरा करता है, वह फॉर्म-बी के तहत आवेदक को लाइसेंस जारी कर सकता है या अन्यथा आवेदक को मना करने का आदेश दे सकता है।

(3) विनियमन (5) के खंड (घ) में निर्दिष्ट सुरक्षा जमा के भुगतान पर उप-विनियमन (2) के तहत लाइसेंस जारी किया जा सकता है।

7. लाइसेंस की वैधता और नवीनीकरण :- (1) विनियमन 6 के तहत जारी किए गये लाइसेंस, इसके जारी करने की तारीख से तीन साल की अवधि के लिए वैध होगा जब तक कि अन्यथा निर्दिष्ट न हो।

(2) लाइसेंस के नवीनीकरण के लिए प्रपत्र-ए में आवेदन प्रस्तुत किया जा सकता है। यह आवेदन लाइसेंस की समाप्ति से कम से कम तीन महीने पहले प्रस्तुत किया जा सकता है, साथ ही इसमें निर्दिष्ट दस्तावेजों के साथ और एक लाख रुपये का शुल्क या बोर्ड द्वारा समय-समय पर निर्धारित उच्चतर शुल्क अदा सकता है और विलंब होने की स्थिति में, पचास हजार रुपये की विलंब शुल्क या ऐसा अन्य विलंब शुल्क, जो बोर्ड द्वारा निर्धारित किया जा सकता है, अदा करेगा।

(3) यदि आवेदक निम्नलिखित शर्तों को पूरा करता है, तो लाइसेंस का नवीकरण किया जाएगा, यथा –

क) लाइसेंस के नियमों और शर्तों का अनुपालन किया है;

ख) वह प्रतिवर्ष बोर्ड द्वारा समय-समय पर निर्धारित माल अथवा कंटेनरों का न्यूनतम भार /इकाई का संचालन किया है ;

ग) टैरिफ प्राधिकरण द्वारा अधिसूचित निष्पादन मानकों का अनुपालन किया है;

घ) आवेदक ने सुरक्षा मानदंडों का अनुपालन किया है और इस तरह के अनुपालन को गोदी कामगार (सुरक्षा, स्वास्थ्य और कल्याण) अधिनियम, 1986 (1986 का 54) के तहत नियुक्त निरीक्षक द्वारा अध्यक्ष को प्रस्तुत किए गए अपनी रिपोर्ट में अभिप्रमाणित किया गया है।

4) यदि अध्यक्ष इस बात से संतुष्ट है कि आवेदक ने उप-नियमन (3) में कि निर्दिष्ट शर्तों को पूरा किया है, तो लाइसेंस

को तीन साल की अवधि के लिए नवीनीकृत किया जा सकता है, जब तक कि अन्यथा निर्दिष्ट हो, अथवा, अन्यथा आवेदक को मना करने का आदेश दे सकता है।

बशर्ते, लाइसेन्स के सम्पान के पूर्व उप-विनियम (3) के खंड(घ) में उल्लिखित निरीक्षक का रिपोर्ट प्रस्तुत नहीं किया जाता किन्तु यदि अध्यक्ष इस बात से संतुष्ट हों कि आवेदक उप विनियम (3) में विनिर्दिष्ट अन्य शर्तों को पूरा करता है, तो पुनः आगामी तीन वर्षों के लिए लाइसेन्स का नवीकरण किया जाएगा, यदि अन्यथा विनिर्दिष्ट न हों, बशर्ते एजेंट फार्म-सी में क्षतिपूर्ति बॉन्ड निष्पादित करें ;

बशर्ते, निरीक्षक की प्रतिकूल रिपोर्ट होने पर, लाइसेंस निलंबित या रद्द किया जा सकता है।

(5) वास्तविक लाइसेंस खोने या विकृत होने की स्थिति में, लाइसेंस की प्रतिलिपि जारी की जा सकती है, यदि अध्यक्ष को इस संबंध में एक आवेदन किया जाता है और पचास हजार रुपए या बोर्ड द्वारा समय-समय पर निर्धारित ऐसी अन्य राशि का भुगतान किया जाता है।

8. स्टेवडरिंग व तट संचालन गतिविधियों के लिए मानकों और प्रशुल्क का निष्पादन –

(1) पत्तन में स्टेवडरिंग और तट संचालन गतिविधियों को पूरा करने के लिए एजेंट द्वारा अपनाए गए निष्पादित मानकों को बोर्ड समय-समय पर विनिर्दिष्ट करेगा।

(2) बोर्ड, इसके द्वारा निर्दिष्ट निष्पादित मानकों के अनुपालन को प्रोत्साहित करने के उद्देश्य से, एजेंटों के लिए प्रोत्साहन राशि और गैर-प्रदर्शन के लिए जुर्माना निर्दिष्ट कर सकता है और अपनी वेबसाइट पर एजेंटों द्वारा प्राप्त निष्पादन का मासिक सारांश प्रकाशित कर सकता है।

(3) प्रशुल्क प्राधिकरण, उप-विनियम (1) के तहत बोर्ड द्वारा निर्दिष्ट निष्पादन मानकों के आधार पर, पत्तन में स्टेवडरिंग व तट संचालन गतिविधियों के लिए मशीनीकृत और मैनुअल परिचालन के लिए पृथक प्रशुल्क निर्धारित करेगा और यह प्रशुल्क पत्तन में प्रयोज्य प्रशुल्क-सीमा दर होगी।

(4) उप-विनियमन (3) के तहत प्रशुल्क को सूचित करते समय, प्रशुल्क प्राधिकरण, उप-विनियमन (1) के तहत मण्डल द्वारा विनिर्दिष्ट निष्पादित मानकों को भी सूचित करेगा।

(5) कोई भी एजेंट प्रशुल्क प्राधिकरण द्वारा अधिसूचित सीमा दरों से अधिक प्रशुल्क चार्ज नहीं करेगा।

(6) अध्यक्ष द्वारा एक या अधिक नोडल अधिकारी नियुक्त किए जाएंगे, जो निम्न दायित्व का निर्वाह करेंगे—

क) एजेंट द्वारा स्टेवडरिंग व तट संचालन प्रशुल्क का अनुपालन सुनिश्चित किया जाना।

ख) प्रशुल्क अधिसूचना के उल्लंघन या सीमा दरों से अधिक शुल्क लगाए जाने पर प्राप्त शिकायतों की जांच करना; और

ग) किसी भी एजेंट द्वारा किए गए उल्लंघन पर यातायात प्रबंधक या महाप्रबंधक (यातायात), जैसा भी मामला हो, को रिपोर्ट सौंपना।

9. रॉयल्टी का भुगतान – (1) बोर्ड द्वारा जारी लाइसेंस के संदर्भ में, बोर्ड लाइसेन्स शुल्क के रूप में एक रॉयल्टी प्रभार लेगा, जो समय-समय पर निर्धारित टैरिफ सीमा के प्रतिशत के आधार पर बोर्ड द्वारा निर्धारित किया जाएगा। समान प्रकार और परिमाण के माल संचालन के लिए एजेंटों से इस प्रकार के रॉयल्टी प्रभारित किए जाने में कोई भेदभाव नहीं किया जाएगा।

(2) प्रत्येक एजेंट का दायित्व होगा कि वह आयात के मामले में आयातित सामान्य मालसूची परिमाण के आधार पर और निर्यात के मामले में निर्यातित सामान्य माल-सूची अथवा पोत के एजेंट अथवा निर्यातक द्वारा घोषित परिमाण के आधार पर पोतों के आने से पहले रॉयल्टी का अग्रिम भुगतान करेंगे। देय वास्तविक रॉयल्टी की गणना एजेंट द्वारा संचालित माल के कुल परिमाण के आधार पर पोत परिचालन पूरा होने के उपरांत की जाएगी।

(3) रॉयल्टी की राशि में अंतर, यदि कोई हो, पोत-परिचालन पूरा होने से दस दिनों के भीतर देय होगा और रॉयल्टी भुगतान में विलंब के मामले में, पत्तन की दरों के पैमाने के अनुसार विनिर्दिष्ट ब्याज देय होगा।

(4) बोर्ड निम्नलिखित परिस्थितियों में रॉयल्टी की छूट पर विचार कर सकता है: -

- (क) प्राकृतिक आपदाओं के दौरान राहत कार्यों का संचालन ;
- (ख) आपातकाल और युद्ध स्थितियों के दौरान रक्षा कार्यों का संचालन;
- (ग) यदि सरकार द्वारा ऐसा कोई निर्देश जारी किया गया है।
10. एजेंट का कर्तव्य और दायित्व- प्रत्येक एजेंट निम्नलिखित कर्तव्यों और दायित्वों को निष्पादित करेगा , यथा –
- (क) कोलकाता गोदी प्रणाली और हल्दिया गोदी परिसर के यातायात विभाग को, जैसा भी मामला हो , दैनिक निष्पादन रिपोर्ट ऑनलाइन प्रस्तुत करेंगे;
- (ख) उस समय प्रभावी किसी विधि के तहत विनिर्दिष्ट प्रयोज्य सुरक्षा नियमों का अनुपालन, जो उस कार्यकलाप से संबन्धित हो ;
- (ग) अपने संचालन से उत्पन्न सभी तृतीय पक्षकार के दावों के खिलाफ बोर्ड को क्षतिपूर्ति;
- (घ) यह सुनिश्चित करना कि प्रभावी कानून के तहत बीमा पॉलिसी और अन्य लाभ भी उनके द्वारा तैनात अस्थायी मजदूरों पर भी लागू किए गए हों;
- (ङ.) यदि बोर्ड के किसी भी गियर, संयंत्र, बुनियादी ढांचे या कोई अन्य संपत्ति, स्टेवेडरिंग व तट संचालन गतिविधियों के दौरान क्षतिग्रस्त होता है, तो वह बोर्ड को होने वाले ऐसे नुकसान या क्षति की भरपाई करेगा, जिसकी सीमा अध्यक्ष या उनके प्राधिकृत अधिकारी द्वारा तय की जाएगी जोकि उचित जांच और संपत्ति के मूल्यांकन और क्षति की स्थिति को देखने के पश्चात ही तय होगा ;
- (च) लाइसेन्स के नियम और शर्तों का अनुपालन सुनिश्चित करना ;
- (छ) मण्डल द्वारा समय-समय पर नियत निष्पादित मानकों की उपलब्धि;
- (ज) दरों के पैमाने में निर्दिष्ट ब्याज और पंजीकृत माल संचालन श्रमिकों से प्राप्त सेवाओं के लिए प्रभार सहित पत्तन के सभी बकाए का भुगतान करेगा;
- (झ) उनके द्वारा प्रभारित प्रशुल्क प्रकाशित किया जाएगा, जो प्रशुल्क-प्राधिकरण द्वारा निर्धारित सीमा दरों से अधिक नहीं होगा, और वेबसाइट पर इसे अपलोड किया जाएगा ;
- (ञ) बोर्ड के वेबसाइट पर इस प्रशुल्क का प्रकाशन सुनिश्चित करना ;
- (ट) स्टेवेडरिंग व तट संचालन गतिविधियों के लिए तैनात कार्मिकों को कार्यों संचालन के आधुनिक प्रणाली की जानकारी हेतु आवधिक आधार पर प्रशिक्षण प्रदान करना, ताकि उत्पादकता में सुधार किए जा सके और स्टेवेडरिंग व तट संचालन गतिविधियों में दक्षता और सुरक्षा लाया जा सके ;
- (ठ) एजेंट, सांविधिक मानदंडों का पालन करते हुए और बोर्ड द्वारा यथा विनिर्दिष्ट, आवश्यक उपकरण तैनात करेगा, और स्वयं के अथवा किराए पर लिए गए गियर या उपकरणों से संचालन कार्य करेगा;
- (ड) एजेंट दुर्घटना या क्षति या हानि या उसके द्वारा किए गए संचालन से उत्पन्न या उत्पन्न होने वाले दावों के लिए पूरी तरह से जिम्मेदार होगा ;
- (ण) किसी एजेंट द्वारा या उसके किसी कर्मचारी या कामगार द्वारा किए जा रहे कार्य के दौरान यदि कोई दुर्घटना होती है तो उक्त दुर्घटना के फलस्वरूप जब बोर्ड को अपने कर्मचारियों अथवा कामगारों या उनके आश्रितों को कामगार क्षतिपूर्ति, अधिनियम, 1923 अथवा संबन्धित अवधि में लागू अन्य विधान के तहत क्षतिपूर्ति देना अपेक्षित होता है, तो एजेंट इस संदर्भ में देय राशि बोर्ड को प्रतिपूर्ति करेगा ;
- (त) स्टेवेडरिंग व तट संचालन एजेंट उनके द्वारा की जा रही स्टेवेडरिंग और/अथवा तट संचालन कार्यकलापों अथवा उससे संबंधित कार्यों की कोई भी सूचना केओपीटी के प्राधिकृत प्रतिनिधियों द्वारा जब भी मांगी जाए, तुरंत संप्रेषित की जाएगी ;
- (थ) स्टेवेडरिंग व तट संचालन एजेंट उनके द्वारा तैनात कामगारों का पर्याप्त पर्यवेक्षण करेंगे ताकि सुरक्षा अपेक्षाओं को निरंतर पूरा करते हुए अधिकतम उत्पादकता सुनिश्चित किया जा सके ;

(द) एजेंट यह सुनिश्चित करेगा कि अवकाश अवधि के अतिरिक्त सम्पूर्ण पाली अवधि के दौरान श्रमिक कार्यस्थल पर मौजूद रहेंगे और वांछित उत्पादकता प्रदान करेंगे और जब भी उत्पादन निर्धारित मानदंडों से कम हो, तो निष्पादन में सुधार के लिए प्रभावी कदम उठाएंगे;

(ध) स्टेवर्डिंग व तट संचालन एजेंट अनुषंगिक परिचालनों के लिए पर्याप्त प्रबंध करेंगे जो पोतों पर ऑन बोर्ड माल परिचालन के साथ-साथ तट परिचालन के लिए, जैसा अपेक्षित हो, आवश्यक होगा जैसे झाड़ू लगाना, भरना, सिलना, मरम्मत करना, पोत का स्टेंसिलिंग, पोतों की प्राप्ति व भंजन, माल का एकत्रित करना व सजाना इत्यादि। इन अनुषंगिक कार्यों के लिए पृथक प्रभार नहीं लिया जाएगा बल्कि यह टैम्प द्वारा अधिसूचित स्टेवर्डिंग व तट संचालन दरों में ही शामिल होगा ;

(न) स्टेवर्डिंग व तट संचालन एजेंट, किसी अन्य व्यक्ति को लाइसेंस के अधीन प्राप्त किसी भी हित/लाभ को किसी अन्य व्यक्ति को नहीं सौंपेंगे, हस्तांतरित नहीं करेंगे।

11) यातायात प्रबंधक या महाप्रबंधक (यातायात) के कर्तव्य:

(1) यातायात प्रबंधक या महाप्रबंधक (यातायात), जैसा भी मामला हो, एजेंट को जारी किए गए लाइसेंस के नियमों और शर्तों की निगरानी और अनुपालन सुनिश्चित करने और एजेंट द्वारा अनुपालन किए जाने वाले सुरक्षा मानकों को भी सुनिश्चित करने के लिए उत्तरदायी है।

(2) लाइसेंस के नियमों और शर्तों के अनुपालन में या किसी भी एजेंट द्वारा सुरक्षा मानदंडों के अनुपालन में किसी भी प्रकार की चूक हो, तो यातायात प्रबंधक या महाप्रबंधक (यातायात), जैसा भी मामला हो, ऐसी पहली चूक के लिए एजेंट को चेतावनी देंगे, और परवर्ती समय में इस प्रकार की चूक होती है तो गैर-अनुपालन से संबन्धित विवरण के लिए अध्यक्ष को रिपोर्ट प्रस्तुत करेंगे, जिसमें एजेंट के विरुद्ध लिए जाने वाले दंडात्मक कार्रवाई की अनुशंसा सहित लाइसेंस का निरस्तीकरण और सुरक्षा जमाराशि का जब्त किया जाना भी शामिल है।

12. बोर्ड, डॉक लेबर बोर्ड, लाइसेंस धारक या अन्य स्रोतों के श्रमिकों की तैनाती - एजेंटों द्वारा पत्तन और / या डॉक लेबर बोर्ड के कामगारों की तैनाती का वर्तमान प्रक्रिया जारी रहेगा। एजेंट पत्तन और / या डॉक लेबर बोर्ड के कामगारों को यथासमय प्रभावी कानून के अनुसार तैनाती करेंगे और यदि पत्तन और / या डॉक लेबर बोर्ड कामगारों की आपूर्ति एजेंट के अपेक्षानुसार नहीं कर पाएंगे तो पत्तन और / या डॉक लेबर बोर्ड एजेंट को इसे अपने प्रबंधन से पूरा करने की अनुमति देंगे।

13. लाइसेंस का निरस्तीकरण और निलंबन - अध्यक्ष एजेंटों के निष्पादन की समीक्षा प्रत्येक माह कर सकते हैं और यदि आवश्यक समझते हैं तो वे लिखित आदेश द्वारा और रिकॉर्ड किए गए कारणों से निम्न में से किसी आधार पर, जारी लाइसेंस निलंबित या रद्द कर सकते हैं, यथा -

क) उनके द्वारा संचालित लगातार तीन पोतों के लिए औसत निष्पादन मानक निष्पादन/उत्पादकता से कम हो;

(ख) टैरिफ प्राधिकरण द्वारा अनुमोदित सीमा दरों से अधिक शुल्क लिया जा रहा हो ;

(ग) लगातार दो वर्षों की अवधि के दौरान, विनियम 7 के उप-नियमन (3) के खंड (ब) में विनिर्दिष्ट आयतन से कम कार्गो संचालन किया जा रहा हो;

(घ) न्यायालय द्वारा नैतिक अधमता से संबन्धित अपराध के लिए दोषी ठहराया गया हो;

(ङ.) सुरक्षा नियमों का उल्लंघन किया गया हो और अनिवार्य डॉक सुरक्षा उपायों का पालन करने में विफल रहा हो ;

(च) उचित एवं सुरक्षित पद्धतियों को अपनाने से चूक जाता हो ;

छ) महत्वपूर्ण तथ्यों का गलत या असत्य विवरण देने का दोषी हो;

ज) न्यायनिर्णीत दिवालिया हो गए हो या परिसमापन में हों ;

झ) स्टेवर्डिंग व तट-संचालन कार्यकलापों के परिचालन के लिए लाइसेंस को हस्तांतरित अथवा उप किरायेदारी पर किसी अन्य व्यक्ति को देता हो ;

(ञ) सुरक्षा नियमों, अनुदेशों या अंतर्राष्ट्रीय पोत और पत्तन सुविधा सुरक्षा कोड का अनुपालन करने में असमर्थ हो।

- (ट) दैनिक निष्पादन रिपोर्ट को प्रस्तुत करने में असमर्थ हो ;
 (ठ) अवैध आचरण/भ्रष्टाचार में लिप्त हो ;
 (ड) कोई दुराचार जो बोर्ड के विचार में लाइसेन्स के रद्दकरण या निलंबन के लिए उचित कारण हो;
 (ढ) पत्तन को देय बकाये का भुगतान न किया हो;

परन्तु ऐसा कोई लाइसेंस तब तक रद्द, निलंबित या नामंजूर, नहीं किया जाएगा, जब तक कि लाइसेंसधारी या आवेदक को कारण दर्शाने का समुचित मौका न दिया जाए जिसमें उनसे पूछा जाए कि उनका लाइसेंस रद्द निलंबित या नामंजूर, क्यों न किया जाए,

14- अपील-

कोई व्यक्ति, जो विनियम 6 के तहत लाइसेंस जारी करने से इनकार करने के आदेश से या विनियमन 7 के तहत लाइसेंस नवीनीकरण से इनकार करने के आदेश से या विनियमन 13 के तहत निलंबन या रद्द करने के आदेश से संतुष्ट न हो तो उक्त आदेश के संप्रेषण के 30 दिनों के अन्दर लिखित रूप में आदेश के खिलाफ केंद्र सरकार के पास अपील कर सकता है।

15. सुरक्षा जमाराशि को लौटाना - निम्नलिखित परिस्थितियों में, यदि कोई हो, बोर्ड के दावों का समायोजन करने के पश्चात, एजेंट को सुरक्षा जमाराशि वापस किया जा सकता है। जैसे –

- (क) लाइसेंस की अवधि की समाप्ति पर और नवीकरण के लिए कोई आवेदन नहीं किए जाने पर;
 (ख) लाइसेंस के नवीकरण के लिए आवेदन मना करने पर;
 (ग) लाइसेंस के निरस्तीकरण पर; तथा
 (घ) यदि एजेंट जारी किए गए लाइसेन्स को निरस्त करने की इच्छा रखता है और अध्यक्ष को लिखित रूप से इसे बंद करने और सुरक्षा जमा वापसी हेतु आवेदन करता है।

[फा. सं. Pt. 11033/73/2013-PT]

कैलाश कुमार अग्रवाल, संयुक्त सचिव

प्रपत्र – ए

कोलकाता पत्तन न्यास

कोलकाता पत्तन न्यास (स्टेवर्डरिंग व तट संचालन लाइसेंस) विनियम, 2020 के तहत स्टेवर्डरिंग व तट संचालन लाइसेंस प्रदान/नवीकरण करने के लिए आवेदन प्रपत्र

1. आवेदनकर्ता का नाम :
2. क्या आवेदनकर्ता कंपनी अधिनियम 2013 के अंतर्गत कोई कंपनी अथवा पार्टनरशीप फर्म है अथवा अन्य कोई विधिक इकाई है | कंपनी का मेमोरेण्डम ऑफ एसोसिएशन, अन्य प्रायोज्य दस्तावेज़ी साक्ष्य संलग्न किए जाए |
3. पत्राचार हेतु पूरा पता :
4. आवेदक का पैन (PAN) अथवा टिन (TIN) सं. -
5. आवेदक का फोन नं.
6. व्यक्ति का नाम और मोबाइल नम्बर, जिससे संपर्क किया जाना है:
7. आवेदक का ई-मेल और फैक्स नम्बर:

8. अवधि, जिसके लिए लाइसेंस की आवश्यकता है :
9. स्टीमशीप कंपनी या पोतों के चार्टरर या कार्गो के स्वामी के नाम, जिसके साथ उनके पोत के लिए स्टेवेडरिंग व तट संचालन के लिए अनुबंध अथवा कार्गो निर्वाह अथवा प्रस्ताव में शामिल होना है (अनुबंध अवधि का साक्ष्य संलग्न किया जाए | प्रत्येक पार्टी के लिए अनुमानित टनेज दर्शाया जाए)
10. स्टेवेडरिंग व तट संचालन कार्यकलापों में पूर्ववर्ती अनुभव : (विगत तीन वर्षों में संचालित कार्गो और टनेज के साक्ष्य संलग्न किए जाए)
11. क्या आवेदक वेतन, कामगार क्षतिपूर्ति अधिनियम 1923 के तहत क्षतिपूर्ति इत्यादि दायित्वों को पूरा करने के लिए वित्तीय रूप से सक्षम हैं |
(वित्तीय सक्षमता संबंधी बैंकों से प्रमाण-पत्र और आयकर भुगतान प्रस्तुत की जाए)
12. क्या आवेदक के पास अनुबंधित पोत या कार्गो के स्टेवेडरिंग और/अथवा तट संचालन परिचालन के लिए यथा विनिर्दिष्ट, पर्याप्त उपकरण या उपस्कर है अथवा प्राप्त करने का इच्छुक है |
(सुरक्षा प्रमाण-पत्र सहित उपकरण या उपस्करों की सूची संलग्न की जाए)
13. क्या आवेदक के पास कम से कम 6 (छः) पर्यवेक्षकीय कार्मिक है/नियोजित करना चाहा है, जिन्हें कम से कम 2(दो) वर्षों का माल संचालन/सजाकर रखने का अनुभव हो ताकि स्टेवेडरिंग व तट संचालन दोनों का कार्य कर सके तथा जो नियमों और विनियमों की जानकारी रखते हों |
(एक सूची जिसमें कर्मचारियों का प्रोफाइल और कार्य-अनुभव दर्शाया गया हो, दी जाए)
14. बोर्ड के साथ किए गए काम से संबंधित सभी प्राप्यों का भुगतान, यदि कोई हो, क्या आवेदक ने कर दिया है?
15. (क)क्या आवेदन शुल्क और सुरक्षा जमा भुगतान कर दिया गया है ? और (ख) क्या लाइसेंस जारी करते समय आवेदन सुरक्षा जमा राशि भुगतान करने का इच्छुक है |

(भुगतान की रसीद संलग्न की जाए। लाइसेंस की फीस तथा जमा की गई प्रतिभूति, लाइसेंस जारी न होने/नवीकरण न होने पर वापिस कर दिया जाएगा।)

16. स्टेवडरिंग व तट संचालन फर्म के निदेशक, सीईओ/पार्टनर/स्वामी पत्रशीर्ष के तहत मुहर सहित हस्ताक्षर के साथ स्वयं अभिप्रमाणन देंगे कि वे किसी नैतिक अधमता के किसी अपराध में न्यायालय द्वारा दोषी नहीं ठहराए गए हैं और जिसके संदर्भ में छः माह से कम की कारावास नहीं हुई है, और यदि ऐसा है तो सज़ा पूरा होने से पाँच वर्ष की अवधि व्यतीत हो चुकी है।
17. लाइसेंस नवीकरण के मामले में, गोदी सुरक्षा के निरीक्षक द्वारा दिए गए सुरक्षा अनुमति प्रमाण-पत्र संलग्न करें। यदि नहीं, तो फार्म-सी के रूप में निष्पादित मूल कक्षापूर्ति बांड संलग्न करें।
- मैं/हम..... की तरफ से यह अभिपुष्टि करता हूँ /करते हैं कि मेरे/हमारे द्वारा दिए गए सभी विवरण मेरी/हमारी सर्वोत्तम जानकारी में तथा विश्वास के अनुसार सच हैं।
 - मैं/हम..... की तरफ से केओपीटी पर स्टेवडरिंग और/अथवा तट संचालन परिचालनों को करने के लिए केओपीटी द्वारा विनिर्दिष्ट किए जाने वाले रायल्टी की राशि और केओपीटी (स्टेवडरिंग व तट संचालन लाइसेंस) विनियमों के अनुसार अन्य प्रभार भुगतान करने पर सहमत हूँ/हैं।
 - मैं/हम की तरफ से केओपीटी पर स्टेवडरिंग और/अथवा तट संचालन परिचालनों को करने के लिए लाइसेंस प्रदान किए जाने हेतु अपेक्षित अन्य कोई भी सूचना/कोई भी अपेक्षित अभिलेख निरीक्षण हेतु पेश करने के लिए सहमत हूँ/हैं।
 - यदि लाइसेंस प्रदान किया गया/नवीकरण किया गया तो मैं/हम की तरफ से कोलकाता पत्तन न्यास (स्टेवडरिंग व तट संचालन लाइसेंस) विनियम, 2020 और समय-समय पर संशोधित विनियम का पाबंद रहूंगा/रहेंगे तथा समय-समय पर कोलकाता पत्तन न्यास द्वारा दिए गए निदेशों का अनुपालन करूंगा/करेंगे।
 - मैं/हम एतद्वारा घोषित करता हूँ/करते हैं कि, टैरिफ प्राधिकार द्वारा अधिसूचित दर की सीमा से अधिक दर सेवा देने के लिए प्रभारित नहीं करूंगा/करेंगे।

स्थान :

दिनांक :

आवेदनकर्ता के हस्ताक्षर
मुहर सहित

कोलकाता पत्तन न्यास के न्यासी मंडल

केओपीटी पर स्टेवेडरिंग व तट संचालन परिचालन किए जाने के लिए लाइसेंस

कोलकाता पत्तन न्यास (स्टेवेडरिंग व तट संचालन लाइसेंस) विनियम, 2020 के तहत जारी

अहस्तांतरणीय

लाइसेंस सं. : _____

1. लाइसेंस धारक का नाम
2. पता
3. लाइसेंस दिए जाने के अवधि से
4. अन्य अपेक्षित विवरण

लाइसेंसिंग प्राधिकारी -----

पदनाम-----

दिनांक:

स्थान -----

(मुहर)

शर्तें

यह लाइसेंस महापत्तन न्यास अधिनियम, 1963 (1963 का 38) और कोलकाता पत्तन न्यास (स्टेवेडरिंग व तट संचालन लाइसेंस) विनियम 2020 और समय-समय पर यथा संशोधित प्रावधानों के अधीन प्रदान किया जाता है।

सभी स्टेवेडरिंग व तट संचालन एजेंट कोलकाता पत्तन न्यास (स्टेवेडरिंग व तट संचालन लाइसेंस) विनियम 2020, समय-समय पर यथा संशोधित, द्वारा विनिर्दिष्ट कर्तव्य और दायित्व की शर्तों का पालन करेंगे और निम्नलिखित का विशेष रूप से पालन करेंगे :

क) स्टेवेडरिंग व तट संचालन एजेंट के साथ-साथ उनके सभी कर्मचारी और कामगार जो स्टेवेडरिंग व तट संचालन परिचालन और उससे संबंधित कार्य से जुड़े हों, गोदी कामगार (सुरक्षा, स्वास्थ्य और कल्याण) अधिनियम, 1986 और गोदी कामगार(सुरक्षा, स्वास्थ्य और कल्याण) विनियम, 1990 और इसके अंतर्गत जारी अधिसूचनाओं, औद्योगिक विवाद अधिनियम, 1947, न्यूनतम मजदूरी अधिनियम, 1948, बोनस भुगतान अधिनियम, 1965, इपीएफ, इएसआई के प्रावधान तथा कोई अन्य विधि/नियम जो ऐसे प्रचालन अथवा श्रम और उपस्कर से संबंधित हो तथा प्रभावी हों, के प्रावधानों का अनुपालन सुनिश्चित करेंगे।

ख) स्टेवेडरिंग व तट संचालन एजेंट केओपीटी द्वारा विनिर्दिष्ट आवश्यक उपकरणों को तैनात करेंगे और स्वयं के स्वामित्वाधीन अथवा भाड़े पर लिए गए गियरों/उपकरणों सहित परिचालन करेंगे।

ग) स्टेवेडरिंग व तट संचालन एजेंट उनके द्वारा निष्पादित परिचालनों के दौरान हुए किसी दुर्घटना अथवा क्षति अथवा हानि अथवा दावों के लिए संपूर्ण रूप से उत्तरदायी होंगे।

घ) स्टेवेडरिंग व तट संचालन एजेंट उनके द्वारा निष्पादित परिचालनों के दौरान सभी स्वीकृत सुरक्षित

प्रक्रिया/मनकों का अनुपालन करेंगे।

ड.) स्टेवेडरिंग व तट संचालन एजेंट उनके द्वारा निष्पादित परिचालनों से हुए सभी तृतीय पार्टी दावों के सापेक्ष बोर्ड को क्षतिपूर्ति करेंगे।

च) स्टेवेडर व तट संचालन एजेंट अथवा उनके किसी कर्मचारी/कामगार द्वारा कार्य निष्पादन के दौरान हुए किसी दुर्घटना के परिणामस्वरूप कामगार क्षतिपूर्ति अधिनियम 1923 के प्रावधान के तहत, जब भी केओपीटी को अपने कर्मचारी अथवा कामगारों अथवा उनके आश्रितों को क्षतिपूर्ति देनी पड़े, स्टेवेडरिंग व तट संचालन एजेंट इस हेतु प्रतिपूर्ति राशि बोर्ड को अदा करेंगे। कामगार क्षतिपूर्ति अधिनियम 1923 प्रावधान के तहत क्षतिपूर्ति के परिमाण का निर्धारण केओपीटी तथा स्टेवेडरिंग व तट संचालन एजेंट के मध्य बाध्यतामूलक और निर्णायक होगा।

छ) यदि, ऐसे परिचालनों के दौरान केओपीटी की किसी गियर/उपस्कर/संयंत्र और अन्य संपत्ति क्षतिग्रस्त होती है, स्टेवेडरिंग व तट संचालन एजेंट केओपीटी को क्षतिपूर्ति करेंगे जिसके हानि/नुकसान की सीमा का निर्णय अध्यक्ष या उनके प्राधिकृत अधिकारी द्वारा समुचित छानबीन और संपत्ति के नुकसान की सीमा का मूल्यांकन के पश्चात निर्णय किया जाएगा।

ज) स्टेवेडरिंग व तट संचालन एजेंट उनके द्वारा की जा रही स्टेवेडरिंग और/अथवा तट संचालन कार्यकलापों अथवा उससे संबंधित कार्यों की कोई भी सूचना केओपीटी के प्राधिकृत प्रतिनिधियों द्वारा जब भी मांगी जाए, तुरंत संप्रेषित की जाएगी।

झ) स्टेवेडरिंग व तट संचालन एजेंट उनके द्वारा तैनात कामगारों का पर्याप्त पर्यवेक्षण करेंगे ताकि सुरक्षा अपेक्षाओं को निरंतर पूरा करते हुए अधिकतम उत्पादकता सुनिश्चित किया जा सके।

(5α) विभिन्न प्रकार के माल संचालन के लिए स्टेवेडरिंग व तट संचालन एजेंट सभी आवश्यक गियरों/उपस्करों को प्रदान करेंगे जो सक्षम प्राधिकारी द्वारा विधिवत परीक्षित और प्रमाणित किया गया हो।

ट) स्टेवेडरिंग व तट संचालन एजेंट उनके द्वारा तैनात गियरों/उपस्करों के आवश्यक 'अनिअलिंग' और जांच प्रमाणपत्रों को आवर्ती जांच के लिए अथवा निरीक्षक, गोदी सुरक्षा या यातायात प्रबंधक/महाप्रबंधक (यातायात) को उनके माँगें जाने पर प्रस्तुत करना होगा।

ठ) स्टेवेडरिंग व तट संचालन एजेंट कामगारों को आवश्यक व्यक्तिगत सुरक्षा उपस्कर (पीपीई) और सुरक्षा उपकरण प्रदान करेंगे जो कार्गो के प्रकृति के अनुरूप होगा।

ड) स्टेवेडरिंग व तट संचालन एजेंट सुनिश्चित करेंगे कि कामगार अवकाश अवधि के अतिरिक्त, संपूर्ण पाली अवधि के दौरान, कार्यस्थल पर उपलब्ध रहेंगे और सामान्य उत्पादकता बहाल रखेंगे तथा जब भी उत्पादकता निर्धारित मानदंड से कम हो, इसे उन्नत करने के प्रभावी कदम उठाए जाएंगे। यदि वह निष्पादन में लगातार चूक करता है तो उचित दंड का मागी होगा, जिसमें प्रगामी वृद्धि की जाएगी।

ड) स्टेवेडरिंग व तट संचालन एजेंट अनुषांगिक परिचालनों के लिए पर्याप्त प्रबंध करेंगे जो पोतों पर ऑन बोर्ड माल परिचालन के साथ-साथ तट परिचालन के लिए, जैसा अपेक्षित हो, आवश्यक होगा जैसे झाड़ू लगाना, भरना, सिलना, मरम्मत करना, पोत का स्टेंसिलिंग, पोतों की प्राप्ति व भंजन, माल का एकत्रित करना व सजाना इत्यादि। इन अनुषांगिक कार्यों के लिए पृथक प्रभार नहीं लिया जाएगा बल्कि यह टैम्प द्वारा अधिसूचित स्टेवेडरिंग व तट संचालन दरों में ही शामिल होगा।

ण) स्टेवेडरिंग व तट संचालन एजेंट केओपीटी के सभी बकाया को निर्धारित अवधि के भीतर भुगतान करना सुनिश्चित करेंगे, जिसके न होने पर इन विनियमों के तहत लाइसेंस रद्द किया जा सकता है। लाइसेंस की नवीकरण पर विचार नहीं किया जाएगा यदि केओपीटी को देय राशि बकाया होगा।

त) स्टेवेडरिंग व तट संचालन एजेंट पोतों के आने के पहले ही केओपीटी को रायल्टी का अग्रिम भुगतान करेंगे जो आयात के मामले में आईजीएम परिमाण पर आधारित होगा और निर्यात के मामले में पोत एजेंट/निर्यातक द्वारा घोषित परिमाण पर आधारित होगा। वास्तविक देय रायल्टी की गणना पोत परिचालन पूर्ण होने के बाद किया जाएगा जो स्टेवेडरिंग व तट संचालन एजेंट द्वारा कुल संचालित माल पर आधारित होगा। राशि का अंतर, यदि कोई

हो, बिल (बिलों) के उगाही तिथि से दस दिनों के अंदर देय होगा। यदि निर्धारित अवधि के भीतर अंतर की राशि की भुगतान नहीं की जाती तो बकाए राशि पर बयाज, दरों के पैमाने में दिए अनुसार प्रभारित की जाएगी।

[छूट और स्थगन यदि कोई हो जो इसके मूल अथवा राशि पर प्रस्तावित हो यदि एजेंट द्वारा किसी कारण से इन विनियमों के तहत स्टेवर्डिंग और/अथवा तट संचालन सेवाओं के संदर्भ में वसूली न गई हो, रॉयल्टी के लेखा पर केओपीटी के बकाया की गणना के उद्देश्य से मान्य नहीं होगा],

थ) स्टेवर्डिंग व तट संचालन एजेंट, यह वचन देंगे कि केओपीटी से तैनात किए गए कामगारों को केन्द्रीय सरकार और पत्तन एवं गोदी कामगार फेडरेशनों के बीच समय-समय पर हुए वेतन समझौते के अनुसार अथवा इस उद्देश्य हेतु केओपीटी द्वारा निर्धारित दर पर भुगतान करेंगे।

द) स्टेवर्डिंग व तट संचालन एजेंट, किसी अन्य व्यक्ति को लाइसेंस के अधीन प्राप्त किसी भी हित/लाभ को किसी अन्य व्यक्ति को नहीं सौंपेंगे, हस्तांतरित नहीं करेंगे।

ध) स्टेवर्डिंग व तट संचालन एजेंट, पत्तन के सभी नियमों एवं विनियमों एवं ऐसे निर्देशों का अनुपालन करेंगे, जो यातायात प्रबंधक, महाप्रबंधक (यातायात) द्वारा सुरक्षा, उन्नत उत्पादकता एवं श्रमिक अनुशासन के हित में समय-समय पर जारी किए जाएंगे।

न) जब कभी भी अस्थायी कामगारों को तैनात किया जाता है, स्टेवर्डिंग व तट संचालन एजेंट यह सुनिश्चित करेंगे कि ऐसे कामगार बीमा पॉलिसी द्वारा सुरक्षित किए गए हैं।

प) केओपीटी द्वारा निर्धारित निष्पादन मानकों को स्टेवर्डिंग व तट संचालन एजेंट द्वारा पालन किया जाएगा।

फ) स्टेवर्डिंग व तट संचालन एजेंट, उनके शुल्कों का विवरण अपने वेबसाइट में और केओपीटी के वेबसाइट में प्रकाशित करेंगे। धार्य प्रभार टैम्प द्वारा निर्धारित शुल्क सीमा से अधिक नहीं होगा।

संस्वीकृति

मैं/हम उपरोक्त निबंधन व शर्तों के तहत दिनांक को मुझे/हमें जारी किए गए इस स्टेवर्डिंग व तट संचालन लाइसेंस को स्वीकार करता हूँ/करते हैं।

हस्ताक्षर -----

नाम व पदनाम-----

दिनांक:

(मुहर)

पता.....

संपर्क नं.

साक्ष्य का हस्ताक्षर:

1.

2.

प्रपत्र – सी

सुरक्षा-अनुमति प्रस्तुत करने में विलंब होने पर स्टेवेडरिंग व तट संचालन लाइसेंस हेतु क्षतिपूर्ति बाण्ड का प्रारूप
(स्टाम्प अधिनियम के अनुसार स्टाम्प पेपर पर प्रस्तुत किया जाएगा)
(वर्तमान में रु.500 से कम स्टाम्प पेपर पर नहीं)

यह क्षतिपूर्ति बाण्ड के द्वारा निष्पादित, जिन्हें एतदपश्चात 'क्षतिपूरक' कहा जाएगा, जो शब्द, यदि संदर्भ में या उसके अर्थ में प्रतिकूल न हो, तो उसमें उनके वारिसगण, प्रशासकगण, प्रतिनिधिगण तथा समनुदेशिनी शामिल होंगे, कोलकाता पत्तन न्यास के पक्ष में निष्पादित किया गया है, जिसे इसके पश्चात 'क्षतिपूरित' कहा जाएगा, जो शब्द, यदि संदर्भ में या उसके अर्थ में प्रतिकूल न हो, तो उसमें उनके वारिसगण समनुदेशिनी शामिल होंगे निम्न प्रकार इकरार करते हैं।

चूंकि इसमें वर्णित 'क्षतिपूरित' ने इसमें वर्णित 'क्षतिपूरक' को पत्तन पर स्टेवेडरिंग व तट संचालन एजेंट प्रचालन हेतु लाइसेंस प्रदान किया है जिसका निबंधन व शर्तें जो अन्य बातों के साथ लाइसेंस नं. तथा लाइसेंस का मूल्य रु. (रुपया मात्र) है, में अभिलिखित है।

और चूंकि ऊपर उल्लेखित लाइसेंस के खण्ड में सुरक्षा संबंधी रिपोर्ट प्रतीक्षित होने पर स्टेवेडरिंग व तट संचालन लाइसेंस के नवीकरण का प्रावधान है, कोलकाता पत्तन न्यास (स्टेवेडरिंग व तट संचालन लाइसेंस) विनियम, 2020 के शेष अन्य प्रावधानों के अनुपालन की गारंटी स्वरूप..... अवधि (लाइसेंस नवीनीकरण की तारीख से कैलेंडर माह से) के लिए प्रदान करती है।

क्षतिपूरक एतदद्वारा अपरिवर्तनीय रूप से क्षतिपूरित को क्षतिपूरण करने के लिए वचनबद्ध है, यदि क्षतिपूरक (स्टेवेडरिंग व तट संचालन एजेंट) स्टेवेडरिंग व तट संचालन एजेंट प्रचालन में किसी अवांछित घटना या व्यावसायिक संकट टालने के लिए यथेष्ट सतर्कता से काम करने में असफल होते हैं, कोलकाता पत्तन न्यास तथा पत्तन प्रयोक्ता एजेंसियों के जीवन व संपत्ति की रक्षा हेतु आइडीएस के वर्तमान सुरक्षा मानकों का उल्लंघन करने पर, क्षतिपूरक कोलकाता पत्तन न्यास को इस बाबत किसी क्षतिपूर्ति/दावे/इनके द्वारा किसी व्यक्ति को हुए क्षति की लागत/अथवा केओपीटी की संपत्ति और इनके या इनके कार्मिकों/उपस्कर/गियरों द्वारा पत्तन संपत्ति को क्षति के मामले में केओपीटी के दावे और अथवा लाइसेंस में निर्दिष्ट उनके दायित्व के अनुसार किसी भी क्षति का मुआवजा/दावे/नुकसान संबंधित व्यय का प्रतिपूर्ति करेंगे।

यह क्षतिपूर्ति बाण्ड इस में निर्दिष्ट तारीख तक हमारे पक्ष में वैध रहेगा।

साक्ष्य

जमानतदार

1. (नाम व पता)
2. (नाम व पता)

1. (नाम,पता सहित)
2. (नाम,पता सहित)

MINISTRY OF SHIPPING NOTIFICATION

New Delhi, the 11 th .June, 2020

G.S.R.370(E).—In exercise of the powers conferred by sub-section (1) of section 124 read with sub-section (1) of section 132 of the Major Port Trusts Act, 1963 (38 of 1963), the Central Government hereby approves with modification the Kolkata Port Trust (Stevedoring and Shore Handling License) Regulations, 2020, made by the Board of Trustees of the Kolkata Port Trust under section 123 and published by it as required under sub-section (2) of section 124 of the said Act. as set out in the Scheduled annexed to this notification.

2. The said regulation as approved shall come into force from the date of publication of this notification in the official Gazette.

SCHEDULE

In exercise of the powers conferred by Section 123 of the Major Port Trusts Act, 1963 (38 of 1963), the Board of Trustees of the Kolkata Port Trust hereby makes the following regulations, in supersession of the Kolkata Port Trust (Licensing of Stevedores) Regulations, 1987, except as respects things done or omitted to be done before such supersession, namely:-

1. Short title and commencement: (1) These regulations may be called the Kolkata Port Trust (Stevedoring and shore handling license) Regulations, 2020.
(2) They shall come into force on the date of publication of the approval thereto by the Central Government in the Official Gazette.
2. Definitions- In these Regulations, unless the context otherwise requires,-
 - (a) “Act” means the Major Port Trusts Act, 1963 (38 of 1963);
 - (b) “agent” means a person to whom stevedoring and shore handling licence has been issued under regulation 6;
 - (c) “Board” means the Board of Trustees for the Port of Kolkata as constituted under the Act;
 - (d) “Chairman” means the Chairman of the Board;
 - (e) “form” means a form appended to these regulations;
 - (f) “General Manager (Traffic)” means the officer in charge of the Traffic Operations Department of Haldia Dock Complex of the Kolkata Port Trust and includes its deputies and assistants or any other officers acting under his authority;
 - (g) Haldia Dock Complex means Haldia Dock Complex as defined in the prevailing scale of rates of the Kolkata Port Trust;
 - (h) Kolkata Dock System means Kolkata Dock System as defined in the prevailing scales of rates of the Kolkata Port Trust;
 - (i) “licence” means a stevedoring and shore handling licence issued under regulation 6;
 - (j) “port” means the Kolkata Port;
 - (k) “royalty” means the amount fixed by the Board which is payable by the agent to the Board for rendering stevedoring and shore handling services;
 - (l) “shore handling activities” include arranging and receiving the cargo or container to or from the hook point, intra port transportation from wharf to stack yard and *vice-versa* and also receiving and delivery of cargo or container from or to wagons or trucks or barges or conveyors;
 - (m) “stevedoring activities” include all operational activities involving workmen and equipment on-board the vessels in respect of loading and unloading of goods on or from vessels at jetties, berths, wharfs, piers, quays, docks or anchorages belonging to or under the control of the Board including hooking and unhooking on-board for import and export cargo and includes stuffing or destuffing of containers;
 - (n) “tariff authority” means the Tariff Authority for Major Ports constituted under section 47A of the Act;
 - (o) “traffic manager” means the officer in charge of the traffic department of the Kolkata Dock System under the Kolkata Port Trust and includes his deputies and assistants or any other officer acting under his authority;
 - (p) words or expressions used herein and not defined, but defined in the Act, shall have the same meaning as assigned to them in the Act.
3. Application. - These regulations shall apply to the stevedoring activities on-board and shore handling activities on shore undertaken by the agent within the limits of the port, but shall not apply to such activities undertaken by the Board, either directly or through contractor, or by any person with whom Public Private Partnership agreement or Build-Operate-Transfer agreement or such other agreement as has been entered into by the Board.
4. No person to undertake stevedoring or shore handling activities without licence - No person shall undertake stevedoring and shore handling activities in the port unless he has been issued a valid licence under these regulations:
Provided that a person to whom licence has been issued prior to the coming into force of these regulations may continue to operate under the existing licence for a period of sixty days or till he obtains a licence under these regulations, whichever is earlier.
5. Criteria for issue of licence - A licence for carrying out the stevedoring and shore handling activities may be issued to an applicant who fulfills the following criteria, namely:-
 - (a) the applicant is a company registered under the Companies Act, 2013 (18 of 2013) or a partnership firm or any other legal entity;

- (b) the applicant has employed or submits an undertaking to employ at least six supervisory personnel possessing minimum of two years' of experience in cargo handling or stowage planning:
Provided that such supervisory personnel shall not be on the pay roll of another company or be an employee of any other employer or deployed by the applicant in any other ports;
- (c) the applicant possesses equipment, gears and attachments required for stevedoring and shore handling activities, as specified by the Board:
- (d) the applicant is willing to deposit an interest-free refundable security deposit of rupees five lakh, or as the Board may fix, from time to time, to meet any contingency.
6. Issue of licence.- (1) Any person who desires to obtain a licence under these regulations for carrying out the stevedoring and shore handling activities may, at any time, submit an application online in the format available on the website of the Board, or in writing to the Chairman in Form-A, along with the documents specified therein and a fee of rupees one lakh or such higher fee, as the Board may fix, from time to time.
- (2) If the Chairman is satisfied that the applicant fulfills the criteria specified under regulation 5, he may issue licence to the applicant in Form-B or otherwise communicate the order of refusal to the applicant.
- (3) The licence shall be issued under sub-regulation (2) on payment of security deposit specified in clause (d) of regulation 5.
7. Validity and renewal of licence:- (1) The licence issued under regulation 6 shall be valid for a period of three years from the date of issue of licence unless otherwise specified.
- (2) An application for renewal of licence may be submitted in Form-A, at least three months prior to the expiry of the licence, along with the documents specified therein and a fee of rupees one lakh or such higher fee, as the Board may fix from time to time, and in case of delay, a late fee of rupees fifty thousand or such other late fee, as may be fixed by the Board.
- (3) The licence is liable to be renewed if the applicant fulfills the following conditions, namely:-
- (a) has complied with the terms and conditions of the licence;
- (b) has handled a minimum amount of cargo or containers per annum, as the Board may fix, from time to time;
- (c) has complied with the performance standards notified by the tariff authority;
- (d) has complied with the safety norms and such compliance has been certified by the Inspector appointed under the Dock Workers (Safety, Health and Welfare) Act, 1986 (54 of 1986) in the report submitted to the Chairman.
- (4) If the Chairman is satisfied that the applicant has fulfilled the conditions specified in sub-regulation (3), he may renew the licence for a further period of three years unless otherwise specified, or otherwise communicate the order of refusal to the applicant:
- Provided that where the report of the Inspector referred to in clause (d) of sub-regulation (3) is not submitted before the date of expiry of the licence, the Chairman may, if he is satisfied that the applicant fulfills all other conditions specified in sub-regulation (3), renew the licence for a further period of three years unless otherwise specified, subject to the agent executing an Indemnity Bond in Form-C:
- Provided further that in case there is an adverse report from the Inspector, the license may be suspended or cancelled.
- (5) In the event of loss or defacing of the original licence, a duplicate licence may be issued if an application in this behalf is made to the Chairman on payment of rupees fifty thousand or such other amount, as the Board may fix from time to time
8. Performance Standards and tariff for Stevedoring and shore handling activities- (1) The Board shall from time to time specify the performance standards to be followed by the agents for carrying out stevedoring and shore handling activities in the port.
- (2) The Board may, for the purpose of encouraging compliance with the performance standards specified by it, fix incentives for the agents and specify penalty for non-performance and may publish monthly summary of performance achieved by the agents on its website.
- (3) The tariff authority shall, on the basis of performance standards specified by the Board under sub-regulation (1), fix and notify tariff separately for mechanised and manual operations of stevedoring and shore handling activities in the port and such tariff shall be the ceiling rates applicable in the port.
- (4) While notifying the tariff under sub-regulation (3), the tariff authority shall also notify the performance standards specified by the Board under sub-regulation (1).
- (5) No agent shall charge tariff exceeding the ceiling rates notified by the tariff authority.
- (6) One or more Nodal Officer shall be appointed by the Chairman for -

- (a) ensuring compliance of the stevedoring and shore handling tariffs by the agents;
 - (b) examining complaints received on violation of tariff notification or imposition of higher charges than the ceiling rates: and
 - (c) submitting report to the Traffic Manager or General Manager (Traffic), as the case may be, on the contraventions committed by any agent.
9. Payment of Royalty. - (1) The Board shall, in respect of the licence issued by it, charge a royalty as the licence fee on percentage basis of the ceiling tariff, which will be fixed by the Board from time to time, and no discrimination shall be made in charging such royalty for the same type and quantity of cargo handled by the agents.
- (2) Every agent shall be liable to pay royalty in advance, prior to calling of the vessel, on the basis of import general manifest quantity, in case of import, and on the basis of the quantity declared by the vessel's agent or exporter or export general manifest, in case of export, and the actual royalty payable shall be calculated after completion of the vessel's operation based on the total quantum of cargo handled by the agent.
 - (3) The difference in amount of royalty, if any, shall be payable within ten days from the date of completion of vessel and in case of delay in payment of royalty, interest shall be payable as specified in the scale of rates of the port:
 - (4) The Board may consider the waiver of royalty, in following circumstances, namely:-
 - (a) relief cargo handled during the natural calamities;
 - (b) defence cargo handled during the emergencies and war like situations;
 - (c) if such direction is issued by the Government.
10. Duties and responsibilities of agents — Every agent shall perform the following duties and have the following responsibilities, namely,-
- (a) submit to the traffic department of Kolkata Dock System and Haldia Dock Complex, as the case may be, a daily performance report online;
 - (b) comply with applicable safety norms specified under any law for the time being in force in relation to his activity;
 - (c) indemnify the Board against all third party claims arising out of his operations;
 - (d) ensure that the casual workers deployed by him are covered by the insurance policy and other benefits under applicable law;
 - (e) if any gear, plant, infrastructure or any other property of the Board is damaged in the course of stevedoring and shore handling operations, he shall compensate the Board for such loss or damage, the extent of which shall be decided by the Chairman or his authorised officer after carrying out a proper enquiry and valuation of the property and extent of damage;
 - (f) ensure compliance with the terms and conditions of the licence;
 - (g) achieve the performance standards fixed by the Board from time to time;
 - (h) shall pay all the dues of the port including charges for services availed from the registered cargo handling workers and the interest as specified in the scale of rates;
 - (i) shall publish the tariff charged by it, which shall not exceed the ceiling rates fixed by tariff authority, and upload the same on its website:
 - (j) ensure publication of its tariff on the website of the Board;
 - (k) impart training on a periodical basis in modern methods of cargo handling to the personnel deployed for stevedoring and shore handling activities for improving the productivity, efficiency and safety in stevedoring and shore handling activities;
 - (l) the agent shall deploy necessary equipment adhering to Statutory Norms and as specified by the Board, and carry out the operations with the gears or equipment owned or hired by him;
 - (m) the agent shall be solely responsible for accident or damage or loss or claims resulting from or arising out of operations performed by him;
 - (n) whenever the Board is required to pay compensation to any of its employees or workers or his dependents under the provision of the Workmen's Compensation Act, 1923 or any other statute as in force at the relevant period, in consequence of any accident arising out of and during the course of work performed by any agent or any of his employee or worker, the agent shall reimburse to the Board the sum so paid for such purpose;

- (o) the agent shall communicate promptly any information relating to the stevedoring and shore handling activities undertaken by him or matters related therewith, as and when called for by the authorized representative of the Board;
- (p) the agent shall carry out adequate supervision over the workers employed by him in order to ensure maximum productivity consistent with the requirement of safety;
- (q) the agent shall ensure that the workers are available at the worksite throughout the shift period except during the recess hours, and render the desired output and take effective steps to improve the performance whenever the output falls below the stipulated norms;
- (r) the agent shall ensure ancillary arrangements such as, sweeping, filling, stitching, repairing, vessel's stenciling, lashing and delashing of cargo, stacking and storage of cargo, required for cargo operation on-board the vessels as well as on shore, as the case may be and ancillary services shall not be separately charged, but shall be included in the stevedoring and shore handling rates notified by the tariff authority.
- (s) the agent shall not assign, transfer and in any manner part with any interest or benefit in or under the licence to any other person.
11. Duties of Traffic Manager or General Manager (Traffic).- (1) The traffic manager or General Manager (Traffic), as the case may be, shall be responsible for monitoring and ensuring compliance of the terms and conditions of the licence issued to the agents and also of the safety norms to be followed by such agents.
- (2) In case of any default in the compliance of the terms and conditions of the licence or in following of the safety norms by any agent, the Traffic Manager or General Manager (Traffic), as the case may be, shall, in the event of first such default, cause a warning to be issued to such agent and in the event of subsequent defaults, submit a report to the Chairman stating details of non-compliance and recommending penal action to be taken against the agent, including cancellation of the licence and forfeiture of security deposit.
12. Deployment of workers of Board, Dock Labour Board, licence holder or other sources — Existing practice of deploying workers of Port and/or Dock Labour Board by agents shall continue. The agent shall deploy the workers of the Port and/or Dock Labour Board in accordance with the law for the time being in force and in case the Port and/or Dock Labour Board is unable to supply the workers as sought for by the agent, the Port and/or Dock Labour Board may allow the agent to make its own arrangement.
13. Suspension and cancellation of licence- (1) The Chairman may review the performance of the agents every month and in case he deems it necessary, he may, by an order in writing, and for reasons to be recorded, suspend or cancel the licence issued by him on any of the following grounds, namely:-
- (a) the average performance falls below the performance or productivity norms for consecutive three vessels handled by them;
- (b) has been charging tariff higher than the ceiling rates approved by the tariff authority;
- (c) has been handling cargo less than the volume as specified in clause (b) of sub-regulation (3) of regulation 7, consecutively for a period of two years;
- (d) has been convicted by the Court for an offence involving moral turpitude;
- (e) has contravened safety regulations and failed to comply with the mandatory dock safety measures;
- (f) has failed to adopt proper and safe handling methods:
- (g) has been guilty of misrepresentation or misstatement of material facts;
- (h) has been adjudged insolvent or is in liquidation;
- (i) has transferred the licence or sub-contracted with any other person for operating the stevedoring and shore handling activities;
- (j) has failed to comply with security rules, instructions or International Ship and Port Facility Security Code;
- (k) has failed to submit daily performance report;
- (l) has indulged in illegal or corrupt practices;
- (m) has been guilty of misconduct which in the opinion of the Board, warrants cancellation or suspension of licence;
- (n) has any outstanding dues payable to port:
- Provided that no such licence shall be cancelled or suspended until the holder of the licence has been given a reasonable opportunity for showing cause why his licence should not be cancelled or suspended on such ground.
14. Appeal - A person, who is aggrieved by the order of refusal to issue of licence under regulation 6 or by the order of refusal to renew licence under regulation 7 or by the order of suspension or cancellation under

regulation 13, may prefer an appeal to the Central Government within thirty days of the receipt of the order appealed against.

15. Refund of security deposit - The security deposit is liable to be refunded to the agent, after making adjustments of the claims of the Board, if any, in the following circumstances, namely:-

- (a) on the expiry of the period of licence and no application has been made for renewal;
- (b) on the refusal of the application for renewal of licence;
- (c) on cancellation of licence; and
- (d) if the agent desires to foreclose the licence issued to him and makes an application in writing to the Chairman for foreclosure and refund of security deposit.

[F.No. Pt. 11033/73/2013-PT]

KAILASH KUMAR AGGARWAL, Jt. Secy.

FORM – A

KOLKATA PORT TRUST

APPLICATION FORM FOR THE GRANT OR RENEWAL OF STEVEDORING AND SHORE HANDLING LICENCE under the *Kolkata Port Trust (Stevedoring and Shore Handling License) Regulations, 2020*

1. Name of the applicant :
2. Whether the applicant is a Company registered under the Companies Act, 2013 or a partnership firm or has any other legal entity and Memorandum of Association of the Company, other applicable documentary proof to be attached). :
3. Full Address for communication:
4. Applicant's PAN No. or TIN No :
5. Contact number of applicant :
6. Name of the person to be contacted and mobile no :
7. E-mail and fax No. of applicant :
8. Period for which licence is required :
9. Name(s) of the Steamship Company or Charterer of Ships or Owner of Cargo, with whom the contract for stevedoring and shore handling operation of their vessel or cargo subsists or is proposed to be entered. :
(Proof of Contract for the period covered is to be appended. The approximate tonnage for each party is to be indicated) :
10. Previous experience in the stevedoring activities and shore handling activities:
(enclose proof of the cargo and tonnage handled in the previous three years)
11. whether the applicant has financial ability to meet the obligation on account of wages, compensation under Workmen's Compensation Act'1923 etc. :
(a certificate from the Bankers as to the financial ability and Income Tax clearance to be produced)
12. Whether the applicant has or willing to acquire adequate gears or equipment for undertaking stevedoring and/or shore handling operation of the contracted vessel or cargo as may be specified by expard.
(enclose list of equipment and gears with safety certificate):

13. Whether the applicant has willing to have in his employment, atleast six supervisory personnel with minimum two years of cargo handling or stowage experience for undertaking stevedoring and shore handling and conversant with rules, regulations and statutes. :

(A list of the staff with their profiles and work experience is to be furnished.)

14. Whether the applicant has cleared all dues in respect of earlier transactions, if any, with the Board (enclose copies of no dues certificate from the concerned authorities of the Board). :

15. (a) Whether the application fee and Security Deposit have been deposited; and
(b) In the event of issue of licence, whether the applicant is willing to pay security deposit:

(The receipt for the payment is to be attached. The license fee and the deposit will be refunded if the licence is not issued or renewed)

16. Self-certification (to be attached) :
from the Director/ CEO/ Partner(s)/ Proprietor of the Stevedoring and Shore Handling firm in letterhead with signature and seal that he/she/they has/have not been convicted by the Court of any offence involving moral turpitude and sentenced in respect, thereof, to imprisonment for not less than six months, and if so a period of five years has elapsed from the date of expiry of the sentence

17. In case of renewal of licence, enclose safety clearance certificate granted by inspector of dock safety.
If not, enclose duly executed original indemnity bond as in Form-C.

- I/We affirm on behalf of that the particulars submitted above are true to the best of my knowledge, and belief.
- I/We agree on behalf of to pay the royalty amount as would be specified by Kolkata Port Trust for undertaking stevedoring and/or Shore handling operations at Kolkata Port Trust and any other charges as per the KoPT Stevedoring and Shore Handling License) Regulations
- I/We agree on behalf of to furnish any information/produce any record for inspection as may be required to consider the request for grant of Stevedoring and Shore Handling Licence.
- I/We agree on behalf of to abide by the Kolkata Port Trust (Stevedoring and Shore Handling License) Regulations, 2020, as amended from time to time and to comply with the directions given by Kolkata Port Trust from time to time, if the licence is issued/renewed in my/our favour.
- I/We, hereby declare that, I/We shall charge the rates for services rendered not exceeding the ceiling rates notified by the tariff authority.

Place :

Date :

**Signature of applicant
with office seal**

FORM-B**The Board of Trustees for the Port of Kolkata*****Licence for undertaking stevedoring and shore handling Operation at KoPT***Issued under *Kolkata Port Trust (Stevedoring and Shore Handling License) Regulations, 2020**Not Transferable*

License No. : _____

1. Name of the Licensee

2. Address.....

3. Period for which the licence is granted
from.....to

4. Any other particulars required to be mentioned

.....

Licensing Authority -----

Designation -----

Date:

Place -----

(SEAL)**CONDITIONS**

This licence is granted subject to the provisions of the Major Port Trust Act 1963 (38 of 1963) and Kolkata Port Trust (Stevedoring and Shore Handling License) Regulations, 2020, as amended from time to time

Every Stevedoring and Shore Handling Agent shall be subject to the duties, obligations and responsibilities imposed by the Kolkata Port Trust (Stevedoring and Shore Handling License) Regulations, 2020, as may be revised from time to time, and more specifically the following:

- a) The Stevedoring and Shore Handling Agent as well as all its staff and workers engaged for undertaking Stevedoring and Shore Handling Operation and work incidental thereto will ensure compliance with the provisions of the Dock Workers (Safety, Health and Welfare) Act, 1986 and the Dock Workers (Safety, Health and Welfare) Regulations, 1990 and notifications issued thereunder, the Industrial Disputes Act, 1947, the Minimum Wages Act, 1948, Payment of Bonus Act, 1965, provisions of EPF, ESI and any other law/statutes relating to such operations or labour and equipment at the time of being in force.
- b) The Stevedoring and Shore Handling Agent shall deploy necessary equipment as will be specified by Kolkata Port Trust and carry out the operations with the gears/equipment owned or hired by them;
- c) The Stevedoring and Shore Handling Agent shall be solely responsible for any accident or damage or loss or claims resulting from or arising out of operations performed by them;
- d) The Stevedoring and Shore Handling Agent shall comply with all accepted safe practices/norms during operations performed by them;

- e) The Stevedoring and Shore Handling Agent shall indemnify the Board against all third party claims arising out of operations performed by them;
- f) Whenever Kolkata Port Trust has to pay compensation to any of its employees or workers or his dependents under the provision of the Workmen's Compensation Act, 1923, in consequence of any accident arising out of, and during the course of, work performed by a Stevedore or Shore Handling Agent or any of its employee/worker, the Stevedoring and Shore Handling Agent shall reimburse the Board any sum so paid for any such purpose. The quantum of compensation as determined under the Workmen's Compensation Act, 1923, shall be taken as binding and conclusive between Kolkata Port Trust and the Stevedoring and Shore Handling Agent;
- g) If any gear or equipment, plant and other property of the Kolkata Port Trust is damaged in the course of any such operation, the Stevedoring and Shore Handling Agent shall compensate Kolkata Port Trust for such loss or damage, the extent of which shall be decided by the Chairman or his authorised Officer after carrying out a proper enquiry and valuation of the property or extent of damage;
- h) The Stevedoring and Shore Handling Agent shall communicate promptly any information relating to the Stevedoring and Shore Handling activities undertaken by them or matters related therewith as and when asked for by the authorised representative of Kolkata Port Trust.
- i) The Stevedoring and Shore Handling Agent shall carry out adequate supervision over the workers employed by him in order to ensure maximum productivity consistent with the requirements of safety;
- j) The Stevedoring and Shore Handling Agent shall provide all the necessary gears/ equipment duly tested & certified by the Competent Authority for handling different types of cargo;
- k) The Stevedoring and Shore Handling Agent shall produce the necessary annealing and test certificates for gears / equipment deployed by them for periodic inspection or as and when demanded by the Inspector, Dock Safety or the Traffic Manager/ General Manager(Traffic);
- l) The Stevedoring and Shore Handling Agent shall provide the workers necessary Personal Protective Equipment (PPE) and safety appliances, appropriate for the type of cargo;
- (m) The Stevedoring and Shore Handling Agent shall ensure that the workers are available at the worksite throughout the shift period, except during the recess hours and render the normal output and shall take effective steps to improve the performance whenever output falls below the stipulated norms. If he is found failing repeatedly on performance suitable penalty will be imposed and will be increased progressively.
- (n) The Stevedoring and Shore Handling Agent shall make adequate arrangements for ancillary operations such as sweeping, filling, stitching, repairing, vessel's stencilling, securing and breaking of cargo, stacking & stowage of cargo, etc required for cargo operation on board the vessels as well as on-shore, as the case may be; These ancillary services shall not be separately charged and shall be inclusive in the Stevedoring and Shore Handling Rates notified by Tariff Authority for major Ports.
- (o) The Stevedoring and Shore Handling Agent shall ensure that all dues of Kolkata Port Trust are paid within the specified days failing which the license may be liable to be cancelled under these regulations and licence shall not be considered for renewal if any amount payable to Kolkata Port Trust remains outstanding.
- (p) Stevedoring and Shore Handling agents shall remit in advance the royalty to KoPT prior to calling of the vessel, on the basis of IGM quantity in case of Import and in case of export on the basis of the quantity declared by the vessel's agent or exporter and the actual royalty payable will be calculated after completion of the vessel's operation based on the total quantum of cargo handled by the Stevedoring and Shore Handling Agent and the difference in amount, if any, shall be payable by the Stevedoring & Shore Handling Agent within 10 days from the date of raising of the bill(s) and in the event of non-payment of the differential amount within the stipulated period interest will be levied on the outstanding dues as specified in the Scale of Rates.
- (The discounts and deferments, if any, offered to its principals or amounts if any not collected by such Agent for any reason whatsoever in respect of the Stevedoring and/or shore handling services under these Regulations, shall not be recognised for the purpose of calculation of dues of Kolkata Port Trust on account of royalty.)
- q) The Stevedoring and Shore Handling Agent shall undertake to pay to workers engaged by him from Kolkata Port Trust, wages in accordance with the terms of wage settlement arrived at

- between the Central Government and the Federations of Port and Dock workers from time to time or at the rates fixed by Kolkata Port Trust for the purpose;
- r) The Stevedoring and Shore Handling Agent shall not assign, transfer or in any manner part with any interest or benefit in or under the licence to any other person;
- s) The Stevedoring and Shore Handling Agent shall comply with all Rules and regulations of Kolkata Port Trust and such instruction as may be issued from time to time by the Traffic Manager/General Manager(Traffic) in the interest of safety, improvement in productivity and labour discipline.
- t) Whenever casual workers are deployed, Stevedoring and Shore Handling Agent should ensure that such workers are covered by Insurance Policy.
- u) The Stevedoring and Shore Handling Agent shall achieve the performance norms fixed by Kolkata Port Trust.
- v) The Stevedoring and Shore Handling Agent shall publish their tariff along with breakup in their websites and in the website of Kolkata Port Trust and the charges leviable shall not exceed the ceiling rates prescribed by Tariff Authority for major ports.

ACCEPTANCE

I/We accept this Stevedoring & Shore Handling License issued to me/us on this day the _____ under the terms and conditions stated as above.

Date: _____ Signature: _____
 (Office Seal) Name & designation _____
 Address _____
 Contact No. _____

Witness to the signature:

- 1.
- 2.

FORM-C

Format of Indemnity Bond for renewal of Stevedoring & Shore Handling Licence, pending submission of Safety Clearance

(To be furnished in Stamp paper as per stamp Act)

(Present not less than ₹ 500/- stamp paper)

This deed of Indemnity executed by hereinafter referred as 'Indemnifier' which expression shall, unless repugnant to the context or meaning thereof, include its successors, administrators, representative and assignees in favour of Kolkata Port Trust, hereinafter referred to as the 'Indemnified' which expression shall unless repugnant to the context of meaning thereof, include its successors and assignees witnesses us to.

Whereas the indemnified herein has awarded to the Indemnifier herein a **Licence for undertaking stevedoring & shore handling operations at Kolkata Port Trust** on terms and conditions set out inter-alia in the Licence no. as well as the Licence valued at ₹. (Rupeesonly)

And Whereas, clause of the above mentioned Licence provides **for renewal of Stevedoring and Shore Handling Licence Pending submission of Safety Clearance** for guarantee to comply with other remaining provisions of the Kolkata Port Trust (Stevedoring and Shore Handling License) Regulations, 2020 for a period of (Calendar months from the date of renewal of Licence)

The indemnifier hereby irrevocably agrees to indemnify the indemnified that in the event of the indemnifier (stevedoring and shore handling agent) fails to undertake stevedoring & shore handling operations with sufficient precaution against any untoward incident or occupational hazards violating extant safety norms of Inspectorate of Dock Safety (IDS) for protecting the life and property of Kolkata Port Trust and of the port user

agencies, the indemnifier shall reimburse to the Kolkata Port Trust the entire amount towards any compensation/claim/damage cost which may be caused by it to any person and / or property of KoPT and to make good KoPT's claim in respect of any and all damages so caused by it or its personnel / equipment / gears to any Port property and/or in respect of his obligations emanated from the Licence already referred.

This indemnity shall be in force upto the date of validity of the license.

Name :

Designation :

WITNESS

1. (Name with address)
2. (Name with address)

SURITIES

1. (Name with address)
2. (Name with address)

ANNEXURE-II

SYAMA PRASAD MOOKERJEE PORT, KOLKATA
Type of Equipment as per Clause 5(c) of Kolkata Port Trust (Stevedoring and Shore Handling Licence) Regulations, 2020

For Bulk Cargo

| Sl. No | Cargo Group | Stevedoring Operation | | Shore Handling Operation And Receiving Delivery | |
|--------|-------------|-----------------------|------------|---|--------------------------------|
| | | Gear | Equipment | Gear | Equipment |
| 1. | Bulk Cargo | Grab | Pay loader | - | Pay Loader , Dumper, Excavator |

For Break-bulk Cargo

| Sl. No. | Cargo Group | Stevedoring Operation | | Shore Handling Operation And Receiving Delivery | |
|---------|------------------|------------------------------|-----------|---|---|
| | | Gear | Equipment | Gear | Equipment |
| 1. | Break Bulk Cargo | Slings, Spreader, grab, hook | Fork Lift | Slings, Spreader, grab, hook | Trailer/Trucks Cranes/ Reach Stackers, Log grabber and excavator |

N.B.

- 1 In addition to above, the Agent has to arrange special equipment, if required to handle any special cargo, project cargo, etc.
2. SWL of the gear and equipment should be commensurate with type of cargo handled.
3. Adequate numbers of gears and equipment should be deployed by the agent for the cargo to be handled.

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

G.No. 77

New Delhi,

26 February, 2018

NOTIFICATION

In exercise of the powers conferred by Section 48 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby disposes of the proposal received from Kolkata Port Trust (KOPT) for determination of upfront tariff for stevedoring and shore handling operations at Kolkata Dock System (KDS) at KOPT, as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports
Case No. TAMP/80/2016-KOPT

Kolkata Port Trust

...

Applicant

QUORUM

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

ORDER

(Passed on this 19th day of January 2018)

This case relates to the proposal received from Kolkata Port Trust (KOPT) for determination of upfront tariff for stevedoring and shore handling operations at Kolkata Dock System (KDS) at KOPT.

2.1. The Ministry of Shipping (MOS) has issued the guidelines for determination of upfront tariff for Stevedoring and Shore Handling Operation to all Major Port Trusts. In this backdrop, the KOPT has come up with a proposal in reference vide its letters dated 21 November 2016 and 05 December 2016.

2.2. The KOPT while deciding the productivity/ upfront tariff for stevedoring and shore handling operations at KDS has reported to have considered the following:

- (i). Norms provided in the Guidelines could not be adopted for fixation of the tariff as KDS is a riverine port. Due to river draft as well as lock gate, vessels of limited size with limited parcel load can arrive. The norms have been computed based on the local operational conditions and limitations of KDS.
- (ii). The information on hire rates for equipment and labour have been obtained from the stevedores/shore handling agents/labour contractors working in KDS in writing and in some cases verbally also. [A statement on the information collected and the source is furnished by KOPT.]
- (iii). The lowest available equipment hire rate as provided by the different stevedores/handling agents at KDS has been considered. However, in case of Trailers and Dumpers for shore handling, the hire rates received from them appear to be on higher side. In case of these two equipment hire rates considered by HDC in their proposal for upfront tariff have been considered, factoring an escalation of 20%, due to less utilisation at KDS.
- (iv). On-board labour deployment has been considered for handling various commodities as per norms prescribed in the guidelines provided. In absence of any hire rates for such on-board labour other than the CDLB rates being available, the CDLB rates have been considered.
- (v). In respect of labour for shore handling, Clause 4.5.7 of guidelines has been considered where norm of estimation of labour cost is 10% of equipment cost in case of break-bulk and 5% of equipment cost in case of bulk. However, in case of handling of bagged cargo, since no equipment is used for shore handling, the aforesaid norm could not be used. For handling of bagged cargo, per Tonne rate for deployment of labour, as available in the market at KDS has been considered.
- (vi). In case of Project cargo material/packages requiring specialized slings and attachments/ equipment, the stevedoring and shore handling agents may require additional cost for deployment of the same. Since these extra costs are project/package specific, it cannot be assessed for fixation of upfront tariff/ceiling rates. The same has been considered for additional levy by the stevedores and handling agents as a conditionality in the tariff proposal.

- (vii). Food-grain usually comes as bulk at KDS and is bagged and stitched either on-board or on shore which is also a part of the services provided by the Stevedoring and Shore Handling Agents. As service for bagging and stitching apparently does not fall under the services rendered by port under Sec.42(1) of MPT Act, cost for such service has not been considered in fixation of the proposed upfront tariff/ceiling rates.
- (viii). Although there are no guidelines for fixation of upfront tariff/ ceiling rates for stevedoring at anchorages, the KOPT has prepared the same based on information collected verbally. It is understood that vessels at anchorages usually does not work during the night and the labour is supplied by pool controlled by local Unions at a per ton rate basis. At the anchorages, mostly bulk, some bagged cargo and logs are being discharged onto barge for transportation to both Kolkata and Haldia Docks, Inland Vessel Wharf points and also directly to the consignees like NTPC. It is also understood that grabs for discharge are mostly being provided by the vessel and usually no equipment is required to be taken by the Stevedores working on board. Accordingly, ceiling rates have been computed and proposed by KOPT.

Besides, some container handling at anchorages had taken place. However, the information on hire cost for labour and equipment, if any, for such operation is yet to be received. Therefore, the upfront tariff/ceiling rates for the same could not be proposed by the KOPT in this proposal. A proposal on the same will be submitted shortly on receipt/collection of the information by KOPT.

- (ix). At KDS, considerable quantity of bulk cargo/bags/logs/containers are being discharged/shipped from/to barges. In absence of adequate data on non standardised equipment being deployed for loading / unloading of barges, no norms for barge handling could be proposed by KOPT. Therefore, a ceiling rate has been proposed based on limited information of shift output. The productivity norms for barge unloading is required to be fixed after considering the position adopted in other ports. The KOPT seeks the advice of the TAMP.
- (x). The KOPT has undertaken shipment of General Export Cargo, Steel and Project Cargo through barge. Coal is the principal bulk cargo handled by barges through KDS other than food-grain. In order to keep a ceiling rate for other dry bulk cargo, the same has been included with the coal category.

Finished Fertilizer in bulk has not yet been handled at KDS. However, in order to keep a ceiling rate for finish Fertilizer in bulk, the same has been included with Fertilizer Raw Material in bulk.

- (xi). The stevedoring and shore handling upfront tariff/ceiling rates for handling Ro-Ro vessels is to be fixed. But in absence of any norm for labour and manpower requirement in the form of drivers, mechanics, electricians, signallers etc. and their hire rates, the same could not be proposed by KOPT. Therefore, the TAMP may consider fixation of said rates on the basis of rates fixed for any other Port.
- (xii). The calculation of proposed Normative Tariff/ Ceiling Rates for Stevedoring and Shore Handling Operations is furnished by KOPT.
- (xiii). General conditionalities of the Guidelines for Stevedoring and Shore Handling Operations has not been incorporated in the proposal by KOPT. TAMP may take a common position applicable for all the Ports.

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

- “(i). Stevedoring and Shore Handling Agents working at KDS, who has been issued license for undertaking such work under KOPT (Stevedoring and Shore Handling) Regulations, 2016 shall not levy charges exceeding the following rates:

(a). For stevedoring on-board ship at Berth

(i). Dry Bulk Cargo

| Sl. No. | Cargo Group | Rates per Tonne (In ₹.) |
|---------|---|-------------------------|
| 1. | Fertilizer & Fertilizer Raw Materials | 102.24 |
| 2. | Coal (All types) | 77.46 |
| 3. | Iron Ore, Iron Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 63.37 |
| 4. | Limestone, Dolomite, Clinker, Clay, Sand & other Dry Bulk Cargo | 83.35 |
| 5. | Salt | 81.58 |

(ii). Break Bulk Cargo

| Sl. No. | Cargo Group | Rates per Tonne (In ₹.) |
|---------|--|--------------------------|
| 1. | Bagged cargo | 175.11 |
| 2. | Jumbo Bags | 160.84 |
| 3. | Iron & Steel – Coils & Slabs | 151.74 |
| 4. | Iron & Steel - Pipes, Tubes & Plates | 121.43 |
| 5. | Timber Logs | 153.18 |
| 6. | Container (Laden/Empty) at Non-MHC Berth | 392.42 (Rate per TEU) |
| 7. | Mixed General Cargo including project cargo, machinery and machinery parts | 248.01 |
| 8. | Coastal Mixed General Cargo | 280.17 |

(b). For stevedoring on-board ship at Anchorage

(i). Dry Bulk Cargo

| Sl. No. | Cargo Group | Rate per Tonne (In ₹.) |
|---------|------------------|------------------------|
| 1. | Coal | 26.90 |
| 2. | Food Grains | 27.04 |
| 3. | Sugar | 28.03 |
| 4. | Other Bulk Cargo | 27.10 |

(ii). Break Bulk Cargo

| Sl.No. | Cargo Group | Rate per Tonne (In ₹.) |
|--------|--------------|------------------------|
| 1. | Bagged Cargo | 51.94 |
| 2. | Log | 35.78 |

Note: Stevedoring for the purpose of (A) & (B) above, includes loading and unloading and stowage of cargo in any form on-board the vessels in port.

(c). For shore handling operation

(i). Dry Bulk Cargo

| Sl.No. | Cargo Group | Rate per Tonne |
|--------|-------------|----------------|
|--------|-------------|----------------|

| | | (In ₹.) |
|----|---|---------|
| 1. | Fertilizer & Fertilizer Raw Materials | 62.72 |
| 2. | Coal (All types) | 128.61 |
| 3. | Iron Ore, Iron Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 102.22 |
| 4. | Limestone, Dolomite, Clinker, Clay, Sand & other similar Dry Bulk Cargo | 146.53 |
| 5. | Salt | 152.38 |

(ii). Break Bulk Cargo

| Sl.No. | Cargo Group | Rate per Tonne (In ₹.) |
|--------|--|------------------------|
| 1. | Bagged cargo | 92.40 |
| 2. | Jumbo Bags | 163.63 |
| 3. | Iron & Steel – Coils & Slabs | 139.95 |
| 4. | Iron & Steel - Pipes, Tubes & Plates | 165.98 |
| 5. | Timber Logs | 173.93 |
| 6. | Container (Laden & Empty) at Non-MHC Berth | 1031.80 |
| 7. | Mixed General Cargo including project cargo, machinery and machinery parts | 204.75 |
| 8. | Coastal Mixed General Cargo | 241.47 |

Note : (a). Shore Handling for the purpose of (C) above, except for Fertilizer Raw Material includes, arranging and receiving the cargo to/from the hook point, intermodal transport from wharf to stack-yard within port premises and vice versa.

(b). For Fertilizer Raw Material, shore handling will cover only loading of cargo unloaded at the wharf on to trucks for going directly to consignee premises or vice versa.

(d). **For shore handling operation including loading/unloading of cargo to/from Barge at Wharf/Berth**

| Sl.No. | Cargo Group | Rates per Tonne(In ₹.) |
|--------|---|------------------------|
| 1. | Food Grain discharged in Bulk and bagged for stacking | 223.38 |
| 2. | Food Grain (Bagged) | 277.76 |
| 3. | Logs | 462.33 |
| 4. | Coal (All types) and other Bulk Cargo | 222.85 |
| 5. | Other Bagged Cargo | 238.45 |
| 6. | Container (Laden & Empty) in TEUs | 2063.80 |

Explanations –

(i). The above rates do not include Calcutta Dock Labour Board charges payable by the Stevedores under Calcutta Dock Workers (Regulation of Employment) Scheme, 1970 and Calcutta Dock Clerical & Supervisory (Regulation of Employment) Scheme, 1970.

(ii). For container exceeding 20 ft rates shall be levied at 1.5 times of TEU rate.

(iii). In case Shore Handling Operation of Bagged cargo involves transfer of cargo from wharf/berth to shed/stacking point other than berth back up shed and vice versa additional shore handling charge of ₹ 30.20 per tonne will be levied.

- (iv). In case of project material/packages requiring specialized slings and attachments/equipments, the stevedoring and shore handling agents may levy additional charges on actuals, subject to consignee/consignor agreeing to the same for which confirmation has to be submitted to Port disclosing the rates before the actual operation.
- (ii). Stevedoring and Shore Handling Agents working at KDS, who has been issued license for undertaking such work under KOPT (Stevedoring and Shore Handling) Regulations, 2016 shall comply with the following **productivity norms**:

(a). For stevedoring on-board ship at Berth

(i). Dry Bulk Cargo

| Sl. No. | Cargo Group | Norms in Tonnes per Hook per Shift |
|---------|---|------------------------------------|
| 1. | Fertilizer & Fertilizer Raw Materials | 375 |
| 2. | Coal (All types) | 495 |
| 3. | Iron Ore, Iron Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 605 |
| 4. | Limestone, Dolomite, Clinker, Clay, Sand & other Dry Bulk Cargo | 460 |
| 5. | Salt | 470 |

(ii). Break Bulk Cargo

| Sl. No. | Cargo Group | Norms in Tonnes per Hook per Shift |
|---------|--|------------------------------------|
| 1. | Bagged cargo | 160 |
| 2. | Jumbo Bags | 240 |
| 3. | Iron & Steel – Coils & Slabs | 515 |
| 4. | Iron & Steel - Pipes, Tubes & Plates | 270 |
| 5. | Timber Logs | 225 |
| 6. | Container (Laden/Empty) at Non-MHC Berths | 60 TEUs |
| 7. | Mixed General Cargo including project cargo, machinery and machinery parts | - |
| 8. | Coastal Mixed General Cargo | - |

(b). For Shore Handling

The Stevedoring and Shore Handling Agent shall clear all cargo and its residuals from wharf/berth within the time limit mentioned below from the time of completion of vessel/barge operation –

| | |
|----------------------|---------|
| For Dry Bulk Cargo | 6 Hours |
| For Break Bulk Cargo | 2 Hours |

In case the Stevedoring and Shore Handling Agent fails to comply with the above timeline for removal of all cargo and its residuals (except bulk fertilizer raw material which is delivered direct from berth), a penalty @ ₹.1,000/- per hour shall be levied by the Port for the period after expiry of the timeline mentioned above till removal.”

2.4. Along with the proposal, the KOPT has also furnished the following:

- (i). The estimation of norms for determination of upfront tariff for stevedoring and shore handling operation at KDS of KOPT.
- (ii). Classification of cargoes under the bulk and break bulk cargoes following Government guidelines.
- (iii). The calculated productivity for Dry-bulk Cargo and Break Bulk Cargo for the vessels worked at K.P.Dock and N.S.Dock.
- (iv). Details of type and capacity of equipment to be deployed for handling dry bulk cargo and break bulk cargo between ship and shore at KDS.
- (v). Details of for estimation of equipment hire cost for dry bulk cargo and break bulk cargo stevedoring operation at KDS.
- (vi). Details of for estimation of labour cost for dry bulk cargo and break bulk cargo stevedoring operation at KDS.
- (vii). Details of for equipment on hire basis for shore handling operations of dry bulk cargo under different handling methods.

3. The KOPT has also sought clarification on the following points.

- (i). At Para 2.4 of the Guideline for determination of upfront tariff, it is mentioned that the upfront tariff and performance standards notified by TAMP will be required to be mentioned in the bid document and subsequently in the agreement in respect of the operator. This Para apparently appears to be not at par with the Stevedoring and Shore Handling Policy for Major Ports issued by the MOS in June, 2016. In the Policy, no bidding process has been prescribed at Para 4 where the process of issuance of license for stevedores and shore handling agents have been prescribed.
- (ii). At KDS, the Stevedores are required to book gangs from Calcutta Dock Labour Board (CDLB) for stevedoring operations on-board the ships at docks for which they have to pay charges to CDLB as per their tariff framed and approved by its Board from time to time. However, neither the manning pattern of CDLB is at par with the norms prescribed by the National Tribunal Award for labour deployment nor CDLB is providing the stipulated manning as per their own Regulations due to shortage of manpower. Stevedores are required to supplement manpower as per their requirement for carrying on-board operations for which there is no rebate/discount in the CDLB tariff payable by them. Therefore, clarification is required in the background of Para 2.9 & 3.5.7 of the Guideline for fixation of Normative Tariff. In the meantime, for fixation of upfront tariff, charges payable to CDLB has not been considered, instead it has been provided as an additional levy by the stevedores along with the proposed ceiling rates.
- (iii). Para 2.8 states the TAMP and Major Port Trusts should comply with the policy direction set out by the Government from time to time like coastal cargo/container etc. which have bearing on the determination of tariff. This provision needs to be reviewed as cross subsidization between coastal cargo and foreign cargo may not be possible by the stevedores and shore handling agents as individuals as because there may be stevedores who operate only on specific categories and even limited to coastal cargo only. In case of tariff of Ports and BOT Operators, the foreign rates are increased to cross subsidize the coastal traffic. Accordingly, pending clarification, concessional tariff for coastal cargo has not been considered for arriving at the proposed ceiling rates.
- (iv). No Guidelines for fixation of upfront tariff for receipt and delivery of cargo/ container at/ from stack yard have been provided, although as per definition provided in Stevedoring and Shore handling policy for Major Ports, receiving and delivery of cargo from/to wagons/truck have been included in Shore Handling. In absence of

Guidelines for fixation of tariff as stated, the normative tariff/ceiling rates proposed for shore handling excludes receiving and delivery of cargo from/to wagons/truck at/from stack yard. Necessary Guidelines is to be issued for fixation of upfront/ceiling tariff for receipt and delivery of cargo/container at/from stack yard.

(v). Clause 2.11 states that before commencement of stevedoring and/or the shore handling operation, the operator will approach TAMP for notification of Scale of Rates (SOR) containing the ceiling rates of the stevedoring and shore handling charges and performance standard as required under section 48 of MPT Act, 1963. It needs to be clarified whether all stevedoring and shore handling agents who will be issued license under the new Regulation framed by KOPT as per requirement under Stevedoring and Shore Handling Policy for Major Ports issued by MOS, Govt. of India will have to approach TAMP individually for notification of their SOR containing same ceiling rates already approved by TAMP for Stevedoring and Shore Handling Agents for undertaking the said activities.

(vi). As per Clause 1.3 of the Guidelines, the Guidelines will be applicable for authorisation to undertake stevedoring and shore handling activity under section 42(3) of MPT Act. The said section states “notwithstanding anything contained in this section, the Board may, with the previous sanction of the Central Government, authorise any person to perform any of the services mentioned in sub section (1) of such terms and condition as may be agreed upon”.

The stevedoring and shore handling license will be issued by KOPT in terms of newly drafted KOPT (Stevedoring & Shore Handling Licence) Regulations, 2016 framed as per the Policy issued by the MOS, Government of India. It needs to be clarified that before issuance of such licence under the Regulation to any Stevedoring and Shore Handling Agents, previous sanction of the Central Government is a pre-requisite for above authorisation as required under section 42(3).

(vii). In the Guidelines, no norm for anchorage discharge (involving on board operation) and barge handling (involving barge unloading and shore handling) has been provided. However, at KDS an attempt has been made to fix the ceiling rates for the said operations which has been proposed herewith. It needs to be clarified whether there is requirement for fixation of upfront tariff for work at anchorages and barge unloading, both these activities are presently not covered under CDLB Regulation.

(viii). Para 2.10 provides guidelines for annual indexation of tariff caps upto 60% of the variation in Wholesale Price Index (WPI). However, Para 7.1 allows 100% WPI indexation instead of 60% WPI indexation prescribed at Para 2.10 from the 2nd year of operation on achievement of performance standards for each of the commodities notified along with the upfront tariff. It appears that it will be allowed in respect of each stevedoring and shore handling agent subject to their achieving the performance norms mentioned thereat. Thus, it may happen that in future the ceiling rates for all the stevedoring and shore handling agents may not be at par, and will depend on the indexation allowed on the tariff cap to individual stevedores and shore handling agents. If required, TAMP may like to review and clarify the position further.

(ix). At KDS, other than Container Terminal, stuffing/ destuffing of containers are being done by the stevedores and is regulated by manning scheme of Calcutta Dock Labour Board and is required to pay necessary CDLB charges. In the Policy as well as Guidelines issued, stuffing/ destuffing activities undertaken by stevedoring and shore handling agents have not been considered. It needs to be clarified, if ceiling rates for such activities is required to be fixed, then suitable guidelines may be issued.

4. In accordance with the consultative procedure prescribed, a copy each of the KOPT letters dated 21 November 2016 and 5 December 2016 was forwarded to the concerned users/ user organizations/ Stevedore associations vide our letter dated 13 December 2016, seeking their comments. Some of the users / user organisations / stevedore associations have furnished their comments. The said comments were forwarded to the KOPT as feedback information. The KOPT

has responded to the comments of the users / user organisations / stevedore associations vide its letter dated 05 January 2017.

5.1. A joint hearing in this case in reference was held on 25 January 2017 at the KOPT premises in Kolkata. At the joint hearing, the KOPT made a brief power point presentation of its proposal. The KOPT and the users have made their submissions, at the joint hearing.

5.2. Subsequent to the joint hearing, the Master Stevedores Association (MSA) vide its letter dated 04 February 2017 has furnished its additional comments. These comments were forwarded to KOPT. We have not received the response of KOPT till passing of this Order.

6.1. In the meantime, considering that the proposal is under consultation and as it may take some more time to dispose of the case and keeping in view that the MOS has directed this Authority for immediate action, this Authority granted adhoc approval to the upfront tariff for stevedoring and shore handling operations and Performance Standards as proposed by the port as an interim arrangement, pending fixation of final rates by this Authority, after completion of the consultation process. Accordingly, this Authority had passed an Order dated 8 February 2017. This Order has been notified in the Gazette of India Extraordinary (Part III Section 4) on 1 March 2017 vide Gazette No. 79. A copy of the said Notification and Order has been communicated to KOPT and all the concerned users/ user organisations vide our letter dated 7 March 2017.

6.2. Subsequent to passing of the above referred Order, some of the users/ stevedore associations have given their additional comments. These comments were forwarded to KOPT. The KOPT has responded vide its letter dated 27 March 2017.

7. Based on a preliminary scrutiny of the proposal, the KOPT was requested to furnish additional information/ clarifications on some points vide our letter dated 6 July 2017. After reminder, the KOPT has responded under cover of its letter dated 25 September 2017. The information/ clarification sought by us and the response of KOPT thereon are tabulated below:

| Sl. No. | Information/ clarification sought by TAMP | Response of KOPT |
|---------|--|---|
| 1. | <u>GENERAL:</u> | |
| (i). | <p>The KDS of KOPT has raised some issues for review/ clarifications. One of them relates to ceiling rates for receiving and delivery of cargo from/ to wagon/ truck at/ from stack yard. Irrespective of non-availability or availability of guidelines, ceiling rates for this activity may have to be fixed by the Authority, if this activity falls under the Section 48 read with Section 42(3) of the Major Ports Act., 1963. The HDC has proposed rates for this activity.</p> <p>In this connection, reference is invited to the notes in Annex C IX of KDS proposal dated 21 November 2016, wherein it is mentioned that equipment utilisation in respect of Reach Stackers (RST) and Mobile cranes is considered at 75% and 50% for shore handling and that the same equipment will be utilised for the receiving and delivery operations. In view of this position, the KDS to examine to consider 100% utilisation of requisite equipment covering the delivery and receipt operations at stack yard and propose a composite ceiling rate to cover all activities of Shore handling as including receipt and delivery operations, as defined in the Stevedoring and Shore Handling Policy, 2016.</p> | <p>The Board of Trustees of KOPT has already approved upfront tariff for delivery / receiving and the same was sent to TAMP vide letter no. Fin/392/B dated 1.8.2017 for consideration.</p> <p>Composite rate for shore handling in case of container and coastal cargo by including delivery and receiving operation as proposed by the Authority may not be appropriate as the same Reach Stacker / Mobile Crane is being used at the stack yard for delivery and receiving of container/ cargo of different vessels simultaneously. Therefore, the Authority is requested to consider the upfront tariff for delivery / receiving separately as proposed by KDS of KOPT.</p> |

| | | |
|--------|---|--|
| (ii). | <p>Another issue raised by KDS of KOPT is fixation of tariff for anchorage discharge (involving on-board operations) and barge handling (involving barge unloading and shore handling). The KDS of KOPT has asked whether there is a requirement for fixation of upfront tariff for work at anchorage and barge unloading. However, the KDS of KOPT has proposed upfront tariff for these two activities. The KOPT is requested to clarify what is the present tariff arrangement for these activities. If the activities fall under Section 48 read with Section 42 (3) of the Major Ports Act., 1963, the tariff may have to be fixed by the Authority whether guidelines/ norms are available or not. The KDS of KOPT to examine. If no norms are available for fixation of tariff for the two activities, the intention of KDS in proposing these tariff items to be clarified.</p> | <p>The present tariff arrangement for operation at anchorage and barge at port is between the vessel agent/ charterer/ importer/ exporter and the stevedoring handling agents. It either involves Port labour or DLB labour. Labour from private pools are being used by the stevedores and handling agents for anchorage and barge operations and it is given to understand that for such deployment the stevedores are required to pay on per Ton basis irrespective of number of labour deployed (and not on per labour basis). Accordingly, in the KDS proposal, cost of labour for both anchorage and barge operations, has been considered on per Ton basis in absence of any guidelines on norms being provided in the Guidelines for determination of Upfront Tariff for Stevedoring and Shore Handling Operations. The stevedoring operations at anchorages and barge handling at KDS presently can be undertaken by stevedores and handling agents respectively having stevedoring license and handling license issued by KOPT. In view of the above position, although no norms are available for fixation of tariff for the same has been proposed by KDS.</p> |
| (iii). | <p>With regard to celling tariff for Ro-Ro Vessels, in the absence of the norms, the KDS of KOPT has stated that TAMP may consider fixation of rates on the basis of rates fixed for any other Port. In this regard, it is to state that none of the Major Port Trusts whose proposal is with us for prescription for charges for Stevedoring and Shore handling operations has proposed upfront rates for handling Ro-Ro vessels. In view of this position, the KDS of KOPT to examine the matter and propose suitable rates. The calculation in support of the said rates also to be furnished.</p> | <p>The information on labour cost, norms and other costs for stevedoring and shore handling operations for Ro-Ro vessels are not available. As such, the Authority was requested to fix the rate as followed in other ports. It seems other ports where Ro-Ro vessels are being handled regularly have not proposed any Stevedoring and Shore Handling rates. However, as advised action is being initiated to collect the information as could be made available. The upfront rates for handling of Ro-ro vessel can only be submitted once the requisite information for the same are collected.</p> |
| (iv). | <p>The KDS of KOPT, in its proposal dated 21 November 2016 has mentioned that, at the Container MHC berths, i.e. at 4 NSD, 5 NSD and 8 NSD, gear less ships are stevedored by KOPT through a contractor viz. M/s Bharat Kolkata Container Terminal Pvt Limited (BKCT) appointed by KOPT. The entire container operation including ship loading/ unloading, lashing/ unlashing, yard management and shore handling operations is reported to have been outsourced to M/s BKCT on 10 year contract. Further, the shore handling operations at berths viz. 3 NSD and 7 NSD is entrusted to M/s BKCT. In this regard, KDS of KOPT to clarify the following Points:</p> <p>(a). The tariff arrangement for the operation carried by M/s BKCT at the said Berths.</p> | <p>The clarification /information requested are as follows –</p> |

| | | |
|-----------|--|--|
| | (b). The Authority under which the M/s BKCT has been authorised to render services at the said berths. | (a). KDS pays to M/s BKCT as per the contractual rate for different services. From the container agents KDS recovers the tariff as per SOR approved by TAMP. (b). BKCT was appointed through tendering process and their appointment was approved by the Board of Trustees. |
| (iv). | The existing SOR of KOPT prescribes a composite box rate for container covering wharfage, basic container handling services of ship to shore transfer, movement between berth and yard and lift off at yard. Charges are also prescribed for lift on for delivery or lift off at Yard during receiving / delivery. In the event, the rates for Stevedoring and Shore handling operations for the containers are approved, it is felt that the container handling rates for containers as prescribed in KOPT SOR may require suitable modification to this effect. The KOPT to examine the matter in detail. | The matter has been examined. Presently, there may not be any requirement of modification of KOPT's SOR as the composite rates as applicable only where are provided by KDS, either by itself or through its service provider. The upfront tariff proposed for container is for berths not served by Port but by private stevedores/ handling agent. However, KOPT will revert back to the Authority if there is requirement of any such modification. |
| (v). | In response to this Authority's email dated 25 March 2016, KOPT vide letter no. Fin/493/B dated 5 December 2016 has stated that a copy of the Draft proceedings of the Trustees held on 30 November, 2016 along with the approval of the Chairman for the proposal in reference has been forwarded. As seen from the draft proceeding of the Trustees' 3 rd meeting held on the 30 November 2016 enclosed to the KOPT's letter dated 5 December 2016, the approval of the Chairman is not seen on the item relating to Determination of Upfront Tariff for Stevedoring & Shore Handling Operation at Kolkata Dock System. The KOPT to furnish final copy of the Board Resolution approving the proposal in reference. | A copy of Resolution R/126/KDS/TFC/03/11/2016 dated 30.11.2016, ratifying the draft proposal on fixation of upfront tariff for Stevedoring and Shore handling operation by Agents authorized by KDS is furnished by KOPT. |
| (vii). | The cost of bagging and stitching operations is reported to have not been considered by KOPT in the calculation of ceiling rates on the ground that such services may not come under the list of services as listed under Section 42 of the MPT Act. In this regard, it is relevant to mention here that based on a proposal received from V.O. Chidambaranar Port Trust, Visakhapatnam Port Trust and Cochin Port Trust, the Authority has in the past fixed upfront tariff for the bagging operations (bagging operations forms part of the overall handling operations) under Upfront Tariff Guidelines of 2008. The KOPT to examine non consideration of bagging and shifting operations in the proposed ceiling rates. | The bagging and stitching operations has never been undertaken, by port labour, nor the said services have been included in the list of services which the Board have power to undertaken as mentioned under Sec.42 of MPT Act. There is no mention of any other services in respect of goods, which however is mentioned in respect of vessels [Sec 42(1)(e)]. In view of the aforesaid position, the cost of bagging and stitching operations have not been considered as such services are apparently not mandated to be undertaken by the Board under Sec 42 of MPT Act. The authorization under Sec 42(3) is for services mentioned at Sec 42(1). |
| 2. | Productivity Norms (Stevedoring & Shore handling operations) | |
| (i). | The Productivity Norms proposed by KOPT are not in line with the norms prescribed in the Guidelines of Stevedoring & Handling Policy for the Major Ports, 2016. In this connection, the KOPT has mentioned that due to operational constraints of KOPT being riverine port and | The basis/ method of calculation have already been mentioned for Dry Bulk Cargo and Break Bulk Cargo. However, details of arriving at norms is furnished by KOPT. |

| | | |
|-----------|---|---|
| | <p>with age old infrastructure, the norms prescribed in the guidelines could not be achieved. The KOPT has reported to have proposed productivity norms for each of the cargo item considering last three years performance at KOPT and further improved by 10%. In this connection, it is not clear as to how from the details of the ships as furnished by at Page 18 and Page 19 of the proposal, the KOPT has arrived at the productivity per hook per shift in respect of the Dry Bulk Cargo at Annex-III and Break Bulk cargo at Annex-IV, though the method of calculation has been described. The KOPT to therefore, furnish the detailed working and basis for calculating productivity norms for each of the items covered under Dry Bulk Cargo and Break Bulk Cargo.</p> | |
| (ii). | <p>KOPT has considered new two cargo items viz. Mixed General cargo including Machinery & Project cargo and Coastal Mixed General cargo in the proposal. In this regard, KOPT to examine whether the said cargo items can be grouped in the commodity group prescribed in the Annex-II of the Stevedoring and Shore Handling guidelines. Further, KOPT to also list down the commodities which are being classified under the head "Mixed General cargo including Machinery & Project cargo" and "Coastal Mixed General cargo" separately.</p> | <p>"Mixed General cargo including Machinery and Project cargo" is meant for cargo other than coastal. However, for more clarity, "Coastal Mixed General Cargo" may be described as "Coastal Mixed General Cargo including Machinery and Project Cargo". Any break-bulk cargo not falling under any specified group of cargo for which upfront tariff / ceiling rates have been fixed will fall in the cargo group of "Mixed General Cargo including Machinery and Project Cargo" and "Coastal Mixed General Cargo including Machinery and Project cargo" as the case may be. The List of "Mixed General Cargo including Machinery and Project Cargo" and Coastal Mixed General Cargo" has already been provided in 'Classification of commodities for upfront tariff determination at KDS-break bulk cargo.</p> |
| 3. | Deployment of Equipment: | |
| (i). | <p>In respect of handling of Dry Bulk Cargo, as against 5T Dozer/ Excavator as stipulated in the Guidelines, the KOPT has proposed deployment of a Payloader for all cargo items. The reasons for the same to be explained.</p> | <p>Unlike other ports, handling of dry bulk cargo is very limited at KDS. Here only pay loaders are being used by the stevedores and handling agents as and when required. It is therefore felt to consider pay loaders for all practical purposes.</p> |
| (ii). | <p>In respect of handling Iron and Steel (Coils and slabs) and Iron and Steel (Pipes, Tubes, Plates), as against 30T DFLT for each cargo, the KOPT has proposed deployment of 20T DFLT and 5T DFLT respectively. The reason for the same to be explained.</p> | <p>Steel coils and slabs are being handled at KDS very occasionally. As per information gathered from the market, 30T DFLT is not available in Kolkata for handling of cargo in port. As such equipment has been considered taking on its availability at KDS for port operation.</p> |
| (iii). | <p>The reason for proposed deployment of log grab sling to handle Timber logs instead of 10T Log Grabber Stipulated in the Guidelines to be explained.</p> | <p>For log handling, log grab sling with ship's crane is used for on-board operation and for shore handling log grabber is used. Accordingly, log grab sling has been considered for on-board operation and 10T log grabber has been considered for shore handling. It may be mentioned that log grabber is not used inside the hatch.</p> |

| | | |
|---------|---|--|
| (iv). | Though the Guidelines do not stipulate deployment of any equipment to handle containers, the KOPT has proposed deployment of a spreader. The reason for the same to be explained. | Container from / to vessels handled by ship's crane are required to have container spreader attached to ship's crane as per safety norms. The proposed container rates are for ship's crane handling and therefore the hire cost spreader has been considered. |
| (v). | The no. of hooks per shift in respect of ship shore equipment as well as hatch working equipment for both Dry Bulk Cargo and Break Bulk Cargo as considered by KOPT is seen to be less as compared to the norms in the Guidelines. This deviation to be justified. | The vessels visiting KDS berths are having two/ three hatches only and generally carries cargo less than its capacity because of draft restrictions of this riverine port. As such the operational modalities and parameters set in the Guidelines, which are comparable/ applicable to other sea-ports may not be applicable for KDS. The number of hooks per shift as considered by KDS has been derived from the actual average hooks per shift for each cargo group over a three year period. As already explained in the "Estimation of norms for determination of upfront tariff for stevedoring and shore handling operations at KDS at KOPT" submitted with the draft proposal, size and parcel load of vessels entering KDS is severely restricted by river draft and lock size and is not at all comparable to other ports. Dry Bulk Cargo vessel hardly visit KDS. |
| (vi). | Budgetary Quotations in support of the Hire charges of each equipment to be deployed to be furnished. | Equipment's are to be deployed by Stevedoring and Shore Handling Agents and not the Port. Rates as available from Stevedores and Handling Agents are furnished by KOPT. |
| (vii). | In respect of Dry Bulk Cargo, the reason for not proposing handling by Method no. 1,2,3 and 5 in respect of Fertilizer Raw Materials and Method no. 1,2,3 and 4 in respect of all other Dry Bulk Cargo items for the Shore handling operations to be explained. | As already stated against point 3(v) Dry Bulk Cargo vessels hardly visit KDS. The very few which come, work by Method No.5 as facility for other methods (1,2 & 3) is not currently available at KDS Method five is not allowed for operational reasons (non-timely clearance of cargo from jetty) except Fertilizer Raw Materials which is allowed to work by Method no. 4 only to avoid pollution issues after ensuring timely clearance. |
| (viii). | Even the equipment profile envisaged to be deployed by KOPT for shore handling operation for each of the dry bulk cargo and break bulk cargo item does not match with the equipment profile stipulated under the relevant method in the Guidelines. The KOPT to justify the deviation in the equipment deployment pattern for each of the cargo item. | As already stated against point 3(v), the operational modalities and parameters set in the Guidelines, which are comparable applicable to other sea-ports may not be applicable for KDS. As such, there is some mismatch in the equipment capacity and quantity used for shore handling operation at KDS in tune with local operational requirements and availability. However, the type of equipment does not seem to be in variance with those given in the Guidelines. |
| (ix). | In respect of calculation of shore handling charges for Project Cargo, the KOPT has stated that hire charges of specialized trailer has not been considered for calculation of ceiling rates, though it may be required. In this connection. The KOPT to capture the hire cost of specialized trailer in the tariff. The hire cost to be supported by documentary evidence. | The stevedoring and shore handling agents may levy additional charges on actuals in case shore handling for project material packages requiring specialized slings and attachments/ equipment's subject to consignee/ consignor agreeing to the same for which confirmation has to be submitted to port disclosing the rates before the actual |

| | | |
|-----------|--|---|
| | | operation. As stated, such additional charge would be as per mutual agreement and case specific, depending upon the requirements of specialized slings and equipment's/ attachments. The cost of such specialized slings and attachments are generally project specific and can neither be estimated nor in a position to fix any rate for |
| 4. | Labour Cost: | |
| (i). | Though the Stevedoring and Shore handling guidelines do not stipulate deployment of a Tindal (Leader), it is understood that deployment of Tindal would be essential for the Stevedoring Operation. In view of the above position, the KOPT to examine considering the labour cost of Tindal also in the labour cost for all cargo items under Dry Bulk Cargo. | The Guidelines had specifically stated that 'The labour deployment for handling various commodities shall be only as per the norms prescribed by the National Tribunal Award. The norms for deployment of labour for Stevedoring operations from the National Tribunal Award are provided under Annex-VIII for various commodities. These norms and any other norms specifically given for a port shall be followed for calculation of labour cost'. KDS has considered the deployment of labour as per Annex-VIII of Guidelines. There is no provision for Tindal in the Guidelines. However, since TAMP has advised to re-examine, the matter has been examined and the cost of Mate (Leader) of CDLB has been taken into cost and the proposed upfront tariff for stevedoring of Dry Bulk has been accordingly modified and furnished by KOPT. |
| (ii). | The basis to consider deployment of 1 no of Tindal, 1 no. of Signalman, 4 no. of Mazdoors and 1 no. of Equipment operator in respect of handling each of Mixed General Cargo incl Project and Machinery and parts and Coastal Mixed General Cargo to be explained. | In absence of any specific guidelines KDS has considered the deployment of labour as in case of other break-bulk cargo like Bagged Cargo and Jumbo Bags in Annex-VIII of the Guidelines in order to arrive at labour cost for Mixed General Cargo including Project and Machinery and parts and Coastal Mixed General Cargo. The cost on per shift basis as provided in the guideline could not be followed as stevedoring cost as well as CDLB levy at KDS are on per Ton basis only. |
| (iii). | Furnish documentary evidence in support of CDLB rates considered for estimation of labour cost. | Rates as provided by CDLB is furnished by KOPT. |
| (iv). | Since the Guidelines do not include stuffing Stuffing/ De-stuffing activities involving the Container, the KOPT has requested TAMP to issue suitable guidelines. In this regard, it is to state that Stuffing / De-stuffing of containers is one of the activities involved in the Shore Handling operations for containerised cargo. The KOPT has proposed upfront tariff for rendering shore handling operations in respect of a container by considering the required man power and equipment for performing entire shore handling operation. The labour cost has also been considered as prescribed in the guidelines. In this backdrop, KOPT is requested to confirm whether the cost towards stuffing / de-stuffing would be in addition to the cost of labour / equipment already covered | The stuffing/ de-stuffing activities is a distinct activity independent of the normal shore handling operations for containerized cargo which involve handling of load/ empty box only. Hence, cost towards stuffing/de-stuffing would be in addition to the cost of labour/ equipment already covered under the tariff for shore handling operation of containers. Further, as advised by TAMP action is being taken to capture the cost towards stuffing/ de-stuffing and the proposal for upfront tariff for the said operation will be sent once the information are available. |

| | | |
|-----------|---|--|
| | under the tariff for Shore handling operation of containers. If so, the cost towards stuffing / de-stuffing to be suitably captured and included in the tariff. The necessary calculation alongwith documentary evidence also to be furnished. | |
| (v). | In the calculation of labour cost for Stevedoring Operations for Break Bulk Cargo, the KOPT has stated that in the absence of rate for Tindal provided by CDLB, the lowest wage rate of Mazdoor has been considered. Since the Tindal is (Leader) supervising the operation, it may not be appropriate to consider the lowest wage rate of Mazdoor. The KOPT to consider suitable rate for Tindal and the same to be supported by documentary evidence. | AS the rate of Tindal was not available with CDLB, the rate of the Mazdoor was considered then. Now the matter has been reviewed and the wage of the Mate who is the leader of the Mazdoor gang has been considered for fixing the rates. The proposed upfront tariff for stevedoring of Break-Bulk has been accordingly modified and furnished by KOPT. |
| 5. | Operation at Anchorage Points and Barge Loading/ Unloading. | |
| (i). | <p>The KOPT has proposed rates for Stevedoring on board ship at Anchorage Point and Shore handling operation including Loading/ Unloading of cargo to / from Barge at wharf / Berth on the ground of working at anchorage points, due to draft and size restrictions. As there are no specific norms with regard to productivity parameters, equipment requirement and labour deployment for the Anchorage Points and Barge Loading/ Unloading in the guidelines, KOPT has assessed the productivity norms considering the Average output + 10% enhancement. In this backdrop, the KOPT to clarify / furnish the following:</p> <p>a) Rationale of adopting the 10% enhancement over the average output for arriving the productive norms.</p> <p>b) Detailed calculations and basis for arriving at the proposed productivity norms for each of the cargo item for handling at Anchorage and for Barge operations separately.</p> <p>c) Actual output achieved during the last three years for Anchorage and Barge</p> | <p>ISO policy of KDS envisages an annual increase of cargo throughput at 5%. Here, in calculation of productivity norms, KDS has used the data of previous three years. So to arrive at the productivity norms, the average output has been considered with an increase of 10% (the mean increase) as the validity of the license as per policy is three years.</p> <p>As in all other categories, in order to arrive at ceiling tariff for Anchorage discharge and Barge operation the output has been considered as Average output+10% enhancement.</p> <p>KDS has not proposed any productivity norms for Anchorage discharge and Barge operation at port. This is due to the fact that at anchorages, vessels generally work in day light condition in fair weather only and generally there is no shift concept of work. As such the cost of labour at anchorages is on per Ton basis. Accordingly, for fixing the proposed upfront tariff at anchorage, per Ton labour cost has been considered.</p> <p>The Authority may appreciate that KDS being a riverine port with restricted draft has to</p> |

| | | |
|-------|--|---|
| | <p>operations separately, for each of the cargo item.</p> <p>d) A note listing out specific activities covered by the tariff proposed for the Anchorage Point and for Barge operations may be included in the proposed SOR.</p> | <p>handle bigger vessels at anchorage and barge handling contributes substantially in total cargo handling at KDS. However, anchorage and barge handling do not follow any norms of output, deployment of labours which are being provided by the private labour contractors as per availability of labour with them. As such, labour cost are being levied by such contractor on per Ton basis and not on per labour per shift basis. At anchorage works take place generally during daylight in fair weather. As such, KDS while proposing any productivity norms for handling at anchorages and barge operation at docks, the actual output for Anchorage discharge and Barge operation at port for 2015-16, which is readily available has been furnished by KOPT. In case the Authority still likes to have the information pertaining to other years, it may be furnished in due course.</p> <p>Activities covered under Anchorage and Barge operation are as follows:</p> <p>(i). At anchorage points – Stevedoring activities cover discharging cargo from ships in to barge or vice versa.</p> <p>(ii). At barge loading / unloading points at port – Unloading of cargo from barges to quay and removing them to the adjacent stacking point or vice versa. (Bagging and stitching operations either on-board or on shore has not been considered.)</p> |
| (ii). | <p>As seen from the Annex- C-XII, the equipment proposed to be deployed for Barge Handling at berth are seen to be equipment used for Stevedoring operations. That being so, it is not clear how the nomenclature of tariff specified in the draft SOR is prescribed as “Shore Handling operation including loading/ unloading of cargo/ from Barge at Wharf/Berths”. Therefore, KOPT to clarify whether the Barge Handling at Berths will come under the purview of Stevedoring operations or Shore Handling Operations. This tariff item may have to be unbundled into stevedoring activity and shore handling activity. Further, in the Shore Handling activity, the method (Method 1 to 4 of Annex-X of guidelines) of shore handling operations envisaged to deliver the cargo to the consignee/ moved to the stack yard may be specified, and the proposed rates may be modified suitably to reflect the method of handling envisaged. The workings in this regard also to be furnished.</p> | <p>Barge handling operations at berths involve unloading of cargo and removing the same to the adjacent stacking point or vice versa. At KDS it is a combined operation and is done by operators having Handling Agency license only. Stevedoring license is not presently required for such operations.</p> <p>The shore based equipment like Mobile Cranes have been considered for discharge from barges which is not in case of Stevedoring activities of the vessel where use of ships crane has been considered. Further equipment considered for on-board stevedoring activities of the vessel were not considered on the case of barge handling (barges do not require on-board handling equipment's).</p> <p>As stated, the barge operation is combined in nature and presently done under Handling Agency licence only (unlike vessel operation, where on-board operation requires Stevedoring License and on-shore operation requires Handling Agency licence). Considering the seamless nature of operation done by one agency, it may not be</p> |

| | | |
|-----------|--|---|
| | | possible from an operational point of view to unbundle the on-board and on-shore operations in case of barge unloading/loading. |
| (iii). | In addition to the tariff proposed for the Shore handling operations including loading/unloading of cargo to/ from barges at wharf/ berth, a rate of ₹. 130.20 per tonne has been proposed to be levied for Bagged cargo involved in transfer from wharf/berth to stacking point other than backup shed and vice versa. As seen from the Annex-C XIII of the proposal, the rate of ₹.130.20 per tonne is worked out considering the transportation and labour cost at the rate of ₹.50 per tonne and ₹. 27.50 per tonne respectively. In this regard, KOPT to analyse the type and number of equipment required for above mentioned activity and arrive at the equipment hire cost based on the hire charges data available with port. The equipment hire cost, so arrived at to be validated to justify the transportation cost considered in the proposal. | For all operation involving shore handling of bagged cargo, labour contractors and transport equipment suppliers provide labour / transport on per Ton basis and there is no labour manning and transport supply norms. The individual labour cost and individual transport equipment cost on per shift basis are not available at KDS. As such attempt has been made to arrive at the upfront tariff taking per Ton labour / transport equipment cost. The Authority is requested to consider the matter. |
| (iv). | Similarly, in the case of Labour cost, actual requirement of labour deployment may be analysed and cost of the labour for the activity to be arrived instead of considering 1.5 times of the labour cost for the entire shore handling activity. | As stated in (vi) above, at KDS, for on-shore handling operation of bagged cargo the labour contractor does not follow any norm for supply of labour and the cost of labour is being realized by them from the shore-handling agent on per Ton basis irrespective of number of labour deployed. In view of the aforesaid position 1.5 times of the labour considered as it involves additional activities of loading and unloading of lorries when the operation involves storage at sheds other than at shed adjacent to discharge berth. |
| 6. | Coastal Cargo | |
| (i). | Clause 2.8 of Stevedoring & Shore Handling Guidelines states that Major Port Trusts should comply with the policy direction set out by the Government from time to time like coastal cargo/ containers etc. One of the policy directions issued by the (then) Ministry of Shipping, Road and Transport and Highways (MSRTH) relates to concessional rate for coastal vessel and coastal cargo. As per para 3 (iii) and 5(2.2) of Order No. TAMP/4/2004–Genl. dated 7 January 2005 passed by the Authority based on the said policy direction of the MSRTH, the concessional tariff need to be prescribed for cargo handling charges at 60% of the rate for foreign for all the relevant handling charges i.e. ship-shore transfer and transfer from quay to storage yard including wharfage. The policy direction issued by the (then) MSRTH is uniformly applied at all the Major Ports and Private Terminal Operators governed under 2005, 2008 and 2013 guidelines while setting their tariff. The KOPT to, therefore, consider proposing separate concessional rate for coastal cargo as per the policy direction issued by the (then) MSRTH | In this regard, the KOPT has submitted Letter no. Fin/548/B/ dated 14.09.17 to the Ministry and enclosed as Appendix – H. [KOPT has sought advice of MOS on the applicability of Coastal concession on the cargo/ containers moving in a Coastal vessel from one Indian port to another Indian port and getting transhipped for onward voyage to a foreign port.] |

| | | |
|-------|--|--|
| | and as per clause 2.8 of the Stevedoring and Shore Handling Guidelines issued by the MOS, or a general note (as prescribed in the adhoc Order) may continue to be prescribed. | |
| (ii). | The port may suitably adjust the proposed rate (i.e. for foreign cargo) to consider the impact of coastal concession as done in the upfront and reference tariff cases. Furnish detailed working of the rate (to be) proposed indicating the share of foreign and coastal cargo to be furnished. | Letter no. Fin/548/B/ dated 14.09.17 submitted by the KOPT to the Ministry in this regard. |

8.1. In the meanwhile, the KOPT vide its letter dated 1 August 2017 has forwarded a separate proposal for fixation of upfront tariff for delivery and receiving operations as part of Shore handling operations undertaken by Stevedoring and Shore Handling agents at KDS and Stevedoring charges for container handling at anchorages. The main points made by KOPT are summarized below:

- (i). In the proposal submitted by KDS of KOPT for fixation of upfront tariff for the stevedoring and shore handling guidelines, even though the receiving and delivery operation from and to the storage point at yard/ shed fell under the definition of 'shore handling', no upfront tariff was proposed for the said operation then, in the absence of any directions in the said guidelines for determination of tariff for the said operation.
- (ii). As directed by the Board of Trustees of KOPT, the Ministry was appraised of the gaps in TAMP guidelines for fixation of upfront tariff which do not cover end-to-end all the activities involved in Stevedoring and Shore handling operations, leaving scope for levy of additional charges by the agents on importers/ exporters.
- (iii). In the meanwhile, the Haldia Dock Complex (HDC) of KOPT prepared a proposal for fixing upfront tariff/ ceiling rates for delivery and receiving operations at Haldia, which was approved by the Board in January 2017.
- (iv). Accordingly, a Committee comprising of Secretary, FA&CAO (i/c), Traffic Manager, Terminal Manager and Sr. Dy.CAO-I undertook a similar exercise for fixation of upfront tariff/ ceiling rates for delivery and receiving operations at KDS. [A copy of the Committee Report is furnished by the KOPT.]
- (v). In the absence of any guidelines/ norms for delivery/ receiving of cargo, the Committee has made the following observations:
 - (a). No standardized norm can be made for delivery or receiving of cargo since –
 - (i). Delivery/ receiving depends on the requisitions of the Importer/ Exporter.
 - (ii). Non-uniform supply of trucks for delivery/ receiving of cargo results in idling of equipment and labour
 - (iii). Segregation / aggregation of cargo at storage points based on consignee, line no., size, shape, weight etc.
 - (iv). Traffic restrictions imposed by city police of Kolkata for to and fro movement of heavy vehicles around KDS.
 - (b). Considering the above constraints, the Committee has made an attempt to find a co-relation between vessel handling norms and that of delivery/ receiving for different types of cargo.
 - (c). For dry bulk cargo, the norms for delivery/ receiving by road has been taken as 80% of the handling norm of stevedoring and shore handling activities, since dry bulk cargo does not require segregation of cargo during delivery and with regular transport for delivery/ receipt, a decent output can be achieved.

- (d). For delivery/ receiving dry bulk cargo by rail, the norms has been considered as 1800 MTs, which is equal to half rake loading capacity, since at KDS, at a time only a maximum of half rake loading facility is available. This is in line with the principle of delivery/ receiving by rail at HDC.
- (e). In case of break bulk cargo (except Timber logs, empty container and coastal general cargo), the norms for calculation of delivery/ receiving upfront tariff, 50% of handling norms of stevedoring and shore handling activities have been considered, as the same require segregation/ sorting and often multiple handling during loading. For delivery/ receiving of Timber log, 80% of the handling norms of stevedoring and shore handling activities have been considered, as delivery of log is considered to be totally mechanical process without human intervention, involving only equipment (log catchers). For delivery/ receiving of empty containers, 80% of the handling norms of stevedoring and shore handling activities have been considered, as delivery of empty containers involves little restacking. For delivery/ receiving of coastal general cargo, 100% of handling norms of stevedoring and shore handling activities have been considered, as on-board handling norm is very low.
- (f). Incase of delivery/ receiving of bagged cargo, which is a manual process at KDS, the upfront tariff has been prepared on the basis of per tonne private labour rate prevailing at KDS and obtained from labour contractors deployed by handling agents and registered at KDS.
- (g). For delivery/ receiving break bulk cargo by rail, no separate tariff has been proposed as very few break bulk consignments are being despatched/ arrived by rail (except bagged consignment). If there is any such movement, it is proposed to levy tariff at the rate of two times that of delivery/ receiving by road as multiple handling and transportation to wagon loading point is required.
- (h). For delivery/ receiving of bagged cargo by rail, tariff has been prepared on the basis of per tonne private labour rate prevailing at KDS. The cost of labour is assumed to be 1.5 times of labour cost for delivery operation by road as it involves additional handling and cost of transportation has been collected verbally as ₹ 50/- per tonne.
- (i). To arrive at the upfront tariff/ ceiling rates for delivery/ receiving, the percentage for calculation of shore handling rates have been taken as per TAMP's guidelines for labour cost, operational overheads, administrative overheads and margin.
- (j). Thus, the norms for different cargo for calculation/ fixation of delivery/ receiving rates are as follows:

| Cargo | Rail/ Road | Norms as %of handling norms of stevedoring activities | Remarks |
|--|-----------------------|--|--|
| Dry bulk | Road Rail | 80% 1800 MTs (half rake capacity) | These norms are for calculation purpose only and not the performance norms for delivery/ receiving. Norms for rail not applicable for Break bulk, Timber logs, Empty containers and coastal |
| Break bulk cargo (except Timber logs, empty container and coastal general cargo) | Road Rail | 50% -NA- | |

| | | | |
|-----------------|------------------|---|--|
| Timber logs | Road Rail | 80% -NA- | cargo, as these are very rarely handled by rail by handling agents at KDS. |
| Empty container | Road Rail | 80% -NA- | |
| Coastal | Road Rail | 100% -NA- | |
| Bagged cargo | Road Rail | Per tonne private labour rate prevailing at KDS 1.5 times of above | As per tonne labour rate is available at KDS, no norm is required to arrive at the per tonne rate. |

- (k). Based on the above considerations, calculation have been made to arrive at normative ceiling atriff for delivewry/ receiving operations at KDS. The cost of equipment, labour and Overheads has been considered the same as was done in the stevedoring and shore handling proposal.

8.2. Thus, the proposal of KOPT seeks approval for the following:

- (a). For delivery/ receiving of dry bulk cargo

- (i). By road

| Sl. No. | Cargo Group | Rates per tonne (In ₹) |
|---------|---|------------------------|
| 1. | Fertilizer & Fertilizer Raw Materials | - |
| 2. | Coal (All types) | 59.39 |
| 3. | Iron Ore, Iron Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 43.74 |
| 4. | Limestone, Dolomite, Clinker, Clay, Sand & other Dry Bulk Cargo | 67.67 |
| 5. | Salt | 70.37 |

- (ii). By rail

| Sl. No. | Cargo Group | Rate per Tonne (In ₹) |
|---------|---|-----------------------|
| 1. | Fertilizer & Fertilizer Raw Materials | - |
| 2. | Coal (All types) | 73.46 |
| 3. | Iron Ore, Iron Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 73.46 |
| 4. | Limestone, Dolomite, Clinker, Clay, Sand & other Dry Bulk Cargo | 73.46 |
| 5. | Salt | 73.46 |

- (b). For delivery/ receiving of break bulk cargo

- (i). By road

| Sl. No. | Cargo Group | Rate per Tonne (In ₹) |
|---------|--------------|-----------------------|
| 1. | Bagged cargo | 70.56 |
| 2. | Jumbo Bags | 96.25 |

| | | |
|----|--|---------|
| 3. | Iron & Steel – Coils & Slabs | 107.65 |
| 4. | Iron & Steel - Pipes, Tubes & Plates | 128.33 |
| 5. | Timber Logs | 72.57 |
| 6. | Container Laden at Non-MHC Berth (Rate per TEU) | 1078.00 |
| 6a | Container Empty at Non-MHC Berth (Rate per TEU) | 539.00 |
| 7. | Mixed General Cargo including project cargo, machinery and machinery parts | 157.50 |
| 8. | Coastal Mixed General Cargo | 123.20 |

(ii). By rail

| Sl. No. | Cargo Group | Rates per Tonne (In ₹) |
|---------|----------------------------|---|
| 1. | Bagged cargo | 189.84 |
| 2. | All other break bulk cargo | Two times rate of delivery/ receiving by road |

8.3. The KOPT has also furnished the approval of its Board of Trustees for the proposed rates.

9.1. In this regard, we have vide our letter dated 17 August 2017 brought to the notice of KOPT that since equipment utilisation in respect of Reach Stackers (RST) and Mobile cranes is considered at 75% and 50% for shore handling and that the same equipment will be utilised for the receiving and delivery operations, the KOPT was requested to examine to consider 100% utilisation of requisite equipment covering the delivery and receipt operations at stack yard and propose a composite ceiling rate to cover all activities of Shore handling including receipt and delivery operations, as defined in the Stevedoring and Shore Handling Policy, 2016, so as to have a comprehensive SOR for the entire stevedoring and shore handling operations at KDS.

9.2. In this connection, the KOPT while furnishing the additional information/ clarification sought by us, vide its letter dated 25 September 2017, has, interalia, stated that Composite rate for shore handling in case of container and coastal cargo by including delivery and receiving operation, may not be appropriate, as the same Reach Stacker / Mobile Crane is being used at the stack yard for delivery and receiving of container/ cargo of different vessels simultaneously. Thus, the KOPT has requested to consider the upfront tariff for delivery / receiving separately as proposed by KOPT.

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

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

- (i). The Ministry of Shipping (MOS) in June 2016 has issued Stevedoring and Shore Handling Policy for Major Ports, 2016, for fixation of normative tariff for carrying out of Stevedoring and Shore Handling operations, separately for mechanised and manual handling of dry bulk and break bulk cargo. Subsequently, the MOS in October 2016 has issued the Guidelines for determination of Upfront Tariff for Stevedoring and Shore Handling Operations authorised by Major Ports. In this backdrop, the Kolkata Port Trust (KOPT) has come up with a proposal for fixation of normative tariff for stevedoring and shore handling operations at the Kolkata Dock System (KDS) at KOPT. The proposal of the Port has the approval of its Board of Trustees.
- (ii). Before we move on to analyse the case, it is relevant here to mention that the Master Stevedores' Association (MSA) and Ripley & Co. Stevedoring & Handling Private Limited (RCSHPL) are of the view that stevedoring is not a Port Service under Section 42(1) of the Major Ports Act and that the Stevedores are also not authorized

persons as envisaged under Section 42(3) of the Act. As such, they have opined that neither the KOPT nor this Authority has legal standing to fix stevedoring and Shore handling tariff.

In this connection, the above said parties may note that as per the Stevedoring and Shore Handling Policy issued by the Government in the year 2016, the Stevedoring activity includes loading and unloading and stowage of cargo on board the vessels in Port and the Shore handling activity includes arranging and receiving the cargo to/ from the hook point, inter modal transport from wharf to stack yard and vice-versa and also receiving and delivering of cargo from/ to wagons/ trucks. The gamut of activities covered under the stevedoring and Shore handling operations are the activities listed under Section 42 of the Major Port Trusts Act, 1963, for which this Authority is mandated to fix tariff as per Section 48 of the Major Port Trusts Act, 1963. As per clause 3 of the Stevedoring and Shore handling Policy for Major Ports, 2016, issued by the Government vide letter dated 14 June 2016 specifically mentioned that the TAMP shall notify the normative tariff for Stevedoring and Shore handling activities, separately for the Major Port based on a set of guidelines to be issued to TAMP. The Stevedoring and Shore Handling Guidelines issued by the MOS under Section 111 of the MPT Act, 1963 are binding on this Authority. Thus, this Authority as well as the KOPT are well within their statutory right to fix the tariff for the Stevedoring and Shore handling operations at all the Major Port Trusts.

- (iii). The KOPT had initially filed a proposal in December 2016. Subsequently, while responding to the information/ clarification sought by us the KOPT has made modifications relating to the labour component of Tindal in Stevedoring operation for bulk cargo and break bulk cargo and filed a revised proposal in September 2017. The proposal of December 2016 alongwith the information/ clarification furnished by the KOPT during the proceedings of the case in reference is considered in the analysis.
- (iv). As stated earlier, this Authority has approved vide Order No. TAMP/77/2016- KOPT dated 8 February 2017, upfront stevedoring and shore handling operations on an adhoc basis as an interim arrangement at KDS of KOPT. The current exercise is for fixation of final upfront tariff for the stevedoring and shore handling operations.
- (v).
 - (a). The Stevedoring and Shore handling Guidelines prescribe norms for twelve broad Commodity Group under each of dry bulk cargo and break bulk cargo. The Guidelines also give an indicative list of cargo falling under each of the Commodity Group under dry bulk cargo and break bulk cargo respectively.
 - (b). In respect of the dry bulk cargo, the upfront tariff has been proposed by KOPT in respect of five cargo groups comprising of Fertiliser and Fertiliser Raw Materials, All types of coal, Iron Ore, Iron Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore, Limestone, Dolomite, Clinker, Clay, Sand & other Dry Bulk Cargo and Salt.
 - (c).
 - (i). Similarly, in respect of the break bulk cargo, the upfront tariff has been proposed by KOPT in respect of eight cargo groups comprising of Bagged cargo, Jumbo Bags, Iron & Steel – Coils & Slabs, Iron & Steel - Pipes, Tubes & Plates, Timber Logs, Container (Laden/ Empty), Mixed General Cargo including project cargo, machinery and machinery parts and Coastal Mixed General Cargo.
 - (ii). The break-bulk cargo not falling under any specified group of cargo for which upfront tariff / ceiling rates have been proposed are considered by KOPT to fall in the cargo group of “Mixed General Cargo including Machinery and Project Cargo” and “Coastal Mixed General Cargo including Machinery and Project cargo” as the case may be.

- (iii). At the same time, the KOPT has also listed out the cargo items that would be covered by the above referred cargo groups. The “Mixed General Cargo including Machinery and Project Cargo” is reported to include Mixed packages including case, carton, bag, drums, pallets etc., Iron & Steel, project cargo, machinery and spares/ parts, motor vehicles/ earth moving equipment etc. with or without container (load or empty), Railway coaches and wagons, locomotives, over dimensional consignment, Military Goods, Defense Stores, UN Cargo/ Vehicles/ Equipment etc. in various proportion.

The “Coastal Mixed General Cargo including Machinery and Project cargo” is reported to include Mixed packages of all types loaded/ unloaded to/ from coastal cargo/ passenger ships and include iron & steel materials, food grains/ provisions, motor vehicles/ earth moving equipment with or without container (load or empty) in various proportions. Since classification of cargo is wholly in the domain of KOPT, the said cargo groups proposed by KOPT is relied upon.

- (d). The cargo items considered by the KOPT under the dry bulk cargo category and break bulk cargo category are generally seen to be as per the broad list of cargo falling under each of the Commodity Group under dry bulk cargo and break bulk cargo respectively, as prescribed in the Stevedoring and Shore handling Guidelines. In the calculation of the proposed rates for Stevedoring and Shore Handling Operations at KDS, the KOPT has considered the cost component towards labour viz., Tindal, Signalman, Mazdoor, Equipment operator. The cost of each type of above said category of labour has been reported to be as per the rates prescribed in the CDLB rate Schedule.
- (vi). (a). Before we go into the analysis of the case, it is relevant here to mention about the labour cost pertaining to the Calcutta Dock Labour Board (CDLB). At KDS, there exists a CDLB and the stevedores are required to mandatorily deploy gangs and other staff drawn from CDLB for on board operations on chargeable basis. While the port has captured the basic wages payable to Tindal, Signalman and Operator as per CDLB rates, the port has not factored the charges payable to CDLB and, instead, has proposed a note to the effect that the proposed rates do not include CDLB charges payable by the Stevedores under Calcutta Dock Workers (Regulation of Employment) Scheme, 1970 and Calcutta Dock Clerical & Supervisory (Regulation of Employment) Scheme, 1970, in its proposed Scale of Rates. Since the CDLB charges other than basic wages are not factored in the stevedoring charges proposed for approval of this Authority, the note as proposed by the port, is retained in the Scale of Rates. In the absence of such a note, the stevedores will not be able to recover from the users, the other charges of CDLB.
- (b). Clause 2.9 of the Stevedoring and Shore handling guidelines stipulates that the stevedore shall charge only for services provided by them and no notional booking of labour would be permitted. In this context, the KOPT has stated that the CDLB is not providing the stipulated manpower due to shortage of manpower. Reportedly, the stevedores are required to supplement manpower as per their requirement for carrying out on based operations for which there is no rebate/ discount in CDLB tariff payable by stevedores. In other words, it appears that the stevedores are required to pay charges to CDLB for full complement of labour even if full complement of labour is not made available by CDLB, which results in notional booking of labour. CDLB does not fall under the regulatory purview of this Authority. Therefore, this Authority is not in a position to interfere in the matter.

- (vii). Clause 2.11. of the Stevedoring and Shore Handling Guidelines states that before commencement of the stevedoring and or the shore handling operations, the operator will approach this Authority for notification of the Scale of Rates containing the ceiling rates of the stevedoring and or the shore handling charges and performance standards as required under Section 48 of the Major Port Trust Act, 1963. Thus, the KOPT has sought clarification whether all stevedoring and shore handling agents who will be issued licences will have to individually approach this Authority for notification of the Scale of Rates containing the same ceiling rates of the stevedoring and/ or the shore handling operations for undertaking the said activities.

In this regard, reference is drawn to Clause 2.3 of the Stevedoring and Shore Handling Guidelines, which stipulates that once the upfront tariff caps are set out for stevedoring and shore handling operations of various commodities for a port, it will be applicable uniformly to the entire port where the stevedoring and shore handling operations are carried out by private agencies or firms. It is also relevant here to mention here that this Authority in consultation with all the Major Port Trusts had already, with reference to regulation of rates for provision of services by person authorised under Section 42 of the Major Port Trusts Act, 1963, decided that regulation of tariff can be done for the port as a whole without reference to individual service providers. Accordingly, this Authority had decided that ceiling tariff will be prescribed for a particular port and the port trust concerned will ensure their application to authorised service provider by making it a condition of authorisation in terms of Section 42(3) of the Major Port Trusts Act, 1963, while issuing the license. The said decision of this Authority was communicated to all the Major Ports and Ministry of Shipping (MOS) vide letter No TAMP/47/2000-MBPT dated 6 May 2002. However, in case of private (terminal) operators who provide comprehensive services at a berth or a terminal within a major port under a BOT/ BOOT arrangement, regulation of tariff will continue to be based on their proposal with reference to their operating cost and investments. In view of the above position and keeping in view Clause 2.3. of the Stevedoring and Shore Handling Guidelines, the port is advised to apply the ceiling rates to the authorised individual stevedoring and shore handling operator, by making it as a condition of authorization, while issuing licenses. It is noteworthy that such an advice was given to the port while granting adhoc approval to the stevedoring and shore handling charges vide Order dated 8 February 2017.

(viii). **Productivity norms for Dry Bulk Cargo and Break bulk Cargo:**

- (a). The Stevedoring and Shore Handling Guidelines prescribe the productivity norms in respect of the various commodity groups under the dry bulk cargo and break bulk cargo. Accordingly, the KOPT has proposed productivity norms for handling of dry bulk cargo and break bulk cargo. However, the Productivity Norms as proposed by KOPT are lower than the norms prescribed in the Guidelines of Stevedoring & Handling Policy for the Major Ports, 2016, for each of the cargo item listed under dry bulk cargo and break bulk cargo.
- (b). With regard to proposing lower productivity norms for handling of dry bulk cargo and break bulk cargo, the KOPT has argued that KOPT-KDS is a riverine port, where due to low river draft as well as lock gate, only limited size vessels with limited parcel load arrive, resulting in the use of only 1 to 2 number of hooks in each shift. Further, except at some 3-4 berths, loading/unloading of break-bulk and dry bulk cargo to/ from ships is dependent only on Ship's crane/ derrick, as the General Cargo berths are not suitable to withstand the load of the Mobile Harbour Cranes (MHCs). Since the ships that are on the run are old and in poor condition, Ship's derricks do not have adequate lifting capacity and are slow. Thus, the KOPT is of the view that the operational modalities and parameters set in the Stevedoring and Shore Handling Guidelines may be applicable to other sea-ports and not to the KDS.

- (c). The KOPT is seen to have arrived at the productivity norms for each of the cargo item listed under dry bulk cargo and break bulk cargo, based on the average of the past three years performance at KOPT-KDS, which is reported to reflect the local operational conditions and above referred limitations of KDS. Further, the KOPT has considered an improvement of 10% over the past average. The KOPT has furnished the data for the past three years for each of the cargo item listed under dry bulk cargo and break bulk cargo.
 - (d). For handling of break bulk cargo which are classified as “Mixed General Cargo including Machinery and Project Cargo” and “Coastal Mixed General Cargo including Machinery and Project cargo”, which could not be accommodated in the classification given in the Guidelines, the KOPT has proposed productivity for the said cargo groups.
 - (e). A comparative position of the productivity norms as prescribed in the Stevedoring & Handling Guidelines vis-a-vis the productivity norms as proposed by the KOPT is attached as **Annex – I**.
 - (f). In view of the various local constraints put forth by KOPT and since Clause 1.8 of the Stevedoring and Shore handling Guidelines allows this Authority to accept necessary adjustment in norms based on the justification furnished by the port keeping in view of the port specific conditions having impact on the norms prescribed in the guidelines, this Authority is inclined to accept productivity norms for the various cargo under the dry bulk cargo and break bulk cargo as proposed by the KOPT.
- (ix). **Rates for the Stevedoring Operations – Dry bulk and Break Bulk:**
- (a). As stipulated in Clause 3.5.2 of the Stevedoring and Shore Handling Guidelines, the Operating Cost for the Stevedoring activity are grouped under the following major heads viz. Equipment hire cost, Labour cost, Operational overheads and Administrative Overheads.
 - (b). Equipment Hire Charges:
 - (i). Annex – VII to the Stevedoring and Shore handling Guidelines prescribes norms for estimation of equipment hire cost for stevedoring operations for dry bulk cargo and break bulk cargo. As per the said Annex, the normative handling equipment are ship crane, or shore crane or HMC or combination of these handling equipment for ship-shore operations.
 - (ii). In respect of handling each of the cargo item listed under the dry bulk cargo by KOPT in the stevedoring operations, the Annex-VII of the Stevedoring and Shore Handling Guidelines stipulates deployment of 5T Dozer/ Excavator. The KOPT has proposed deployment of a Payloader for all the dry bulk cargo items on the ground that handling of dry bulk cargo is very limited at KDS and when required, only pay loaders are used by the stevedores and handling agents.
 - (iii). In respect of handling each of the cargo item listed under the break bulk cargo by KOPT in the stevedoring operation, the KOPT is generally seen to have considered the equipment profile as given in the Annex-VII of the Stevedoring and Shore Handling Guidelines, except for the following cargo items as detailed below:

| Commodity/ Commodity Group under Break Bulk Cargo | As per Guidelines | As per KOPT Proposal | Reason for deviation as given by KOPT |
|---|-------------------------------|--|---|
| Iron & steel – Coils & Slabs | 2 to 3 Nos.– 30T DFLT | 1 No. – 20T DFLT or 2 Nos. – 10T DFLT | 30T DFLT is not available in Kolkata. Hence, equipment as available at KDS for port operation is considered. |
| Iron & steel –pipes/ tubes/ plates | 2 to 3 Nos.– 30T DFLT | 1 No. – 5T DFLT | |
| Container (Laden & Empty) | No Equipment | 1 No. – Spreader | Container handled from/ to vessels by ship's crane are required to have container spreader attached to ship's crane as per safety norms. Hence, hire cost of spreader has been considered. |
| Mixed General Cargo incl. Project cargo, Machinery & Parts | No Equipment norm is given | 1 No. – 5T DFLT | Presently used by the stevedores and handling agents to handle this cargo. |

- (iv). As stated earlier, Clause 1.8 of the Stevedoring and Shore handling Guidelines allows TAMP to accept necessary adjustment in norms based on justification furnished by port keeping in view of port specific conditions. In view of the above provision in the guidelines and based on the reasons given, this Authority is inclined to consider the equipment profile for the stevedoring operations as proposed by the port for the various cargo items under the dry bulk and break bulk category.
- (v). As per Stevedoring and Shore Handling Guidelines, the hire charges towards deployment of equipment are to be estimated based on the equipment hire cost prevailing at the relevant port locations or prevailing market based hire cost. In this connection, the KOPT has furnished the details of equipment hire charges as collected from various stevedores/ handling agents at KDS in support of the hire cost of each of the equipment. The KOPT has reported to have considered the lowest amongst the equipment hire rate as provided by the different stevedores/ handling agents, for each of the equipment. This position is relied upon.
- (vi). Accordingly, equipment hire cost for the dry bulk cargo and break bulk cargo as furnished by the Port, for arriving at the upfront stevedoring tariff are attached as **Annex- II(a)** and **Annex – II(b)**, respectively.
- (c) Labour Cost:
- (i). As per clause 3.5.7 of the Guidelines, labour deployment for the stevedoring operations shall be as per the norms prescribed by the National Tribunal Award (NTA) as provided in the Annex-VIII to the Guidelines and the unit rate will be the prevailing actual cost of labour for the quantum of the labour prescribed in the norms. The Guidelines also state that the prescribed norms and any other norms specifically given for the port shall be followed for calculation of Labour cost.
- (ii). At KOPT, the NIT award appears to have been implemented, as the labour deployment considered for the stevedoring operations is seen to be in line with the norms prescribed for estimation of labour for Stevedoring operation given at Annex- VIII of the Guidelines.

- (iii). Though the Stevedoring and Shore Handling guidelines do not stipulate any norms towards deployment of one Tindal for dry bulk operations, one Tindal who is the leader of the Gang appears to be a requirement per shift as per NTA. Though the KOPT had initially not factored the deployment of Tindal, the KOPT has, on being pointed out following the approach adopted while fixing tariff at other Major Port Trusts, captured the cost of one Tindal in the calculation of Labour cost for the stevedoring operation for both dry bulk cargo and break bulk cargo.
- (iv). For the break bulk cargo classified by KOPT under mixed General Cargo including Project and Machinery and parts and Coastal Mixed General Cargo including Project and Machinery and parts under the Break Bulk cargo category, the KOPT has considered deployment of 1 no of Tindal, 1 no. of Signalmen, 4 no. of Mazdoors and 1 no. of Equipment operator in respect of handling each of the above referred cargo, based on the labour deployment envisaged for Bagged Cargo and Jumbo Bags in the Guidelines. The judgment of the port in this regard is relied upon.
- (v). The unit rate for labour deployment will be the prevailing actual cost of labour for the quantum of labour as prescribed in the norms. The cost of each category of manpower is as per the prevailing labour rate as per Calcutta Dock Labour Board (CDLB) rates. The KOPT has furnished documentary evidence in support of the labour cost.
- (vi). A statement showing estimation of labour cost for dry bulk cargo and break bulk cargo as furnished by KOPT is attached as **Annex - III(a)** and **Annex III(b)**, respectively.
- (d). Each of the Operational Overheads and Administrative Overheads has been estimated by KOPT at 20% of the equipment hire cost and labour cost, which is as per the stipulation contained in Clause 3.5.8 and 3.5.9 of the Stevedoring and Shore handling guidelines.
- (e). As stipulated in Clause 5 of the Stevedoring and Shore Handling Guidelines, a margin at 20% on the total operating cost has been considered by KOPT to arrive at the upfront stevedoring tariff.
- (f). Clause 2.8 of Stevedoring & Shore Handling Guidelines states that Major Port Trusts should comply with the policy direction set out by the Government from time to time like coastal cargo/ containers etc. One of the policy directions issued by the (then) Ministry of Shipping, Road and Transport and Highways (MSRTH) relates to concessional rate for coastal vessel and coastal cargo. As per para 3 (iii) and 5(2.2) of Order No.TAMP/4/2004-Genl. dated 07 January 2005 passed by this Authority based on the said policy direction of the MSRTH, concessional tariff need to be prescribed for cargo handling charges at 60% of the rate for foreign for all the relevant handling charges i.e. ship-shore transfer and transfer from quay to storage yard including wharfage except thermal coal, POL including crude oil, iron ore and iron ore pellets which are not eligible for Coastal Concession. The policy direction issued by the (then) MSRTH is uniformly applied at all the Major Ports and Private Terminal Operators governed under 2005, 2008 and 2013 guidelines while setting their tariff.

In view of Clause 2.8. of the Stevedoring and shore handling guidelines and also recognising that the Coastal concession policy issued by the Government stipulates grant of coastal concession on all charges prescribed for ship-shore transfer and transfer from quay to yard and since the activities involved under the stevedoring and shore handling operations also include these activities, this Authority is bound to comply with the

coastal concession policy of the Government while approving upfront tariff for stevedores and shore handling operations.

The KOPT in its initial proposal had not proposed separate concessional rate for coastal cargo. Further, even after being pointed out, the KOPT in its revised proposal also has not proposed separate concessional rate for coastal cargo in respect of stevedoring charges at 60% of the tariff for foreign cargo, as per coastal concession policy issued by the Ministry. In view of this position, the ratio of foreign and coastal cargo at KDS have been taken out from the Administration Report of KOPT for the year 2016-17 at 93:7. Thus, based on the said ratio, the impact of coastal concession has been captured in the proposed foreign rate for stevedoring charges, to fall in line with the coastal concession policy of the MOS.

It is relevant here to mention that in view of submission made by Mormugao Port Trust (MOPT) while processing its proposal for fixation of upfront tariff for Stevedoring and Shore handling that coastal concession policy should not be applicable for this exercise and in view of similar request from few other Major Port Trusts, this Authority has requested the Ministry of Shipping (MOS) in January 2017 to examine whether the policy direction for prescription of concessional rate for eligible coastal cargo need to be applied while fixing tariff under the stevedoring and shore handling operations. The response of MOS is awaited. If the response of the MOS to be received on the matter referred to the MOS is different from the approval accorded based on proposal of the KOPT, a suitable amendment can be issued at that point of time.

- (g) The cost statements for the determination of the upfront tariff for Stevedoring operations for dry bulk cargo and break bulk cargo as furnished by KOPT and subject to application of the coastal concession policy, based on the various parameters discussed above is attached at **Annex- IV(a)** and **Annex IV(b)** respectively.
- (x). **Rates for the Shore handling Operations – Dry bulk and Break Bulk:**
 - (a). As stipulated in the Clause 4.5.2 of the Stevedoring and Shore Handling Guidelines, the Operating cost for the Shore Handling Operations are grouped under following major heads, viz. Equipment hire cost, Labour cost, Operational overheads and Administration Overheads.
 - (b). Equipment Hire cost:
 - (i). Clauses 4.4.1 and 4.4.2 of the Stevedoring and Shore Handling Guidelines list down five different handling methods for the shore handling operations of dry bulk cargo and four methods for handling break bulk cargo.

In respect of the shore handling operations of the dry bulk cargo, Annex – IX of the Stevedoring and Shore Handling Guidelines lists down 5 handling methods and prescribes norms for hire of equipment for each of the handling method. In the case in reference, the KOPT has proposed only one method of handling all dry bulk cargo viz., 'Method – 5 – Cargo unloaded onto wharf and loaded onto trucks and transported to storage yard within 1 km', except for Fertiliser raw materials, on the ground that handling of dry bulk cargo is very limited at KDS and the said limited cargo is handled as per Method 5 only. The Fertiliser raw materials is envisaged to be handled through 'Method – 4 – Cargo unloaded onto wharf and loaded onto trucks and going to consignee's premises', to avoid pollution. The method of handling of dry bulk cargo in the shore handling operation as proposed by KOPT is relied upon.

Similarly, in respect of the shore handling operations of the break bulk cargo, Annex – X of the Stevedoring and Shore Handling Guidelines lists down 4 handling methods and prescribes norms for hire of equipment for each of the handling method. In the case in reference, the KOPT has proposed only one method of handling all break bulk cargo viz., ‘Method – 3 – Cargo unloaded onto truck and transported to storage yard within the port premises or vice versa’ on the ground that at KDS the said cargo is handled as per Method 3 only. The Timber logs are envisaged to be handled through ‘Method – 4 – Cargo unloaded onto wharf and loaded onto trucks and transported to storage yard within the port premises or vice versa’. The method of handling of break bulk cargo in the shore handling operation as proposed by KOPT is relied upon.

- (ii). Though the KOPT has generally adhered to the type of equipment prescribed in the Stevedoring and Shore Handling Guidelines for handling of dry bulk cargo and break bulk cargo for shore operations, there is seen to be variation in the quantum and capacity of the equipment, as brought out below:

| Commodity/ Commodity Group under Break Bulk Cargo | As per Guidelines | As per KOPT Proposal | Reason for deviation as given by KOPT |
|--|--|--|---|
| Jumbo Bags | 9 nos. – 15T Trucks | 1 no. – 10T to 15T Mobile Cranes and 5 nos. – 20T/30T Tractor Trailer | The operational modalities and parameters set in the Stevedoring and Shore Handling Guidelines is applicable to other sea-ports. In respect of KDS, the capacity and quantity of equipment envisaged is in tune with local operational requirements and availability. |
| Iron & steel – Coils & Slabs | 2 nos. – 30T Mobile Cranes and 9 nos. – 40T Tractor Trailer | 1 no. – 30T Mobile Cranes and 5 nos. – 20T/30T Tractor Trailer | |
| Iron & steel – pipes/ tubes/ plates | 2 nos. – 10T Mobile Cranes and 9 nos. – 40T Tractor Trailer | 1 no. – 10T to 15T Mobile Cranes and 6 nos. – 20T/30T Tractor Trailer | |
| Timber Logs using grabs | 7 nos. – 10T Log Grabbers Cranes and 12 nos. – 40T Tractor Trailer | 1 no. – 10T Log Grabbers Cranes and 5 nos. – 20T/30T Tractor Trailer | |
| Container (Laden & Empty) | 1 no. – 10T Forklift Truck and 12 nos. – 40T Tractor Trailer | 1 no. – Reach stacker and 5 nos. – 20T/30T Tractor Trailer | |
| Mixed General Cargo incl. Project cargo, Machinery & Parts | No Equipment prescribed in the Guidelines | 1 no. – 30T Mobile Cranes and 5 nos. – 20T/30T Tractor Trailer | |
| Coastal Mixed General Cargo incl. Project cargo, Machinery & Parts | No Equipment prescribed in the Guidelines | 1 no. – 10T to 15T Mobile Cranes and 2 nos. – 20T/30T Tractor Trailer | |

- (iii). Clause 1.8 of the Stevedoring and Shore handling Guidelines allows this Authority to accept necessary adjustment in norms based on justification furnished by port keeping in view of port specific conditions. In view of the above provision in the guidelines and based on the reason given by KOPT, as brought out above and considering the position that the capacity and quantity of equipment envisaged is in tune with local operational requirements and availability at the KDS, this Authority is inclined to consider the

equipment profile for the shore handling operations as proposed by the port for the various cargo items under the dry bulk and break bulk category.

- (iv). As per Stevedoring and Shore Handling Guidelines, the hire charges towards deployment of equipment are to be estimated based on the equipment hire cost prevailing at the relevant port locations or prevailing market based hire cost. In this connection, the KOPT has furnished the details of equipment hire charges as collected from various stevedores/ handling agents at KDS in support of the hire cost of each of the equipment. The KOPT has reported to have considered the lowest amongst the equipment hire rate as provided by the different stevedores/ handling agents, for each of the equipment. This position is relied upon.
- (v). Accordingly, equipment hire cost for the dry bulk cargo and break bulk cargo as furnished by the Port, for arriving at the upfront shore handling tariff is attached as **Annex - V(a)** and **Annex - V(b)**, respectively.
- (c). Labour cost:

Clause 4.5.7 of the Stevedoring and Shore Handling Guidelines stipulates that the labour cost for shore handling operations should be estimated at 5% and 10% of the equipment hire cost for dry bulk cargo and break bulk cargo respectively. Accordingly, the KOPT has estimated the labour cost for the dry bulk and break bulk cargo for shore handling operations.

In respect of bagged cargo, the Guidelines do not envisage deployment of any equipment in the shore handling operations. Accordingly, the KOPT has also not considered any equipment. However, since the labour cost under the shore handling operation is a function of equipment hire cost and in the absence of any equipment envisaged for bagged cargo, the KOPT has considered the labour cost for the bagged cargo. The Labour cost has been estimated by the KOPT for labour involved in transferring the bagged cargo from hook point to stacking point in licensed shed based on the prevailing rates. The judgment of the port in this regard is relied upon.
- (d). Each of the Operational Overheads and Administrative Overheads has been estimated at 20% of the equipment hire cost and labour cost, which is as per the stipulation contained in Clause 4.5.8 and 4.5.9 of the Stevedoring and Shore handling guidelines.
- (e). As stipulated in Clause 5 of the Stevedoring and Shore Handling Guidelines, margin at 20% on the total operating cost has been considered by KOPT to arrive at the upfront stevedoring tariff.
- (f). As brought out earlier, the KOPT in its revised proposal has not proposed separate concessional rate for coastal cargo in respect of shore handling charges at 60% of the tariff for foreign cargo, as per coastal concession policy issued by the Ministry. For the reasons given earlier, the impact of coastal concession has been captured in the proposed foreign rate for shore handling charges based on the ratio at 93:7, to fall in line with the coastal concession policy of the MOS. If the response of the MOS to be received on the matter referred to the MOS is different from the approval accorded based on proposal of the KOPT, a suitable amendment may be issued at that point of time.
- (g). The cost statements for the determination of the upfront tariff for Shore handling operations for dry bulk cargo and break bulk cargo as furnished by

KOPT, based on the various parameters discussed above is attached at **Annex- VI(a)** and **Annex- VI(b)** respectively.

(xi). Based on the above analysis and taking into consideration the submission made by the KOPT and recognizing that the proposal is filed by KOPT with the approval of its Board of Trustees, the Stevedoring and Shore Handling charges for Dry bulk and Break Bulk cargo are approved as modified, based on various parameters discussed above.

(xii). **Performance Standards for Dry Bulk Cargo:**

(a). Clause 2.10. of the Stevedoring and Shore Handling Guidelines stipulates that tariff caps will be indexed to inflation only to an extent of 60% of the variation in the Wholesale Price Index (WPI) occurring between 1 January and 31 December of the relevant year. Thus, the rates approved in respect of the Stevedoring and Shore Handling Operations at KDS for all the dry bulk cargo items, would automatically be indexed to inflation to an extent of 60% of the variation in the WPI. The said indexation is automatic and is not linked to achievement of any performance standards considered for upfront tariff fixation for Stevedoring and Shore Handling Operations.

(b). For the dry bulk cargo, Clause 7.1 of the Stevedoring and Shore Handling Guidelines stipulates that the operator is entitled for 100% WPI indexation in tariff instead of 60% WPI indexation, on achievement of Performance Standard as prescribed in the Berthing Policy issued by Ministry of Shipping (MOS) vide letter no. PD-11033/73/2013-PT (pt) dated 16.06.2016.

In this connection, the KOPT has stated that under Berthing Policy for Dry Bulk Cargo, the performance norms have been set out for only two commodities viz., Coal (includes all types of Coal and Cokes) and Industrial Salt, after considering various limitations. The said performance norms have been approved by this Authority vide its Order no. TAMP/73/2016-KOPT dated 4 January 2017. Thus, no productivity norms are available for the other Dry Bulk Cargos other than the two commodities notified under the Berthing Policy. Moreover, the productivity norms under the Stevedoring and Shore handling operations have been arrived at by taking into account, three years average with 10% escalation. Therefore, the Berthing Policy norms and the norms for fixation of upfront tariff under the Stevedoring and Shore handling are different. In view of the above position, the KOPT has requested to review the matter and consider necessary adjustment in the norms.

In this regard, it is to state that this Authority vide its Order no. TAMP/73/2016-KOPT dated 4 January 2017 has approved the Performance norm based Incentive/ Penalty, Anchorage charges in respect of handling Dry Bulk Cargo at KDS, based on the stipulations contained in the Berthing Policy, 2016. Based on the submissions made by KOPT then, Performance norm based Incentive/ Penalty was prescribed for only two of the dry bulk commodities viz. Coal and Industrial Salt handled at KDS.

Thus, based on the stipulation contained in the Stevedoring and Shore Handling Guidelines, only two of the dry bulk commodities viz. Coal and Industrial Salt, would be entitled for claiming indexation to the extent of 100% of the variation in the WPI, on the achievement of performance standards as prescribed in the Order no. TAMP/73/2016-KOPT dated 4 January 2017. This aspect is suitably incorporated in the Scale of Rates by way of a note. Other cargo items under bulk cargo category shall be entitled to automatic indexation to the extent of 60% of the variation in WPI.

(xiii). **Performance Standards for Break Bulk cargo.**

For Break bulk cargo, the Stevedoring and Shore handling guidelines stipulate that the productivity norms considered for arriving at the upfront tariff for stevedoring and shore handling operations will be applicable. Accordingly, KOPT has proposed the performance standards on par with the productivity norms considered for arriving the upfront tariff for stevedoring and shore handling operations, as given below:

| Sl. No. | Cargo Group | Norms in Tonnes per Hook per Shift |
|---------|---|------------------------------------|
| 1. | Bagged cargo | 160 |
| 2. | Jumbo Bags | 240 |
| 3. | Iron & Steel – Coils & Slabs | 515 |
| 4. | Iron & Steel - Pipes, Tubes & Plates | 270 |
| 5. | Timber Logs | 225 |
| 6. | Container (Laden/ Empty) at Non-MHC Berths | 60 TEUs |
| 7. | Mixed General Cargo including project cargo, machinery and machinery parts | 220 |
| 8. | Coastal Mixed General Cargo including project cargo, machinery and machinery parts. | 100 |

- (xiv). (a). The Stevedoring and Shore Handling Guidelines prescribe norm to determine the normative tariff for the Stevedoring and Shore Handling operations carried out at Major Ports. The KOPT, in addition to the upfront tariff for the stevedoring and shore handling operations, has proposed upfront tariff for stevedoring on-board ship at Anchorage points viz., Sandheads, Saugor and Diamond Harbour and has also proposed upfront tariff for the shore handling operation including loading/unloading of cargo to/ from Barge at Wharf/ Berth. The KOPT has stated that deep drafted ships which cannot proceed to KDS due to draft and size restrictions work at Anchorage points to transload/ lighten/ fully discharge commodities on to barges. Thus, the KOPT has proposed upfront tariff for stevedoring on-board ship at Anchorage points in respect of Dry Bulk Cargo viz., Coal, Food Grains, Sugar and Other Bulk Cargo and in respect of Break Bulk Cargo viz., Bagged Cargo and Logs.

- (b). Though the KOPT has proposed upfront tariff for anchorage discharge (involving on-board operations) and barge handling (involving barge unloading and shore handling), it has expressed its lack of clarity on whether there is a requirement for fixation of upfront tariff for work at anchorage and barge unloading.

In this regard, it is to state that the definition of stevedoring activity includes loading and unloading and stowage of cargo in any form on board the vessels in Port. The definition of shore handling includes the arranging and receiving the cargo to/ from the hook point, inter modal transport from wharf to stack yard and vice-versa and also receiving and delivering of cargo from/ to wagons/ trucks. Receiving and delivering goods is covered under Section 42 (1) (d) of the Major Port Trusts Act, 1963. Considering that Section 48 mandates this Authority to frame SOR for the services performed by a Board or any other person authorized under Section 42 at or in relation to the port or port approaches, there does not appear to be any doubt that upfront tariff is required to be fixed for the activity of stevedoring on-board ship at Anchorage points and the shore handling operation including loading/unloading of cargo to/ from Barge at Wharf/ Berth. Therefore, this Authority is inclined to approve the upfront tariff for anchorage discharge (involving on-board operations) and barge handling (involving barge unloading and shore handling).

- (c). In this connection, regarding anchorage discharge, the KOPT has stated that the output of the vessel depends on the weather conditions prevailing at Anchorage and availability and size of the Barges. The port has also stated that the vessels at anchorages usually do not work during the night

and the labour is supplied by pool controlled by local Unions. The port has also reported that the grabs for discharge are mostly being provided by the vessel and usually no equipment are deployed on board the Vessel. The port has also stated that Vessel operations at anchorage points are not monitored/ supervised by the Port. In view of this position, the KOPT has reported to have considered the productivity norms and the labour cost, based on the details obtained from the Agents, verbally. In respect of bagged cargo, in the absence of availability of hook shift output at anchorage, KOPT has reported to have considered 1.5 times of hook shift output of bagged cargo at berth, considering free discharge into barges.

- (d). In the absence of any norms, and since the tariff for anchorage discharge and barge handling requires to be regulated, this Authority decides to approve the tariff for stevedoring on-board ship at Anchorage points and the tariff for the shore handling operation including loading/ unloading of cargo to/ from Barge at Wharf/ Berth, as proposed by KOPT, based on the proposal of the port and based on the calculation made by KOPT in this regard. In the absence of working for the charges proposed for containers, the rates as proposed by the Port is relied upon and approved. For the reasons brought out earlier and considering that the existing Scale of Rates of KOPT prescribes concessional tariff for coastal cargo handled at anchorages, as per coastal concession policy issued by the MOS, the charges for stevedoring on-board ship at Anchorage points and the shore handling operation including loading/unloading of cargo to/ from Barge at Wharf/ Berth as furnished by the Port subject to the application of the Coastal Concession Policy, is attached as **Annex – VII(a)** and **Annex - VII(b)** respectively.
- (xv). As brought out in the earlier part of this Order dealing with the factual position relating to the case in reference, the KOPT has arrived at the tariff for receipt and delivery of cargo from/ to wagons/ trucks at/ from stack yard by taking into account local factors as well as by considering the equipment hire cost, labour cost @ 5%/ 10% of equipment hire cost and 20% each of the operational and administration overheads and with a profit margin of 20% of the total cost. The Stevedoring and Shore handling guidelines do not prescribe norms for loading/ unloading cargo to/ from wagon. However, considering that the definition of the shore handling includes the delivery/ receipt of cargo for wagon/ trucks and also the receiving and delivering goods is also covered under Section 42 (1) (d) of the MPT Act., 1963 and the calculation to arrive at the upfront tariff with loading and unloading of dry bulk cargo to/ from wagons are in line with the guiding principles of Stevedoring and Shore Handling guidelines, this Authority is inclined to approve the tariff for the delivery/ receipt of dry bulk cargo and break bulk cargo by road and rail, as proposed by KOPT, relying on the calculation made by KOPT in this regard. A Cost Statement showing the charges for delivery/ receipt of dry bulk cargo and break bulk cargo by road and rail, as proposed by the Port is attached as **Annex – VIII (a) to (e)**.
- (xvi). The existing SOR of KOPT prescribes a composite box rate for container covering wharfage, basic container handling services of ship to shore transfer, movement between berth and yard and lift off at yard. Charges are also available in the existing SOR for lift on for delivery or lift off at Yard during receipt/ delivery. At the same time, with the prescription of the rates for Stevedoring and Shore handling operations for the containers, it was felt that the container handling rates for containers as prescribed in the SOR of KOPT require suitable modification to this effect. In this connection, the KOPT is of the view that, the rates prescribed in the SOR of KOPT are levied only when the services are provided by KOPT either by itself or through its service provider, whereas, the stevedoring charges are leviable at berths not served by port but by private stevedores/ handling agents. However, the port has assured that it would approach this Authority, in the event any modification is required to its Scale of Rates.

- (xvii). The cost of bagging and stitching operations is reported to have not been considered by KOPT in the calculation of ceiling rates on the ground that such services do not come under the list of services as listed under Section 42 of the MPT Act. The KOPT has also stated that though Section 42(1)(e) of the Major Port Trusts Act, 1963, covers '*any other service in respect of vessels*', there is no mention of '*any other services in respect of goods*' in Section 42. In this regard, it is to state that services like bagging etc. may be incidental to cargo handling activity of '*receiving, removing, shifting, transporting, storing or delivering goods*' which are covered under Section 42(1)(b) of the Major Port Trusts Act, 1963, for which this Authority is mandated to fix tariff as per Section 48 of the Major Port Trusts Act, 1963. Incidentally, this Authority, while dealing with a proposal filed by Visakhapatnam Port Trust (VPT) for handling of fertilisers has approved upfront tariff for bagging of fertilisers, under upfront tariff guidelines of 2008. In view of the above position, the KOPT is advised to review its stand again and come up with a separate proposal for prescription of charges for bagging and stitching.
- (xviii). While approving the ad-hoc upfront tariff for the stevedoring and shore handling operations across all major port trusts including KDS at KOPT, this Authority has prescribed definitions for some common terms viz., Coastal vessel, Foreign-going vessel, Stevedoring, Stevedore, Shore Handling, Shore Handling Agent. Those definitions are allowed to continue in the final upfront tariff schedule approved for the stevedoring and shore handling operations at KDS of KOPT.
- (xix). Likewise, the general terms and conditions relating to System of classification of vessel for levy of Vessel Related Charges (VRC), Criteria for levy of VRC and Cargo related charges (CRC) at concessional Coastal rate, non-applicability of tariff for BOT/ BOOT operators or any other arrangement for private sector participation who are governed by the Tariff Guidelines of 2005, 2008 and 2013, uniform applicability of tariff to the entire port where the stevedoring and shore handling operations are carried out by private agencies or firms, etc. are allowed to continue in the final upfront tariff schedule approved now.
- (xx). The KOPT in its proposal has stated that the Stevedoring and Shore Handling Policy for Major Ports, 2016, does not prescribe any bidding process for issuance of license for stevedores and shore handling agents. Therefore, it has stated that Clause 2.4 of the Stevedoring and Shore Handling Guidelines, which requires that the upfront tariff and performance standards notified by TAMP are to be mentioned in the bid document and subsequently in the agreement in respect of the operator, is not at par with the Stevedoring and Shore Handling Policy. As stipulated in the Guidelines, the upfront tariff and performance standards notified by this Authority may be mentioned in the bid document, if there is a bidding process, and subsequently in the agreement in respect of the operator.
- (xxi). The KOPT has stated that the Guidelines will be applicable for authorisation to undertake stevedoring and shore handling activity under section 42(3) of MPT Act. Since Section 42(3) of the MPT Act states that the Board may, with the previous sanction of the Central Government, authorise any person to perform any of the services mentioned in sub section (1) of such terms and condition as may be agreed upon, the KOPT has sought clarification whether before issuance of such licence under the Regulation to any Stevedoring and Shore Handling Agents, previous sanction of the Central Government is a pre-requisite for above authorisation as required under section 42(3). Since the sanctioning authority is Central Government, the KOPT may have to take up the matter with the Central Government.
- (xxii). As per Clause 2.10 of the Stevedoring and Shore Handling Guidelines, tariff caps will be indexed annually to the inflation to the extent of 60% variation in Wholesale Price Indexed (WPI) announced by the Government of India occurring between 1 January and 31 December of the relevant year and the adjusted indexed SOR will come into force from 1 April of the relevant year to 31 March of the following year. Since the proposal of the KOPT is as of fag end of the year 2016, the base year for WPI escalation is prescribed as 01 January 2017. Accordingly, a suitable note is

prescribed in the upfront tariff schedule for Stevedoring and Shore Handling operations.

- (xxiii). This Authority while approving upfront tariff for Stevedoring and Shore handling operations on adhoc basis vide Order No. TAMP/80/2016-KOPT dated 08 February 2017 has stated that the final rates to be approved by this Authority will have prospective effect. Accordingly, the final rates approved will come into effect prospectively after expiry of 30 days from the date of notification of the Order in the Gazette of India as per the general approach followed by this Authority. As stated in the interim Order dated 08 February 2017, the interim rates adopted in an adhoc basis are recognized as such. There will not be any question of refund/ recovery, if any, in case of variation between the adhoc rates and final rates as decided by this Authority in the interim Order dated 08 February 2017.
- (xxiv). If any error apparent on the face of record or for any other justifiable reasons, the KOPT may approach this Authority for review giving adequate justification / reasoning within 30 days of notification of the Order in the Gazette of India. If port users / user association have any issue they may approach the port.

12.1. In the result, and for the reasons give above, and based on a collective application of mind, this Authority approves the schedule of Upfront Stevedoring and Shore Handling Charges alongwith the Performance Standards for the KDS at KOPT attached as **Annex – IX**.

12.2. The ceiling rates approved may be applied to the authorised stevedoring and shore handling operator, by making it as a condition of authorization, while issuing licenses, for a period of 3 years. The approval accorded shall automatically lapse thereafter unless specifically extended by this Authority. The port is advised to take necessary action for implementation of the upfront tariff for Stevedoring and Shore Handling operations along with Performance Standards.

12.3. As stipulated in Clause 2.4. of Stevedoring and Shore Handling Guidelines, the upfront tariff and performance standards notified by this Authority may be mentioned in the bid document, if there is a bidding process and subsequently in the agreement in respect of the operator.

12.4. The indexation of upfront Stevedoring and Shore Handling Charges as provided in Clause 2.10 of the Stevedoring and Shore Handling Guidelines is to be read with Clause 7 of the Stevedoring and Shore Handling Guidelines. If the Operator does not achieve the prescribed performance standards as per Annex-XI in previous 12 months, the operator will not be entitled for 100% WPI indexation and the operator will continue to levy the tariff with 60% indexation as prescribed in Clause 2.10 of the Stevedoring and Shore Handling Guidelines.

12.5. As stipulated in Clause 8.1. of Stevedoring and Shore Handling Guidelines, the operator shall furnish to the KOPT and to this Authority, annual reports on cargo traffic, ship berth day output, per shift output within a month following the end of financial year in respect of stevedoring/ shore handling operations licensed by the port. Any other information which is required by this Authority shall also be furnished from time to time.

12.6. As stipulated in Clause 8.2. of Stevedoring and Shore Handling Guidelines, this Authority shall publish on its website all such information received from operators and the KOPT. However, this Authority shall consider a request from any operator or the KOPT about not publishing certain data/information furnished which may be 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. This Authority's decision in this regard would be final.

12.7. (a). As stipulated in Clause 9.1. of Stevedoring and Shore Handling Guidelines, the performance norms prescribed for various commodities shall be the minimum which should be achieved by the Operator. These performance norms shall be incorporated in the bid documents, if there is a bidding process.

(b). As stipulated in Clause 9.2. of Stevedoring and Shore Handling Guidelines, the performance actually achieved by the operator shall be monitored by both the KOPT

and this Authority on a quarterly basis. In the event of any shortfall in achieving the performance prescribed, the Port will initiate action on the operator as per the terms contained in the agreement entered into with the operator by the Port.

12.8. As stipulated in Clause 10 of Stevedoring and Shore Handling Guidelines, in the event any user has any grievance regarding non-achievement of the Performance Standards by the operator 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 to the KOPT. The KOPT will be bound to take necessary action on the findings as per the provisions of the contract conditions of the Agreement.

(T.S. Balasubramanian)
Member (Finance)

Annex - I

Comparative Statement of Productivity norms as per the Guidelines vis-à-vis average productivity at KOPT for the past 3 years as furnished by the Port and the productivity norms as proposed by the KOPT.

| Sl. No. | Commodity | As per Guidelines | | | Average Productivity achieved per hook per shift during last 3 years as given by KOPT (in M.T.) | Productivity proposed by KOPT considering about 10% increase over the actuals & rounded off | | | Productivity Norms as considered by TAMP | |
|-----------|--|------------------------------------|------------------------|-----------------------------|---|---|------------------------|----------------------------------|---|----------------------------------|
| | | Norms per hook per shift (in M.T.) | No. of Hooks per shift | Norms per shift (in M.T.) | | Productivity per hook per shift (in M.T.) | No. of Hooks per shift | Productivity per shift (in M.T.) | Productivity per hook per shift (in M.T.) | Productivity per shift (in M.T.) |
| (1) | (2) | (3) | (4) | (5)= (3) x (4) | (6) | (7) | (8) | (9) = (7) x (8) | (10) | (11) |
| I | Dry bulk cargo | | | | | | | | | |
| 1 | Fertilizer & Fertilizer Raw Materials | 900 | 3 | 2700 | 341 | 375 | 1.5 | 563 | 375 | 563 |
| 2 | Coal (All types) | 900 | 4 | 3600 | 450 | 495 | 1.8 | 891 | 495 | 891 |
| 3 | Iron Ore, Iron Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 1460 | 4 | 5840 | 548 | 605 | 2 | 1210 | 605 | 1210 |
| 4 | Limestone, Dolomite, Clinker, Clay, Sand & other Dry Bulk Cargo | 1080 | 3 | 3240 | 418 | 460 | 1.7 | 782 | 460 | 782 |
| 5 | Salt | 1000 | 3 | 3000 | 426 | 470 | 1.6 | 752 | 470 | 752 |
| | | | | | | | | | | |
| II | Break bulk cargo | | | | | | | | | |
| 1 | Bagged cargo | 300 | 2.5 | 750 | 143 | 160 | 1.6 | 256 | 160 | 256 |
| 2 | Jumbo Bags | 560 | 2.5 | 1400 | 217 | 240 | 1.6 | 384 | 240 | 384 |
| 3 | Iron & Steel – Coils & Slabs | 1360 | 2.5 | 3400 | 465 | 515 | 1 | 515 | 515 | 515 |
| 4 | Iron & Steel - Pipes, Tubes & Plates | 280 | 2.5 | 700 | 242 | 270 | 1.6 | 432 | 270 | 432 |
| 5 | Timber Logs | 320 - Soft 480 - Hard | 2.5 | 800 - Soft 1200 - Hard | 202 | 225 | 1.7 | 383 | 225 | 383 |
| 6 | Container (Laden/ Empty) at Non-MHC Berths | 200 - Empty 1050 - Laden | 2 | 400 - Empty 2100 - Laden | Not given | 60 | 1.5 | 90 | 60 | 90 |
| 7 | Mixed General Cargo including project cargo, machinery and machinery parts | Not given | - | - | 197 | 220 | 1.6 | 352 | 220 | 352 |
| 8 | Coastal Mixed General Cargo including project cargo, machinery and machinery parts | Not given | - | - | 90 | 100 | 1.5 | 150 | 100 | 150 |

Equipment Hire Cost for Stevedoring Operations for Dry Bulk Cargo

| DRY BULK CARGO | | | | | | | | | | |
|----------------|---|--------------------------------|-----------------------------------|---------------------|-------------------------------------|------------|---------------------|-------------------------------------|------------|-------------------------------|
| SL. NO. | CARGO GROUP | PRODUCTIVITY | | TYPE OF EQUIPMENT | | | | | | TOTAL COST PER HOOK PER SHIFT |
| | | | | Grabs | | | Payloader/ Dozer | | | |
| | | Productivity in tons per shift | Average Number of hooks per shift | Equipment Hire rate | No. of Equipment per hook per shift | Total cost | Equipment Hire rate | No. of Equipment per hook per shift | Total cost | |
| 1 | Fertilizer -Raw Materials | 563 | 1.5 | 9000 | 1 | 9000 | 10000 | 1 | 10000 | 19000 |
| 2 | Coal All Types | 891 | 1.8 | 9000 | 1 | 9000 | 10000 | 1 | 10000 | 19000 |
| 3 | Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 1210 | 2 | 9000 | 1 | 9000 | 10000 | 1 | 10000 | 19000 |
| 4 | Limestone, Dolomite, Clinker, Clay, Sand and similar Dry Bulk cargo | 782 | 1.7 | 9000 | 1 | 9000 | 10000 | 1 | 10000 | 19000 |
| 5 | Salt | 752 | 1.6 | 9000 | 1 | 9000 | 10000 | 1 | 10000 | 19000 |

Equipment Hire Cost for Stevedoring Operations for Break Bulk Cargo

| BREAK BULK CARGO | | | | | | | | | | | | | | | | | | | | | | | | | |
|------------------|--|--------------|-----|---|-----------------------------------|---------------------|------------------|------------|---------------------|------------------|------------|---------------------|------------------|------------|---------------------|------------------|------------|---------------------|----------------------|------------|---------------------|---------------------|------------|---------------------|-------------------------------|
| SL. NO. | CARGO GROUP | PRODUCTIVITY | | TYPE OF EQUIPMENT | | | | | | | | | | | | | | | | | | | | | TOTAL COST PER HOOK PER SHIFT |
| | | | | Log Grabs | | | Net Sling | | | Hook/ Rope Sling | | | Wire Rope Sling | | | Manual Spreader | | | Fork lift Truck 10 T | | | Fork lift Truck 5 T | | | |
| | | | | Productivity in tons per hook per shift | Average Number of hooks per shift | Equipment Hire rate | No. of Equipment | Total cost | Equipment Hire rate | No. of Equipment | Total cost | Equipment Hire rate | No. of Equipment | Total cost | Equipment Hire rate | No. of Equipment | Total cost | Equipment Hire rate | No. of Equipment | Total cost | Equipment Hire rate | No. of Equipment | Total cost | Equipment Hire rate | |
| 1 | Bagged cargo | 256 | 1.6 | 11500 | 0 | 0 | 4200 | 1 | 4200 | 3000 | 0 | 0 | 12500 | 0 | 0 | 5000 | 0 | 0 | 12500 | 0 | 0 | 7500 | 0 | 0 | 4200 |
| 2 | Jumbo Bags | 384 | 1.6 | 11500 | 0 | 0 | 4200 | 0 | 0 | 3000 | 1 | 3000 | 12500 | 0 | 0 | 5000 | 0 | 0 | 12500 | 0 | 0 | 7500 | 1 | 7500 | 10500 |
| 3 | Iron and steel -coils and slabs | 515 | 1 | 11500 | 0 | 0 | 4200 | 0 | 0 | 3000 | 0 | 0 | 12500 | 1 | 12500 | 5000 | 0 | 0 | 12500 | 2 | 25000 | 7500 | 0 | 0 | 37500 |
| 4 | Iron and Steel - pipes, tubes, plates | 432 | 1.6 | 11500 | 0 | 0 | 4200 | 0 | 0 | 3000 | 1 | 3000 | 12500 | 0 | 0 | 5000 | 0 | 0 | 12500 | 0 | 0 | 7500 | 1 | 7500 | 10500 |
| 5 | Timber logs-(Soft/Hard) | 383 | 1.7 | 11500 | 1 | 11500 | 4200 | 0 | 0 | 3000 | 0 | 0 | 12500 | 0 | 0 | 5000 | 0 | 0 | 12500 | 0 | 0 | 7500 | 0 | 0 | 11500 |
| 6 | Containers (Empty/Laden) | 90 | 1.5 | 11500 | 0 | 0 | 4200 | 0 | 0 | 3000 | 0 | 0 | 12500 | 0 | 0 | 5000 | 1 | 5000 | 12500 | 0 | 0 | 7500 | 0 | 0 | 5000 |
| 6A | Containers (Empty/Laden) | 90 | 1.5 | 11500 | 0 | 0 | 4200 | 0 | 0 | 3000 | 0 | 0 | 12500 | 0 | 0 | 5000 | 1 | 5000 | 12500 | 0 | 0 | 7500 | 0 | 0 | 5000 |
| 7 | Mixed General cargo incl Machinery and Project Cargo | 352 | 1.6 | 11500 | 0 | 0 | 4200 | 0 | 0 | 3000 | 0 | 0 | 12500 | 1 | 12500 | 5000 | 0 | 0 | 12500 | 0 | 0 | 7500 | 1 | 7500 | 20000 |
| 8 | Coastal Mixed General cargo incl Machinery and Project Cargo | 150 | 1.5 | 11500 | 0 | 0 | 4200 | 1 | 4200 | 3000 | 0 | 0 | 12500 | 0 | 0 | 5000 | 0 | 0 | 12500 | 0 | 0 | 7500 | 0 | 0 | 4200 |

Labour Cost for Stevedoring Operations for Dry Bulk Cargo

| DRY BULK CARGO | | | | | | | | | | | | | | |
|----------------|---|---|-----------|---------|----------|-------------------|-----------|---------|----------|-------------------|-----------|---------|----------|--------------------------------------|
| SL. NO. | CARGO GROUP | NORMS PER HOOK PER SHIFT AS PER GUIDELINES AND CONSIDERED BY KOPT | | | | RATE FOR MANPOWER | | | | COST FOR MANPOWER | | | | TOTAL LABOUR COST PER HOOK PER SHIFT |
| | | Tindal | Signalman | Mazdoor | Operator | Tindal (MATE) | Signalman | Mazdoor | Operator | Tindal (MATE) | Signalman | Mazdoor | Operator | |
| 1 | Fertilizer -Raw Materials | 1 | 1 | 0 | 1 | 1838 | 1881 | 1731 | 1941 | 1838 | 1881 | 0 | 1941 | 5660 |
| 2 | Coal All Types | 1 | 1 | 0 | 1 | 1838 | 1881 | 1731 | 1941 | 1838 | 1881 | 0 | 1941 | 5660 |
| 3 | Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 1 | 1 | 0 | 1 | 1838 | 1881 | 1731 | 1941 | 1838 | 1881 | 0 | 1941 | 5660 |
| 4 | Limestone, Dolomite, Clinker, Clay, Sand and similar Dry Bulk cargo | 1 | 1 | 0 | 1 | 1838 | 1881 | 1731 | 1941 | 1838 | 1881 | 0 | 1941 | 5660 |
| 5 | Salt | 1 | 1 | 0 | 1 | 1838 | 1881 | 1731 | 1941 | 1838 | 1881 | 0 | 1941 | 5660 |

Calculation of Normative Tariff/ Ceiling Rates for Stevedoring of Dry Bulk Cargo

| SL. NO. | CARGO GROUP | Equipment Hire Cost | Labour Cost | Total Operating Cost | 20% Operating Overheads | 20% Administrative Overheads | Total | 20% Margin | Revenue Requirement per Hook per Shift | Norms per hook per shift (MT) | Normative tariff/ Ceiling tariff/ Ceiling rate per Tonne | | | |
|---------|---|---------------------|-------------|----------------------|-------------------------|------------------------------|----------|------------|--|-------------------------------|--|--------|-------------------|---------|
| | | | | | | | | | | | As proposed by the KOPT | | As modified by us | |
| | | | | | | | | | | | | | Foreign | Coastal |
| 1 | Fertilizer -Raw Materials | 19000.00 | 5660.00 | 24660.00 | 4932.00 | 4932.00 | 34524.00 | 6904.80 | 41428.80 | 375 | 110.48 | 113.66 | 68.20 | |
| 2a | Thermal Coal | 19000.00 | 5660.00 | 24660.00 | 4932.00 | 4932.00 | 34524.00 | 6904.80 | 41428.80 | 495 | 83.69 | 83.69 | 83.69 | |
| 2b | Coal other than thermal coal | 19000.00 | 5660.00 | 24660.00 | 4932.00 | 4932.00 | 34524.00 | 6904.80 | 41428.80 | 495 | 83.69 | 86.11 | 51.67 | |
| 3a | Iron Ore, Iron Ore Pellets | 19000.00 | 5660.00 | 24660.00 | 4932.00 | 4932.00 | 34524.00 | 6904.80 | 41428.80 | 605 | 68.48 | 68.48 | 68.48 | |
| 3b | Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 19000.00 | 5660.00 | 24660.00 | 4932.00 | 4932.00 | 34524.00 | 6904.80 | 41428.80 | 605 | 68.48 | 70.45 | 42.27 | |
| 4 | Limestone, Dolomite, Clinker, Clay, Sand and similar Dry Bulk cargo | 19000.00 | 5660.00 | 24660.00 | 4932.00 | 4932.00 | 34524.00 | 6904.80 | 41428.80 | 460 | 90.06 | 92.66 | 55.60 | |
| 5 | Salt | 19000.00 | 5660.00 | 24660.00 | 4932.00 | 4932.00 | 34524.00 | 6904.80 | 41428.80 | 470 | 88.15 | 90.69 | 54.41 | |

Calculation of Normative Tariff/ Ceiling Rates for Stevedoring of Break Bulk Cargo

Amt in Rs.

| BREAK BULK CARGO | | | | | | | | | | | | | |
|------------------|--|---------------------|-------------|----------------------|-------------------------|------------------------------|----------|------------|--|-------------------------------|--|-------------------|--------|
| SL. NO. | CARGO GROUP | Equipment Hire Cost | Labour Cost | Total Operating Cost | 20% Operating Overheads | 20% Administrative Overheads | Total | 20% Margin | Revenue Requirement per Hook per Shift | Norms per Hook per shift (MT) | Normative tariff/ Ceiling tariff/ Ceiling rate per Tonne | | |
| | | | | | | | | | | | As proposed by the KOPT * | As modified by us | |
| | | | | | | | | | | | Foreign | Coastal | |
| 1 | Bagged cargo | 4200 | 12584 | 16784 | 3356.80 | 3356.80 | 23497.60 | 4699.52 | 28197.12 | 160 | 176.23 | 181.31 | 108.79 |
| 2 | Jumbo Bags | 10500 | 12584 | 23084 | 4616.80 | 4616.80 | 32317.60 | 6463.52 | 38781.12 | 240 | 161.59 | 166.24 | 99.74 |
| 3 | Iron and steel -coils and slabs | 37500 | 9122 | 46622 | 9324.40 | 9324.40 | 65270.80 | 13054.16 | 78324.96 | 515 | 152.09 | 156.47 | 93.88 |
| 4 | Iron and Steel - pipes, tubes, plates | 10500 | 9122 | 19622 | 3924.40 | 3924.40 | 27470.80 | 5494.16 | 32964.96 | 270 | 122.09 | 125.61 | 75.37 |
| 5 | Timber logs-(Soft/Hard) | 11500 | 9122 | 20622 | 4124.40 | 4124.40 | 28870.80 | 5774.16 | 34644.96 | 225 | 153.98 | 158.41 | 95.05 |
| 6 | Containers (Laden) | 5000 | 9122 | 14122 | 2824.40 | 2824.40 | 19770.80 | 3954.16 | 23724.96 | 60 | 395.42 | 406.81 | 244.09 |
| 6a | Containers (Empty) | 5000 | 9122 | 14122 | 2824.40 | 2824.40 | 19770.80 | 3954.16 | 23724.96 | 60 | 395.42 | 406.81 | 244.09 |
| 7 | Project Cargo including Machinery and Mixed General cargo | 20000 | 12584 | 32584 | 6516.80 | 6516.80 | 45617.60 | 9123.52 | 54741.12 | 220 | 248.82 | 255.99 | 153.59 |
| 8 | Coastal Mixed General Cargo including project cargo, machinery and machinery parts | 4200 | 12584 | 16784 | 3356.80 | 3356.80 | 23497.60 | 4699.52 | 28197.12 | 100 | 281.97 | -NA- | 281.97 |

* There was an error in the calculation of KOPT to arrive at the proposed rates as the KOPT has considered the productivity per shift as base instead of productivity per hook per shift. The rates shown here are the rates reworked for KOPT considering the productivity per hook per shift.

Equipment Cost for Shore Handling Operations for Dry Bulk Cargo

| DRY BULK CARGO | | | | | | | | | | | | | | |
|----------------|--|---|-----------------------------------|---------------------|------------------|------------|---------------------|------------------|------------|---------------------|------------------|------------|----------------------|-----------------------------|
| Sl. No. | Cargo Group | Productivity | | Type of Equipment | | | | | | | | | Total cost per Shift | Total Qty handled per shift |
| | | Productivity in tons per hook per shift | Average Number of hooks per shift | Excavators | | | Payloader | | | Dumper | | | | |
| | | | | Equipment Hire rate | No. of Equipment | Total cost | Equipment Hire rate | No. of Equipment | Total cost | Equipment Hire rate | No. of Equipment | Total cost | | |
| 1 | Fertilizer -Raw Materials | 375 | 1.5 | 14000 | 0 | 0 | 10000 | 2 | 20000 | 5160 | 0 | 0 | 20000 | 563 |
| 2 | Coal (All Types) | 495 | 1.8 | 14000 | 1 | 14000 | 10000 | 2 | 20000 | 5160 | 6 | 30960 | 64960 | 891 |
| 3 | Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Led and Zinc Ore | 605 | 2 | 14000 | 1 | 14000 | 10000 | 2 | 20000 | 5160 | 7 | 36120 | 70120 | 1210 |
| 4 | Limestone, Dolomite, Clinker, Clay, Sand and similar Dry Bulk cargo | 460 | 1.7 | 14000 | 1 | 14000 | 10000 | 2 | 20000 | 5160 | 6 | 30960 | 64960 | 782 |
| 5 | Salt | 470 | 1.6 | 14000 | 1 | 14000 | 10000 | 2 | 20000 | 5160 | 6 | 30960 | 64960 | 752 |

Equipment Cost for Shore Handling Operations for Break Bulk Cargo

| BREAK BULK CARGO | | | | | | | | | | | | | | | | | | | | |
|------------------|--|---|-----------------------------------|---------------------|------------------|------------|----------------------|------------------|------------|----------------------|------------------|------------|----------------------------|------------------|------------|----------------------------|------------------|------------|----------------------|-----------------------------|
| Sl. No. | Cargo Group | Productivity | | Type of Equipment | | | | | | | | | | | | | | | Total cost per Shift | Total Qty handled per shift |
| | | Productivity in tons per hook per shift | Average Number of hooks per shift | Log grabbers 10T | | | Mobile Cranes 10/15T | | | Mobile Cranes 20/30T | | | ** Tractor Trailers 20/30T | | | Top lifter - Reach Stacker | | | | |
| | | | | Equipment Hire rate | No. of Equipment | Total cost | Equipment Hire rate | No. of Equipment | Total cost | Equipment Hire rate | No. of Equipment | Total cost | Equipment Hire rate | No. of Equipment | Total cost | Equipment Hire rate | No. of Equipment | Total cost | | |
| 1 | Bagged cargo | 160 | 1.6 | 12000 | 0 | 0 | 10000 | 0 | 0 | 15000 | 0 | 0 | 4800 | 0 | 0 | 35000 | 0 | 0 | 0 | 256 |
| 2 | Jumbo Bags | 240 | 1.6 | 12000 | 0 | 0 | 10000 | 1 | 10000 | 15000 | 0 | 0 | 4800 | 5 | 24000 | 35000 | 0 | 0 | 34000 | 384 |
| 3 | Iron and steel - coils and slabs | 515 | 1 | 12000 | 0 | 0 | 10000 | 0 | 0 | 15000 | 1 | 15000 | 4800 | 5 | 24000 | 35000 | 0 | 0 | 39000 | 515 |
| 4 | Iron and Steel - pipes, tubes, plates | 270 | 1.6 | 12000 | 0 | 0 | 10000 | 1 | 10000 | 15000 | 0 | 0 | 4800 | 6 | 28800 | 35000 | 0 | 0 | 38800 | 432 |
| 5 | Timber logs - (Soft/Hard) | 225 | 1.7 | 12000 | 1 | 12000 | 10000 | 0 | 0 | 15000 | 0 | 0 | 4800 | 5 | 24000 | 35000 | 0 | 0 | 36000 | 383 |
| 6 | Containers (Laden) | 60 | 1.5 | 12000 | 0 | 0 | 10000 | 0 | 0 | 15000 | 0 | 0 | 4800 | 5 | 24000 | 35000 | 0.75 | 26250 | 50250 | 90 |
| 6A | Containers (Empty) | 60 | 1.5 | 12000 | 0 | 0 | 10000 | 0 | 0 | 15000 | 0 | 0 | 4800 | 5 | 24000 | 35000 | 0.75 | 26250 | 50250 | 90 |
| 7 | Project Cargo including Machinery | 220 | 1.6 | 12000 | 0 | 0 | 10000 | 0 | 0 | 15000 | 1 | 15000 | 4800 | 5 | 24000 | 35000 | 0 | 0 | 39000 | 352 |
| 8 | Coastal Mixed General Cargo including project cargo, machinery and machinery parts | 100 | 1.5 | 12000 | 0 | 0 | 10000 | 1 | 10000 | 15000 | 0 | 0 | 4800 | 2 | 9600 | 35000 | 0 | 0 | 19600 | 150 |

Calculation of Normative Tariff/ Ceiling Rates for Shore Handling Operations of Dry Bulk Cargo

DRY BULK CARGO

| SL. NO. | CARGO GROUP | Equipment Hire Cost | Labour Cost | Total Operating Cost | 20% Operating Overheads | 20% Administrative Overheads | Total | 20% Margin | Revenue Requirement per Shift | Norms per shift | Normative tariff/ Ceiling tariff/ Ceiling rate per Tonne | | |
|---------|---|---------------------|-------------|----------------------|-------------------------|------------------------------|-----------|------------|-------------------------------|-----------------|--|-------------------|---------|
| | | | | | | | | | | | As proposed by the KOPT | As modified by us | |
| | | | | | | | | | | | | Foreign | Coastal |
| 1 | Fertilizer -Raw Materials | 20000.00 | 1000.00 | 21000.00 | 4200.00 | 4200.00 | 29400.00 | 5880.00 | 35280.00 | 563 | 62.72 | 64.53 | 38.72 |
| 2a | Thermal Coal | 64960.00 | 3248.00 | 68208.00 | 13641.60 | 13641.60 | 95491.20 | 19098.24 | 114589.44 | 891 | 128.61 | 128.61 | 128.61 |
| 2b | Coal other than thermal coal | 64960.00 | 3248.00 | 68208.00 | 13641.60 | 13641.60 | 95491.20 | 19098.24 | 114589.44 | 1210 | 128.61 | 132.31 | 79.39 |
| 3a | Iron Ore, Iron Ore Pellets | 70120.00 | 3506.00 | 73626.00 | 14725.20 | 14725.20 | 103076.40 | 20615.28 | 123691.68 | 1210 | 102.22 | 102.22 | 102.22 |
| 3b | Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 70120.00 | 3506.00 | 73626.00 | 14725.20 | 14725.20 | 103076.40 | 20615.28 | 123691.68 | 1210 | 102.22 | 105.17 | 63.10 |
| 4 | Limestone, Dolomite, Clinker, Clay, Sand and similar Dry Bulk cargo | 64960.00 | 3248.00 | 68208.00 | 13641.60 | 13641.60 | 95491.20 | 19098.24 | 114589.44 | 782 | 146.53 | 150.75 | 90.45 |
| 5 | Salt | 64960.00 | 3248.00 | 68208.00 | 13641.60 | 13641.60 | 95491.20 | 19098.24 | 114589.44 | 752 | 152.38 | 156.77 | 94.06 |

Calculation of Normative Tariff/ Ceiling Rates for Shore Handling Operations of Break Bulk Cargo

BREAK BULK CARGO

| SL. NO. | CARGO GROUP | Equipment Hire Cost | Labour Cost | Total Operating Cost | 20% Operating Overheads | 20% Administrative Overheads | Total | 20% Margin | Revenue Requirement per Shift | Norms per shift | Normative tariff/ Ceiling tariff/ Ceiling rate per Tonne | | | |
|---------|--|---------------------|-------------|----------------------|-------------------------|------------------------------|-------|------------|-------------------------------|-----------------|--|---------|-------------------|---------|
| | | | | | | | | | | | As proposed by the KOPT | | As modified by us | |
| | | | | | | | | | | | | | Foreign | Coastal |
| 1 | Bagged cargo | 0 | 14080 | 14080 | 2816 | 2816 | 19712 | 3942 | 23654 | 256 | 92.40 | 95.06 | 57.04 | |
| 2 | Jumbo Bags | 34000 | 3400 | 37400 | 7480 | 7480 | 52360 | 10472 | 62832 | 384 | 163.63 | 168.34 | 101.00 | |
| 3 | Iron and steel -coils and slabs | 39000 | 3900 | 42900 | 8580 | 8580 | 60060 | 12012 | 72072 | 515 | 139.95 | 143.98 | 86.39 | |
| 4 | Iron and Steel - pipes, tubes, plates | 38800 | 3880 | 42680 | 8536 | 8536 | 59752 | 11950 | 71702 | 432 | 165.98 | 170.76 | 102.46 | |
| 5 | Timber logs-(Soft/Hard) | 36000 | 3600 | 39600 | 7920 | 7920 | 55440 | 11088 | 66528 | 383 | 173.93 | 178.94 | 107.36 | |
| 6a | Containers (Laden) in TEUs | 50250 | 5025 | 55275 | 11055 | 11055 | 77385 | 15477 | 92862 | 90 | 1031.80 | 1061.52 | 636.91 | |
| 6b | Containers (Empty) in TEUs | 50250 | 5025 | 55275 | 11055 | 11055 | 77385 | 15477 | 92862 | 90 | 1031.80 | 1061.52 | 636.91 | |
| 7 | Project Cargo including Machinery and Mixed General cargo | 39000 | 3900 | 42900 | 8580 | 8580 | 60060 | 12012 | 72072 | 352 | 204.75 | 210.65 | 126.39 | |
| 8 | Coastal Mixed General Cargo including project cargo, machinery and machinery parts | 19600 | 1960 | 21560 | 4312 | 4312 | 30184 | 6037 | 36221 | 150 | 241.47 | -NA- | 241.47 | |

Annex - VII(a)

Calculation of Normative Tariff/ Ceiling Rates for Stevedoring Operation of Dry Bulk/ Break Bulk Cargo at Anchorage as given by KOPT and considered by TAMP.

| Sl.No. | Cargo Group | Average Hook-Shift Output (In Tonne) | Hire Cost for Crane Operator per Shift | Crane Operator cost per Tonne | LABOUR COST PER TONNE | TOTAL OPERATING COST | 20% OPERATING Overheads | SUB TOTAL | 20% ADMINISTRATIVE OVERHEAD | TOTAL | 20% MARGIN | REVENUE REQUIREMENT PER HOOK PER SHIFT | CEILING RATE PER TON | | |
|--------|------------------------------|--------------------------------------|--|-------------------------------|-----------------------|----------------------|-------------------------|-----------|-----------------------------|-------|------------|--|----------------------|-------------------|---------|
| | | | | | | | | | | | | | As proposed by KOPT | As modified by us | |
| | | | | | | | | | | | | | | Foreign | Coastal |
| 1a | Thermal Coal | 690 | 700.00 | 1.01 | 15 | 16.01 | 3.20 | 19.22 | 3.20 | 22.42 | 4.48 | 26.90 | 26.90 | 26.90 | 26.90 |
| 1b | Coal other than thermal coal | 690 | 700.00 | 1.01 | 15 | 16.01 | 3.20 | 19.21 | 3.20 | 22.41 | 4.48 | 26.89 | 26.89 | 27.67 | 16.60 |
| 2 | Bagged Cargo | 240 | 700.00 | 2.92 | 28 | 30.92 | 6.18 | 37.10 | 6.18 | 43.28 | 8.66 | 51.94 | 51.94 | 53.44 | 32.06 |
| 3 | Foodgrain | 640 | 700.00 | 1.09 | 15 | 16.09 | 3.22 | 19.31 | 3.22 | 22.53 | 4.51 | 27.04 | 27.04 | 27.82 | 16.69 |
| 4 | Other Bulk | 620 | 700.00 | 1.13 | 15 | 16.13 | 3.23 | 19.35 | 3.23 | 22.58 | 4.52 | 27.10 | 27.10 | 27.88 | 16.73 |
| 5 | Sugar | 415 | 700.00 | 1.69 | 15 | 16.69 | 3.34 | 20.02 | 3.34 | 23.36 | 4.67 | 28.03 | 28.03 | 28.84 | 17.30 |
| 6 | Log | 540 | 700.00 | 1.30 | 20 | 21.30 | 4.26 | 25.56 | 4.26 | 29.81 | 5.96 | 35.78 | 35.78 | 36.81 | 22.09 |

Calculation of Normative Tariff/ Ceiling Rates for Barge Handling at Berth for Dry Bulk/ Break Bulk Cargo

| Sl. No. | Cargo Group | Average Shift Output (In Tonne) | Hire Cost of Equipment for Barge Unloading | | | | Equipment cost per tonne for Barge Unloading | Cost of Labour for Barge Unloading (Rs. per Tonne) | Total Operating Cost for Barge Unloading per Tonne | 20% OPERATING Overhead | 20% ADMINISTRATIVE OVERHEAD | TOTAL COST | 20 % MARGIN | As proposed by Port | | | As modified by us | | | | | |
|---------|---|---------------------------------|--|------|-----------------|-------|--|--|--|------------------------|-----------------------------|------------|-------------|--|---|--|--|---------|---|---------|--|---------|
| | | | Mobile Shore Crane/ RST | Grab | Sling/ Spreader | Total | | | | | | | | CEILING RATE PER TON FOR BARGE UNLOADING | CEILING RATE PER TON FOR SHORE HANDLING | Total Cost for Barge Unloading at Berth upto Stacking Yard | CEILING RATE PER TON FOR BARGE UNLOADING | | CEILING RATE PER TON FOR SHORE HANDLING | | Total Cost for Barge Unloading at Berth upto Stacking Yard | |
| | | | | | | | | | | | | | | | | | Foreign | Coastal | Foreign | Coastal | Foreign | Coastal |
| 1 | Foodgrain (Bulk) | 295 | 15000 | 8000 | | 23000 | 78 | 0 | 78 | 16 | 16 | 109 | 22 | 130.98 | 92.40 | 223.38 | 134.76 | 80.85 | 95.06 | 57.04 | 229.82 | 137.89 |
| 2 | Foodgrain (Bag) stacked at berth back-up shed | 225 | 15000 | | 4200 | 19200 | 85 | 25 | 110 | 22 | 22 | 154 | 31 | 185.36 | 92.40 | 277.76 | 190.70 | 114.42 | 95.06 | 57.04 | 285.76 | 171.46 |
| 3a | Thermal Coal (All types) | 410 | 15000 | 8000 | | 23000 | 56 | 0 | 56 | 11 | 11 | 79 | 16 | 94.24 | 128.61 | 222.85 | 94.24 | 94.24 | 128.61 | 128.61 | 222.85 | 222.85 |
| 3b | Coal other than thermal coal | 410 | 15000 | 8000 | 0 | 23000 | 56 | 0 | 56 | 11 | 11 | 79 | 16 | 94.24 | 128.61 | 222.85 | 96.96 | 58.18 | 132.31 | 79.39 | 229.26 | 137.57 |
| 4 | Other Bag Cargo | 310 | 15000 | | 4200 | 19200 | 62 | 25 | 87 | 17 | 17 | 122 | 24 | 146.05 | 92.40 | 238.45 | 150.26 | 90.16 | 95.06 | 57.04 | 245.32 | 147.19 |
| 5 | Container (in TEUs) | 35 | 15000 | | 5000 | 20000 | 571 | 43 | 614 | 123 | 123 | 860 | 172 | 1032.00 | 1031.80 | 2063.80 | 1061.73 | 637.04 | 1061.52 | 636.91 | 2123.25 | 1273.95 |
| 6 | Log | 150 | 15000 | | 7000 | 22000 | 147 | 25 | 172 | 34 | 34 | 240 | 48 | 288.40 | 173.93 | 462.33 | 296.71 | 178.02 | 178.94 | 107.36 | 475.65 | 285.39 |

Annex - VIII(a)

Equipment Cost for Receiving / Delivery operations for Dry Bulk Cargo by Road

A: Dry Bulk Cargo

| Sl no. | Cargo Group | Type Equipment | | | | | | | | | Total Equipment cost per shift | Vessel Handling per shift | Delivery / Receiving Norms |
|--------|---|-------------------------------------|------------------------------|------------|-------------------------------------|------------------------------|------------|-------------------------------------|------------------------------|------------|--------------------------------|---------------------------|----------------------------|
| | | Dumper | | | Excavators | | | Payloader | | | | | |
| | | Equipment Hire Rate (Rs. Per Shift) | No. of Equipment (per Shift) | Total Cost | Equipment Hire Rate (Rs. Per Shift) | No. of Equipment (per Shift) | Total Cost | Equipment Hire Rate (Rs. Per Shift) | No. of Equipment (per Shift) | Total Cost | | | |
| 1 | Fertilizer Raw Materials | 5160 | 0 | 0 | 14000 | 0 | 0 | 10000 | 0 | 0 | 0 | 562.5 | 450 |
| 2 | Food Grains | 5160 | 0 | 0 | 14000 | 0 | 0 | 10000 | 0 | 0 | 0 | | 0 |
| 3 | Coal (All Types) | 5160 | 0 | 0 | 14000 | 1 | 14000 | 10000 | 1 | 10000 | 24000 | 891 | 713 |
| 4 | Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 5160 | 0 | 0 | 14000 | 1 | 14000 | 10000 | 1 | 10000 | 24000 | 1210 | 968 |
| 5 | Limestone, Dolomite, Clinker, Clay, Sand and similar Dry Bulk cargo | 5160 | 0 | 0 | 14000 | 1 | 14000 | 10000 | 1 | 10000 | 24000 | 782 | 626 |
| 6 | Salt | 5160 | 0 | 0 | 14000 | 1 | 14000 | 10000 | 1 | 10000 | 24000 | 752 | 602 |

Equipment Cost for Receiving / Delivery operations for Dry Bulk Cargo by Rail

A: Dry Bulk Cargo

| Sl no. | Cargo Group | Type Equipment | | | | | | | | | Total Equipment cost per shift | Rake loading / unloading per shift | Rake Delivery / Receiving Norms |
|--------|---|-------------------------------------|------------------------------|------------|-------------------------------------|------------------------------|------------|-------------------------------------|------------------------------|------------|--------------------------------|------------------------------------|---------------------------------|
| | | Dumper | | | Excavators | | | Payloader | | | | | |
| | | Equipment Hire Rate (Rs. Per Shift) | No. of Equipment (per Shift) | Total Cost | Equipment Hire Rate (Rs. Per Shift) | No. of Equipment (per Shift) | Total Cost | Equipment Hire Rate (Rs. Per Shift) | No. of Equipment (per Shift) | Total Cost | | | |
| 1 | Fertilizer Raw Materials | 5160 | 0 | 0 | 14000 | 0 | 0 | 10000 | 0 | 0 | 0 | 0 | 0 |
| 2 | Food Grains | 5160 | 0 | 0 | 14000 | 0 | 0 | 10000 | 0 | 0 | 0 | 0 | 0 |
| 3 | Coal (All Types) | 5160 | 6 | 30960 | 14000 | 1 | 14000 | 10000 | 3 | 30000 | 74960 | 1800 | 1800 |
| 4 | Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 5160 | 6 | 30960 | 14000 | 1 | 14000 | 10000 | 3 | 30000 | 74960 | 1800 | 1800 |
| 5 | Limestone, Dolomite, Clinker, Clay, Sand and similar Dry Bulk cargo | 5160 | 6 | 30960 | 14000 | 1 | 14000 | 10000 | 3 | 30000 | 74960 | 1800 | 1800 |
| 6 | Salt | 5160 | 6 | 30960 | 14000 | 1 | 14000 | 10000 | 3 | 30000 | 74960 | 1800 | 1800 |

1. Equipment deployment has been considered as per practice in KDS

2. For Fertilizer Raw Materials at KDS, cargo is delivered direct from berth and the same has already been considered in Shore Handling Operation Rates.

3. Delivery / Receiving norms have been taken as 0.8 of vessel handling per shift

Annex - VIII(b)

| Calculation of Normative Tariff / Ceiling Rates for Receiving / Delivery Operatins by Road of Dry Bulk Cargo | | | | | | | | | | | | |
|--|---|----------------|------------------------------------|----------------------|-------------------------|----------|------------------------------|-------|------------|---------------------|----------------------------|-------------------|
| A. Dry Bulk Cargo | | | | | | | | | | | | |
| Sr. no. | Cargo Group | Equipment Cost | Labour Cost (5% of Equipment Cost) | Total Operating Cost | 20% Operating Overheads | SubTotal | 20% Administrative Overheads | Total | 20% Margin | Revenue Requirement | Delivery / Receiving Norms | Naromative Tariff |
| 1 | Fertilizer Raw Materials * | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 450 | 0 |
| 2 | Food Grains ** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 3 | Coal (All Types) | 24000 | 1200 | 25200 | 5040 | 30240 | 5040 | 35280 | 7056 | 42336 | 713 | 59.39 |
| 4 | Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 24000 | 1200 | 25200 | 5040 | 30240 | 5040 | 35280 | 7056 | 42336 | 968 | 43.74 |
| 5 | Limestone, Dolomite, Clinker, Clay, Sand and similar Dry Bulk cargo | 24000 | 1200 | 25200 | 5040 | 30240 | 5040 | 35280 | 7056 | 42336 | 626 | 67.67 |
| 6 | Salt | 24000 | 1200 | 25200 | 5040 | 30240 | 5040 | 35280 | 7056 | 42336 | 602 | 70.37 |

| Calculation of Normative Tariff / Ceiling Rates for Receiving / Delivery Operatins by Rail of Dry Bulk Cargo | | | | | | | | | | | | |
|--|--|----------------|------------------------------------|----------------------|-------------------------|----------|------------------------------|----------|------------|---------------------|----------------------------|-------------------|
| A. Dry Bulk Cargo | | | | | | | | | | | | |
| Sr. no. | Cargo Group | Equipment Cost | Labour Cost (5% of Equipment Cost) | Total Operating Cost | 20% Operating Overheads | SubTotal | 20% Administrative Overheads | Total | 20% Margin | Revenue Requirement | Delivery / Receiving Norms | Naromative Tariff |
| 1 | Fertilizer Raw Materials | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 2 | Food Grains | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 3 | Coal (All Types) | 74960 | 3748 | 78708 | 15741.6 | 94449.6 | 15741.6 | 110191.2 | 22038.24 | 132229.44 | 1800 | 73.46 |
| 4 | Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Led and Zinc Ore | 74960 | 3748 | 78708 | 15741.6 | 94449.6 | 15741.6 | 110191.2 | 22038.24 | 132229.44 | 1800 | 73.46 |
| 5 | Limestone, Dolomite, Clinker, Clay, Sand and similar Dry Bulk cargo | 74960 | 3748 | 78708 | 15741.6 | 94449.6 | 15741.6 | 110191.2 | 22038.24 | 132229.44 | 1800 | 73.46 |
| 6 | Salt | 74960 | 3748 | 78708 | 15741.6 | 94449.6 | 15741.6 | 110191.2 | 22038.24 | 132229.44 | 1800 | 73.46 |

- * For Fertilizer Raw Materials at KDS, cargo is delivered direct from berth and the same has already been considered in Shore Handling Operations Rates
- ** Food Granis in bulk are not handled (received /delivered) at berths in KDS.

Annex - VIII(c)

Equipment Cost for Receiving / Delivery operations for Break Bulk Cargo

| A: Break Bulk Cargo | | | | | | | | | | | | | | | | |
|---------------------|---|-------------------------------------|------------------------------|------------|-------------------------------------|------------------------------|------------|-------------------------------------|------------------------------|------------|-------------------------------------|------------------------------|----------------------|---------------------------|----------------------------|-------|
| SI no. | Cargo Group | Type Equipment | | | | | | | | | | | Total Cost per shift | Vessel Handling per shift | Delivery / Receiving Norms | |
| | | Log Grabbers 10T | | | Mobile Cranes 10/15T | | | Mobile Cranes 20/30T | | | Top Lifter-Reach Stacker | | | | | |
| | | Equipment Hire Rate (Rs. Per Shift) | No. of Equipment (per Shift) | Total Cost | Equipment Hire Rate (Rs. Per Shift) | No. of Equipment (per Shift) | Total Cost | Equipment Hire Rate (Rs. Per Shift) | No. of Equipment (per Shift) | Total Cost | Equipment Hire Rate (Rs. Per Shift) | No. of Equipment (per Shift) | Total Cost | | | |
| 1 | Bagged cargo | 12000 | 0 | 0 | 10000 | 0 | 0 | 15000 | 0 | 0 | 35000 | 0 | 0 | 0 | 256 | 128 |
| 2 | Jumbo Bags | 12000 | 0 | 0 | 10000 | 1 | 10000 | 15000 | 0 | 0 | 35000 | 0 | 0 | 10000 | 384 | 192 |
| 3 | Iron and steel -coils and slabs | 12000 | 0 | 0 | 10000 | 0 | 0 | 15000 | 1 | 15000 | 35000 | 0 | 0 | 15000 | 515 | 257.5 |
| 4 | Iron and Steel - pipes, tubes, plates | 12000 | 0 | 0 | 10000 | 0 | 0 | 15000 | 1 | 15000 | 35000 | 0 | 0 | 15000 | 432 | 216 |
| 5 | Timber logs - (Soft/ Hard) | 12000 | 1 | 12000 | 10000 | 0 | 0 | 15000 | 0 | 0 | 35000 | 0 | 0 | 12000 | 382 | 305.6 |
| 6 | Containers (Laden) | 12000 | 0 | 0 | 10000 | 0 | 0 | 15000 | 0 | 0 | 35000 | 0.75 | 26250 | 26250 | 90 | 45 |
| 6A | Containers (Empty) | 12000 | 0 | 0 | 10000 | 0 | 0 | 15000 | 0 | 0 | 35000 | 0.75 | 26250 | 26250 | 90 | 90 |
| 7 | Project Cargo including Machinery | 12000 | 0 | 0 | 10000 | 0 | 0 | 15000 | 1 | 15000 | 35000 | 0 | 0 | 15000 | 352 | 176 |
| 8 | Coastal Mixed General Cargo | 12000 | 0 | 0 | 10000 | 1 | 10000 | 15000 | 0 | 0 | 35000 | 0 | 0 | 10000 | 150 | 150 |
| 9 | Motor Vehicles/Earth Moving Equipement (through Ro-Ro Vessel) | No Norm | | | | | | | | | | | | | | |

Break Bulk receiving / delivery has been considered for road only as there is very seldom by Rail
RST utilisation is taken as 0.75 as avg output is only 90 TEUs/ shift which is much less than the per shift RST productivity. The same RST is used for receiving and delivery also.

Log Grab 1.5 as same log grab at yard is used for two hooks (i.e 3 for 2 hooks)

Delivery / receiving norms for Break-bulk have been taken as 0.5 of vessel handling per shift (except MT containers, Timbers logs and coastal Mixed General Cargo)

Delivery / receiving norms for MT containers has been taken as 1.0 as very little restacking is required during removal to outside docks

Delivery / receiving norms for Coastal Mixed General Cargo is taken as 1.0 as a lot of cargo is taken as direct delivery from berth.

Delivery / receiving norms for Timber is taken as 0.8 as manual intervention / slinging is not required.

Annex - VIII(d)

| Calculation of Normative Tariff / Ceiling Rates for Receiving / Delivery Operations by Road of Break Bulk Cargo | | | | | | | | | | | | |
|---|---|----------------|-------------------------------------|----------------------|-------------------------|----------|------------------------------|-------|------------|---------------------|----------------------------|-------------------|
| A. Break Bulk Cargo | | | | | | | | | | | | |
| Sr. no. | Cargo Group | Equipment Cost | Labour Cost (10% of Equipment Cost) | Total Operating Cost | 20% Operating Overheads | SubTotal | 20% Administrative Overheads | Total | 20% Margin | Revenue Requirement | Delivery / Receiving Norms | Naromative Tariff |
| 1 | Bagged cargo * | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 128 | 0 |
| 2 | Jumbo Bags | 10000 | 1000 | 11000 | 2200 | 13200 | 2200 | 15400 | 3080 | 18480 | 192 | 96.25 |
| 3 | Iron and steel -coils and slabs | 15000 | 1500 | 16500 | 3300 | 19800 | 3300 | 23100 | 4620 | 27720 | 257.5 | 107.65 |
| 4 | Iron and Steel - pipes, tubes, plates | 15000 | 1500 | 16500 | 3300 | 19800 | 3300 | 23100 | 4620 | 27720 | 216 | 128.33 |
| 5 | Timber logs - (Soft/ Hard) | 12000 | 1200 | 13200 | 2640 | 15840 | 2640 | 18480 | 3696 | 22176 | 305.6 | 72.57 |
| 6 | Containers (Laden) | 26250 | 2625 | 28875 | 5775 | 34650 | 5775 | 40425 | 8085 | 48510 | 45 | 1078.00 |
| 6A | Containers (Empty) | 26250 | 2625 | 28875 | 5775 | 34650 | 5775 | 40425 | 8085 | 48510 | 90 | 539.00 |
| 7 | Project Cargo including Machinery | 15000 | 1500 | 16500 | 3300 | 19800 | 3300 | 23100 | 4620 | 27720 | 176 | 157.50 |
| 8 | Coastal Mixed General Cargo | 10000 | 1000 | 11000 | 2200 | 13200 | 2200 | 15400 | 3080 | 18480 | 150 | 123.20 |
| 9 | Motor Vehicles/Earth Moving Equipement (through Ro-Ro Vessel) | | | | | | | | | | | |

1. * Calculation of Bagged Cargo is shown in Annex VIII (e).

Annex - VIII(e)

| Calculation of Normative Tariff / Ceiling Rates for Receiving / Delivery by Road of bagged cargo | | | | | | | | | |
|--|---------------------------------------|----------------------------------|-----------------------------------|--------------------------|------------------------|------------------------------|------------|------------|---|
| Sr.no. | Cargo Group | Cost of Transportation on per MT | Cost of Labour including Sweeping | Total Operating Cost for | 20% Operating Overhead | 20% Administrative Overheads | Total Cost | 20% Margin | Ceiling Rate per ton for Shore Handling |
| 1 | Bagged foodgrain & other bagged cargo | 0 | 42 | 42 | 8.4 | 8.4 | 58.8 | 11.76 | 70.56 |

| Calculation of Normative Tariff / Ceiling Rates for Receiving / Delivery by Rail of bagged cargo | | | | | | | | | |
|--|---------------------------------------|----------------------------------|-----------------------------------|--------------------------|------------------------|------------------------------|------------|------------|---|
| Sr.no. | Cargo Group | Cost of Transportation on per MT | Cost of Labour including Sweeping | Total Operating Cost for | 20% Operating Overhead | 20% Administrative Overheads | Total Cost | 20% Margin | Ceiling Rate per ton for Shore Handling |
| 1 | Bagged foodgrain & other bagged cargo | 50 | 63 | 113 | 22.6 | 22.6 | 158.20 | 31.64 | 189.84 |

Note 1. Cost of loading as obtained from labour contractors operating in KDS by KDS.

2. The Cost of transportation has been collected verbally as Rs. 50/- per Tonne by KDS.

3. Total labour cost involved in delivery by Rail is assumed to be 1.5 times of the labour cost for the delivery operation by road as it involved additional handling [Assumption is by KDS]

Annex - C XIII

Calculation of Normative Tariff/ Ceiling Rates for additional cost involving Shore Handling Operation for Bagged Cargo from berth to shed other than berth back-up shed & vice-versa

| Sl. No. | Cargo Group | Transportation cost per Tonne | Cost of Labour | Total Operating Cost for Barge Unloading per Tonne | 20% OPERATING Overhead | 20% ADMINISTRATIVE OVERHEAD | TOTAL COST | 20 % MARGIN | CEILING RATE PER TON FOR SHORE HANDLING |
|---------|--|-------------------------------|----------------|--|------------------------|-----------------------------|------------|-------------|---|
| 1 | Bagged foodgrain transported from wharf and stacked at shed other than berth back-up shed & vice-versa | 50 | 27.50 | 77.50 | 15.50 | 15.50 | 108.50 | 21.70 | 130.20 |
| 2 | Other Bagged cargo transported from wharf and stacked at shed other than berth back-up shed & vice-versa | 50 | 27.50 | 77.50 | 15.50 | 15.50 | 108.50 | 21.70 | 130.20 |

Note :

- 1 The cost of transportation has been collected verbally as Rs.50 per Tonne.
- 2 Total labour cost involved in this process is assumed to be 1.5 times of the labour cost for the entire shore-handling operation. As 1.0 times labour cost has already been considered in computing at the shore handling rates, only the additional 0.5 labour cost has been considered in the aforesaid calculation.

**KOLKATA PORT TRUST – KOLKATA DOCK SYSTEM
UPFRONT TARIFF FOR STEVEDORING AND SHORE HANDLING SERVICES**

Part I - Definitions and General conditions

(I). Definitions:

- (i). “Coastal vessel” shall mean any vessel exclusively employed in trading between any port or place in India to any other port or place in India having a valid coastal licence issued by the Directorate General of Shipping/ Competent Authority.
- (ii). “Foreign-going vessel” shall mean any vessel other than coastal vessel.
- (iii). ‘Stevedoring’ includes loading and unloading and stowage of cargo in any form on board the vessels in Port.
- (iv). ‘Shore handling’ includes arranging and receiving the cargo to/from the hook point, inter modal transport from wharf to stack yard and vice-versa and also receiving and delivering of cargo from/to wagons /trucks.
- (v). ‘Stevedore’ is an authorized agent for loading and unloading and anchorage of cargo in any form on board the vessels in ports and to whom the licence has been given under regulations.
- (vi). ‘Shore handling agent’ is an authorized agent for arranging the receiving the cargo to/ from the hook point, intermodal transport from wharf to stock yard and vice-versa and also receiving and delivering of cargo from/ to wagons/ trucks.

(II). General conditions:

- (i). The status of the vessel, as borne out by its certification by the Customs or the Director General of Shipping, shall be the deciding factor for classifying into ‘coastal’ or ‘foreign-going’ category for the purpose of levying vessel related charges; and, the nature of cargo or its origin will not be of any relevance for this purpose.
- (ii). System of classification of vessel for levy of Vessel Related Charges (VRC)
 - (a). 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.
- (iii). Criteria for levy of Vessel Related Charges (VRC) at Concessional Coastal rate and foreign rate
 - (a). In cases of such conversion, coastal rates shall be chargeable by the load port from the time the vessel starts loading coastal goods.
 - (b). In cases of such conversion coastal rates shall be chargeable till the vessel completes discharging operations at the last call of Indian Port; immediately thereafter, foreign going rates shall be chargeable by the discharge ports.
 - (c). For dedicated Indian coastal vessels having a Coastal licence from the Director General of Shipping, no other document will be required to be entitled to coastal rates.

- (iv). 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 Licence 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.
- (v). All the charges shall be denominated in Indian Rupees.
- (vi). This tariff is not applicable for BOT/ BOOT operators or any other arrangement for private sector participation who are governed by the Tariff Guidelines of 2005, 2008 and 2013.
- (vii). This tariff is applicable uniformly to the entire port where the stevedoring and shore handling operations are carried out by private agencies or firms.
- (viii). (a). The tariff notified is ceiling level.
- (b). The rates prescribed in the Scale of Rates are ceiling levels; likewise, rebates and discounts are floor levels. The authorized agent may, if he so desires, charge lower rates and/or allow higher rebates and discounts.
- (c). The authorized agent may also, if he so desire rationalise the prescribed conditionalities governing the application of rates prescribed in the Scale of Rates if such rationalisation gives relief to the users in rate per unit and the unit rates prescribed in the Scale of Rates do not exceed the ceiling level.
- (d). The authorized agent should, however, notify the public such lower rates and/ or rationalisation 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.
- (ix). The authorized agent shall charge only for services provided by him. No notional booking of labour and other similar notional charges would be permitted.
- (x). If any new cargo is to be handled which is not notified/ not included in the list, then the port may categorise that cargo under any one of the cargo categories based on the nature, physical characteristics and the method of handling that cargo.
- (xi). Services for other miscellaneous activities and also the handling charges for specific cargoes when Port takes custody of cargo as per Section 42 of MPT Act shall continue to be levied by Port as per TAMP notified SOR.

- (xii). 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 1st January 2017 and 31 December of the relevant year. Such automatic adjustment of tariff caps will be made every year and the adjusted tariff caps will come into effect from 1st April of the relevant year to 31st March of the following year.
- (xiii).
 - (a). From the date of Commercial Operation (CoD) till 31st March of the same financial year, the tariff would be limited to the indexed upfront tariff relevant to that year, which would be the ceiling. The aforesaid tariff shall be automatically revised every year based on an indexation as provided in para 2.10. of the normative tariff guidelines, 2016 which will be applicable for the entire License period.
 - (b). The operator, however, is entitled to 100% WPI indexation instead of 60% WPI indexation, from the second year of operation on achievement of performance standards as prescribed in respect of Coal and Industrial Salt as prescribed in the Order no. TAMP/73/2016-KOPT dated 4 January 2017, as stipulated in clause 7.1. of the guidelines issued by the Ministry of Shipping for fixation of upfront tariff for stevedoring and shore handling operations. For break bulk cargo, the Performance Standards as notified along with this Scale of Rates will be applicable.
 - (c). For this purpose, the Operator shall approach the concerned Major Port Trust within 30 days of completion of financial year of operation along with details of cargo wise average Performance standard achieved for each cargo for both stevedoring and shore handling operations.
 - (d). The Major Port Trust shall ascertain the achievement of performance standards claimed to have been achieved by the operator by engaging Consultant if required in one month's time.
 - (e). The operator can apply 100% indexation instead of 60% on written confirmation by the Major Port Trust to the operator that it has achieved the Performance Standards notified along with the upfront tariff.
 - (f). In the event the Major Port Trust confirms that the operator has not achieved the Performance Standards as notified by TAMP in previous 12 months, the operator will not be entitled for 100% WPI indexation. The operator will continue to levy the tariff with 60% indexation as prescribed at clause 2.10. of the normative tariff guidelines, 2016.
- (xiv). All the operators shall furnish to the Major Port Trust and TAMP annual reports on cargo traffic, ship berth day output, per shift output within a month following the end of financial year in respect of stevedoring/ shore handling operations licensed by the port. Any other information which may be required by TAMP shall also be furnished to them from time to time.
- (xv). TAMP shall publish on its website all such information received from operators and Major Port Trusts. However, TAMP shall consider a request from any operator or Major Port Trust about not publishing certain data/ information furnished which may be 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. TAMP's decision in this regard would be final.
- (xvi). The performance norms prescribed for various commodities shall be the minimum that should be achieved by the operator. These performance norms shall be incorporated in the bid documents, if there is a bidding process.
- (xvii). The performance actually achieved by the operator shall be monitored by both the Port and the TAMP on a quarterly basis. In the event of any shortfall in achieving the performance

prescribed, the Port will initiate action on the operator as per the terms contained in the agreement entered into with the operator by the Port.

- (xviii). In the event any user has any grievance regarding non-achievement by the operator of the Performance Standards as notified by the TAMP, he may prefer a representation to TAMP which, thereafter, shall conduct an inquiry into the representation and give its finding to the concerned Major Port Trust. The Major Port Trust will be bound to take necessary action on the findings as per the provisions of the contract conditions of the Agreement.
- (xix). In calculating the gross weight or measurement by volume or capacity of any individual item, fractions upto 0.50 shall be taken as 0.50 unit and fractions of 0.50 and above shall be treated as one unit, except where otherwise specified.
- (xx). Users will not be required to pay charges for delays beyond reasonable level attributable to the operator.
- (xxi). As per coastal policy direction issued by the MOS and notified by this Authority vide Order No.TAMP/4/2004-Genl. dated 7 January 2005 and 15 March 2005 –
- (a). The cargo/container related charges for all coastal cargo/containers, other than thermal coal, POL (including crude oil), iron ore and iron ore pellets, should not exceed 60% of the corresponding charges for normal cargo/container related charges.
- (b). In case of cargo related charges, the concessional rates should be levied on all the relevant handling charges for ship shore transfer and transfer from/to quay to/from storage yard including wharfage.
- (c). In case of container related charges, the concession is applicable on composite box rate. Where itemised charges are levied, 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.
(As and when there is a change in the policy direction issued by the MOS on the coastal concession policy, the same will be communicated to the port.)
- (xxii). If any question arises requiring clarification or interpretation of the Scale of Rates and Statement of conditions of the operator, the matter shall be referred to TAMP and decision of TAMP in this regard will be binding on the operator.

Part - II

Stevedoring and Shore Handling Agents working at Kolkata Dock System, who has been issued license for undertaking such work under Kolkata Port Trust (Stevedoring and Shore Handling) Regulations, 2016 shall not levy charges exceeding the following rates:

(A). For stevedoring on-board ship at Berth

(i) Dry Bulk Cargo

| Sl. No. | Cargo Group | Rates per Tonne (In ₹) | |
|---------|---|---------------------------|---------|
| | | Foreign | Coastal |
| 1 | Fertilizer -Raw Materials | 113.66 | 68.20 |
| 2a | Thermal Coal | 83.69 | 83.69 |
| 2b | Coal other than thermal Coal | 86.11 | 51.67 |
| 3a | Iron Ore, Iron Ore Pellets | 68.48 | 68.48 |
| 3b | Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 70.45 | 42.27 |
| 4 | Limestone, Dolomite, Clinker, Clay, Sand and similar Dry Bulk cargo | 92.66 | 55.60 |
| 5 | Salt | 90.69 | 54.41 |

(ii) Break Bulk Cargo

| Sl. No. | Cargo Group | Rates per Tonne (In ₹) | |
|---------|--|------------------------|---------|
| | | Foreign | Coastal |
| 1. | Bagged cargo | 181.31 | 108.79 |
| 2. | Jumbo Bags | 166.24 | 99.74 |
| 3. | Iron & Steel – Coils & Slabs | 156.47 | 93.88 |
| 4. | Iron & Steel - Pipes, Tubes & Plates | 125.61 | 75.37 |
| 5. | Timber Logs | 158.41 | 95.05 |
| 6. | Container (Laden/Empty) at Non-MHC Berth (Rate per TEU) | 406.81 | 244.09 |
| 7. | Mixed General Cargo including project cargo, machinery and machinery parts | 255.99 | 153.59 |
| 8. | Coastal Mixed General Cargo including project cargo, machinery and machinery parts | -NA- | 281.97 |

(B). For stevedoring on-board ship at Anchorage

(i). Dry Bulk Cargo

| Sl. No. | Cargo Group | Rate per Tonne (In ₹) | |
|---------|------------------------------|-----------------------|---------|
| | | Foreign | Coastal |
| 1a. | Thermal, Coal | 26.90 | 26.90 |
| 1b. | Coal other than thermal Coal | 27.67 | 16.60 |
| 2. | Food Grains | 27.82 | 16.69 |
| 3. | Sugar | 28.84 | 17.30 |
| 4. | Other Bulk Cargo | 27.88 | 16.73 |

(ii). Break Bulk Cargo

| Sl. No. | Cargo Group | Rate per Tonne (In ₹) | |
|---------|---|-----------------------|---------|
| | | Foreign | Coastal |
| 1. | Bagged Cargo | 53.44 | 32.06 |
| 2. | Log | 36.81 | 22.09 |
| 3. | Container (Laden/Empty) at Non-MHC Berth (Rate per TEU) | 406.81 | 244.09 |

Note:(a).Stevedoring for the purpose of (A) & (B) above, includes loading and unloading and stowage of cargo in any form on-board the vessels in port.

(b). For container exceeding 20 ft., rates shall be levied at 1.5 times of TEU rate.

(c). Stevedoring activities cover discharging cargo from ships in to barge or vice versa.

(C). For shore handling operation

(i) Dry Bulk Cargo

| Sl. No. | Cargo Group | Rates per Tonne (In ₹) | |
|---------|---------------------------|------------------------|---------|
| | | Foreign | Coastal |
| 1 | Fertilizer -Raw Materials | 64.53 | 38.72 |
| 2a | Thermal Coal | 128.61 | 128.61 |

| | | | |
|----|---|--------|--------|
| 2b | Coal other than thermal Coal | 132.31 | 79.39 |
| 3a | Iron Ore, Iron Ore Pellets | 102.22 | 102.22 |
| 3b | Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 105.17 | 63.10 |
| 4 | Limestone, Dolomite, Clinker, Clay, Sand and similar Dry Bulk cargo | 150.75 | 90.45 |
| 5 | Salt | 156.77 | 94.06 |

(ii) Break Bulk Cargo

| Sl. No. | Cargo Group | Rates per Tonne (In ₹) | |
|---------|--|------------------------|---------|
| | | Foreign | Coastal |
| 1. | Bagged cargo | 95.06 | 57.04 |
| 2. | Jumbo Bags | 168.34 | 101.00 |
| 3. | Iron & Steel – Coils & Slabs | 143.98 | 86.39 |
| 4. | Iron & Steel - Pipes, Tubes & Plates | 170.76 | 102.46 |
| 5. | Timber Logs | 178.94 | 107.36 |
| 6. | Container (Laden & Empty) at Non-MHC Berth | 1061.52 | 636.91 |
| 7. | Mixed General Cargo including project cargo, machinery and machinery parts | 210.65 | 126.39 |
| 8. | Coastal Mixed General Cargo including project cargo, machinery and machinery parts | -NA- | 241.47 |

Note:

- (a) Shore Handling for the purpose of (C) above, except for Fertilizer Raw Material, includes, arranging and receiving the cargo to/from the hook point, intermodal transport from wharf to stack-yard within port premises and vice versa.
- (b) For Fertilizer Raw Material, shore handling will cover only loading of cargo unloaded at the wharf on to trucks for going directly to consignee premises or vice versa.

(D). For shore handling operation including loading/unloading of cargo to/from Barge at Wharf/ Berth

| Sl. No. | Cargo Group | Rates per Tonne (In ₹) | |
|---------|---|------------------------|---------|
| | | Foreign | Coastal |
| 1. | Food Grain discharged in Bulk and bagged for stacking | 229.82 | 137.89 |
| 2. | Food Grain (Bagged) | 285.76 | 171.46 |
| 3. | Logs | 475.65 | 285.39 |
| 4. | Thermal Coal | 222.85 | 222.85 |
| 5. | Coal other than Thermal Coal & other bulk Cargo | 229.26 | 137.56 |
| 5. | Other Bagged Cargo | 245.32 | 147.19 |
| 6. | Container (Laden & Empty) in TEUs | 2123.25 | 1273.95 |

Explanations –

- (i) The above rates includes basic wages for Tindal, Signaller and Operator as per CDLB rates but do not include Calcutta Dock Labour Board charges payable by the Stevedores under Calcutta Dock Workers (Regulation of Employment) Scheme, 1970 and Calcutta Dock Clerical & Supervisory (Regulation of Employment) Scheme, 1970, which may be collected from the users, if required.
- (ii) For container exceeding 20 ft rates shall be levied at 1.5 times of TEU rate.

- (iii) In case Shore Handling Operation of Bagged cargo involves transfer of cargo from wharf/berth to shed/stacking point other than berth back up shed and vice versa additional shore handling charge of ₹ 130.20 per tonne will be levied.
- (iv) In case of project material/packages requiring specialized slings and attachments/ equipment, the stevedoring and shore handling agents may levy additional charges on actuals, subject to consignee/consignor agreeing to the same for which confirmation has to be submitted to Port disclosing the rates before the actual operation.
- (v) Service includes unloading of cargo from barges to quay and removing them to the adjacent stacking point or vice versa. (Bagging and stitching operations either on-board or on shore has not been considered.)

Part – III

Stevedoring and Shore Handling Agents working at Kolkata Dock System, who has been issued license for undertaking such work under Kolkata Port Trust (Stevedoring and Shore Handling) Regulations, 2016 shall not levy charges exceeding the following rates for shore handling services in connection with delivery and receiving at storage yard/ shed:

(a). For delivery/ receiving of dry bulk cargo

(i). By road

| Sl. No. | Cargo Group | Rates per tonne (In ₹) |
|---------|---|------------------------|
| 1. | Fertilizer & Fertilizer Raw Materials | - |
| 2. | Coal (All types) | 59.39 |
| 3. | Iron Ore, Iron Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 43.74 |
| 4. | Limestone, Dolomite, Clinker, Clay, Sand & other Dry Bulk Cargo | 67.67 |
| 5. | Salt | 70.37 |

(ii). By rail

| Sl. No. | Cargo Group | Rates per tonne (In ₹) |
|---------|---|------------------------|
| 1. | Fertilizer & Fertilizer Raw Materials | - |
| 2. | Coal (All types) | 73.46 |
| 3. | Iron Ore, Iron Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 73.46 |
| 4. | Limestone, Dolomite, Clinker, Clay, Sand & other Dry Bulk Cargo | 73.46 |
| 5. | Salt | 73.46 |

(b). For delivery/ receiving of break bulk cargo

(i). By road

| Sl. No. | Cargo Group | Rates per tonne (In ₹) |
|---------|---|------------------------|
| 1. | Bagged cargo | 70.56 |
| 2. | Jumbo Bags | 96.25 |
| 3. | Iron & Steel – Coils & Slabs | 107.65 |
| 4. | Iron & Steel - Pipes, Tubes & Plates | 128.33 |
| 5. | Timber Logs | 72.57 |
| 6. | Container Laden at Non-MHC Berth (Rate per TEU) | 1078.00 |

| | | |
|----|--|--------|
| 6a | Container Empty at Non-MHC Berth (Rate per TEU) | 539.00 |
| 7. | Mixed General Cargo including project cargo, machinery and machinery parts | 157.50 |
| 8. | Coastal Mixed General Cargo including project cargo, machinery and machinery parts Coastal Mixed General Cargo | 123.20 |

(ii). By rail

| Sl. No. | Cargo Group | Rates per tonne (In ₹) |
|---------|----------------------------|---|
| 1. | Bagged cargo | 189.84 |
| 2. | All other break bulk cargo | Two times rate of delivery/ receiving by road |

Notes:

- (i). Delivery/ receiving of Fertiliser raw material takes place at berth itself, so no separate delivery/ receiving charge is leviable other than the charges for shore handling operation specified above, which covers the loading/unloading at berths for delivery/ receiving.
- (ii). Incase of direct delivery/ receiving from/ to berth (other than Fertiliser raw material as mentioned above, the rates for shore handling operations as specified at (C) of Part II shall not apply, instead delivery/ receiving rates as specified above shall be levied.
- (iii). Delivery/ receiving for the purpose of above, except for Fertiliser raw material includes, loading the cargo from the storage shed or yard, to truck or trailer or vice versa. Incase of delivery/ receiving by rail, it will also involve shifting of cargo from its storage point to railway loading point and loading into railway wagons or vice versa.
- (iv). For container exceeding 20 ft., rates shall be levied at 1.5 times of TEU rates.
- (v). Incase of project material/ packages requiring specialized slings and attachments/ equipment, the stevedoring and shore handling agents may levy additional charges on actuals, subject to consignee/ consignor agreeing to the same for which confirmation has to be submitted to Port disclosing the rates before the actual operation.

Part – IV

Stevedoring and Shore Handling Agents working at Kolkata Dock System, who have been issued license for undertaking such work under Kolkata Port Trust (Stevedoring and Shore Handling) Regulations, 2016 shall comply with the following productivity norms:

A. For stevedoring on-board ship at Berth

(i) Dry Bulk Cargo

The Performance Standards for dry bulk cargo will be as prescribed in the Berthing Policy vide letter No.PD-11033/73/2013-PT(pt) dated 16 June 2016 for dry bulk cargo as stipulated in clause 7.1. of the guidelines issued by the Ministry of Shipping for fixation of upfront tariff for stevedoring and shore handling operations.

(ii) Break Bulk Cargo

| Sl. No. | Cargo Group | Norms in Tonnes per Hook per Shift |
|---------|--|------------------------------------|
| 1. | Bagged cargo | 160 |
| 2. | Jumbo Bags | 240 |
| 3. | Iron & Steel – Coils & Slabs | 515 |
| 4. | Iron & Steel - Pipes, Tubes & Plates | 270 |
| 5. | Timber Logs | 225 |
| 6. | Container (Laden/Empty) at Non-MHC Berths | 60 TEUs |
| 7. | Mixed General Cargo including project cargo, machinery and machinery parts | 220 |
| 8. | Coastal Mixed General Cargo including project cargo, machinery and machinery parts Coastal Mixed General Cargo | 100 |

B. For Shore Handling

The Stevedoring and Shore Handling Agent shall clear all cargo and its residuals from wharf/berth within the time limit mentioned below from the time of completion of vessel/barge operation -

| | |
|----------------------|---------|
| For Dry Bulk Cargo | 6 Hours |
| For Break Bulk Cargo | 2 Hours |

In case the Stevedoring and Shore Handling Agent fails to comply with the above timeline for removal of all cargo and its residuals (except bulk fertilizer raw material which is delivered direct from berth), a penalty @ ₹ 1,000/- per hour shall be levied by the Port for the period after expiry of the timeline mentioned above till removal.

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

| | |
|--------------------------|--|
| F. No. TAMP/80/2016-KOPT | Proposal received from Kolkata Port Trust (KOPT) for determination of upfront tariff for stevedoring and shore handling operations at Kolkata Dock System at KOPT. |
|--------------------------|--|

A summary of the comments of users / user organisations and response of Kolkata Port Trust (KOPT) thereon is tabulated below:

| Sr. no. | Comments of the users / user organizations / stevedore association | Reply of KOPT |
|---------|---|--|
| 1. | Master Stevedores' Association (MSA) dated 23.12.2016 | |
| | Our initial observation / comments against the proposal made by KOPT for Stevedoring and Shore Handling operation at Kolkata Dock System are as follows : | |
| (i). | Certain commodities are not properly classified for working out the tariff. | <p>Commodities have been classified as per classification provided in the Guidelines for determination of Upfront Tariff notified by TAMP in respect of cargo presently being handled at KDS.</p> <p>In case of Dry Bulk, certain commodity groups like Finished fertilizer, Shredded Scrap, Heavy Melting Scrap, Other Ores and Minerals, Aluminium and Pig Iron Ingots etc. have not been considered separately as the same are not being handled presently at KDS. No separate non-coking coal group has been proposed as very few coal vessels visit KDS and that too mostly handled at anchorages.</p> <p>In case of break-bulk cargo, commodity group of Granite and Marbles have not been considered separately as the same are not being handled presently at KDS. 'Timber Log' is kept as one group</p> |

| | | |
|--------|--|---|
| | | <p>since handling methods for both soft and hard varieties are the same. Load and Empty containers are also clubbed together since they are handled together by the same hook with similar handling methods.</p> <p>The details of basis of classification have already been furnished to TAMP with the proposal.</p> <p>However, MSA has not mentioned any specific item of classification for further examination if any.</p> |
| (ii). | The norms suggested also require review as some of them are not realistic. | <p>MSA has not specified the item(s) for which review of norm is required.</p> <p>The methodology followed in arriving at the norms have already been furnished to TAMP with the proposal.</p> |
| (iii). | Equipment / Gears cost has not been properly apportioned. | <p>Equipment / Gears costs have been considered as per guidelines provided by TAMP taking into consideration the available local rates.</p> |
| (iv). | Manpower requirement has not been properly assessed and this has to be totally reviewed keeping in relation with the requirement and handling procedure. | <p>Manpower requirement have been considered as per guidelines provided by TAMP.</p> |
| (v). | Scope of work not clear. | <p>As per Stevedoring and Shore Handling Policy 2016 issued by the Ministry of Shipping, Stevedoring has been defined as – “Stevedoring includes loading and unloading and stowage of cargo in any form on board the vessels in Ports” and Shore Handling has been defined as –</p> |

| | | |
|-------|--|---|
| | | <p>“Shore Handling includes arranging and receiving the cargo to/from the hook point, intermodal transport from wharf to stack yard and vice-versa and also receiving and delivery of cargo from/to wagons to trucks”.</p> <p>The Upfront/Ceiling Tariff has been calculated and proposed as per the methodology provided in the guidelines. As the guidelines issued by TAMP in arriving at the cost and consequent Ceiling Rates must have envisaged the scope of work of the Stevedoring and Shore Handling Agents commonly applicable for all Ports, the Authority may like to define/clarify the same for common adoption.</p> |
| (vi). | At KDS, Calcutta Dock Labour Board is charging a fixed amount on Stevedores on commodity basis which is an input cost to draw and operate stevedoring operation at Kolkata. All rates are inclusive of this cost. Therefore, this cost must be included as part of operational cost with suitable margin etc. allowed. | This has been considered and accordingly it has been clarified in the proposal that Upfront Tariff/Ceiling Rates proposed do not include Calcutta Dock Labour Board charges. This may be considered as an additional levy by the Stevedores so long they are statutorily required to pay the said charges to Calcutta Dock Labour Board. |
| 2. | Calcutta Dock Workers Union (CDWU) dated 11.01.2017 and letter dated 24.02.2017 | |
| 3. | Calcutta Port & Dock Industrial Workmen Union (CPDIW) dated 9.01.2017 | |
| (i). | This union does not oppose any rational move and/ or proposal to make Kolkata Port a cost friendly and trade friendly. But not at the cost and interest of main stake holders i.e. Port and Dock workers. | The upfront tariff proposal for |

| | | |
|--------|--|--|
| (ii). | The unions of Port & Dock workers affiliated to five major and recognized federations was not consulted and no consensus or agreement has been reached in respect of such change in manning and datum/productivity. This is a clear violation of spirit as embodied in the text of Wage Settlement dt. 02.08.2000 and 25.10.2013. | stevedoring & shore handling operation has been submitted in terms of MOS directive and following the guidelines notified by TAMP. |
| (iii). | The contents of such purported proposal is a faulty one since different types of operation/ handling of cargo viz. manual, mechanical, semi-mechanical was not considered/ consulted and taken into account. The proposal on manning and datum is bad in law since as per clause 35 of National Wage Settlement dt. 02.08.2000 between five Major Federations and Management of Major Ports, the Govt. of India, in the Ministry of Shipping agreed to refer the matter of manning and datum uniformly applicable to all major ports for adjudication to National Tribunal by Order no. L-31011/1/2000-TR(Nisc) dt. 25.11.03 U/S. 10(1) of the ID Act, 1947 in the Court of Hr. Justice Hrishikesh Banerjee, who acted as Presiding Officer under ref. No. NT-01/2001. And His Lordship has been pleased to pass Award on the terms of reference at Kolkata on 19.04.2006 which was published in the official Gazette of India. A synopsis of Award of National Tribunal relating to manning and other allied matters applicable to cargo handling operation and also to workers belonging to Calcutta Dock Labour Board (CDLB) is furnished for ready reference/ records. | The manpower for stevedoring operation has been followed as per the manning norms given in the guidelines. The CDLB charge has been kept out of the purview of the KDS tariff proposal and provided as an additional levy by the Stevedoring along with proposed ceiling rates. Therefore there is no interference with CDLB regulations. |
| (iv). | With reference to above, it may be appreciated that the purported proposal on manning as mooted by KOPT, is totally contradictory and not fully covered, Besides, CDLB in Kolkata was constituted under Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) and is functioning by a Scheme framed u/s. 2(e) of the Principal Act 1948 which enjoy a statutory force as per law established. The scheme is known and called The Calcutta Dock Workers (Regulation of Employment) Scheme, 1970 and came into force w.e.f. 1 st July, 1970. The Scheme, inter-alia fixed the manning and datum against each type of cargo and operation by schedule VI of the Scheme which formed an integral part of the scheme. | The Guidelines for determination of Upfront Tariff for Stevedoring & shore Handling Operation authorized by Major Ports is only for fixation of upfront tariff for carrying out all stevedoring & shore handling operations by the agencies or firms who are authorized by Major |
| (v). | The present proposal of manning, datum, etc. as mooted by KOPT Admn. is totally contradictory and in violation of codified provision of the schedule VI of the Scheme, 1970. As per section 8A of the Principal Act, 1948 any amendment, modification, if made or contemplated is required to be replaced in both houses of Parliament and after getting the affirmative nod from the Houses, modified effect can be made and/or enforced. But nothing has been done in the instant proposal by KOPT. Therefore, the purported proposal of KOPT is illegal, unilateral, authoritarian and ultra vires. | Port Trusts to carry out these operations under the provisions of Section 42(3) of MPT Act 1963. |
| (vi). | There is another important omission envisaged in the purported proposal of manning mooted by KOPT. In clause 2(b) of the Principal Act 1948 (9 of 1948) the definition of dock workers and their work / function is well defined. One of such functions is to perform work in connection with preparation of ships or other vessels for the receipt / discharge of cargoes or leaving port. For leaving the ship / vessel from port a group of workers is required to prepare the documentation records. These workers are known and called as Clerical & Supervisory workers. In the purported proposal of KoPT, presence and requirement of these categories of workers and their work is totally denied but no alternative suggestion is available as to how such documents work being a prime necessity for keeping cargo in the leave ship/ vessel, as per manifesto, be made and by whom. Significantly the existence of Tally Clerk, General Purpose Mazdoor (Carpenters) category has | |

| | | |
|------------------------|--|--|
| | been vanished from the Category chart maintained for cargo handling and cargo record keeping function. | |
| (vii). | The Govt. of India, in the Ministry of Shipping has evolved a new Stevedoring and Shore handling policy in 2009 and again modified in 2016. The policy has empowered the licensed stevedore companies to use and engage their own workers in cargo handling operation Inside impounded Dock/Berths in the event the Port Trust or Dock Labour Board fail to supply workers as per their requisition. It is true that at present KoPT and CDLB are suffering from inadequate number of workers for cargo handling operation on board and on shore and main reason for that is the Govt. of India has imposed embargo in entry of fresh workers in such operation. To augment the strength of cargo handling dock worker on board and on shore, embargo should be lifted and fresh recruitment of workers be allowed in compliance with Award passed by the National Tribunal in para 66 or its Award being binding and mandatory to all parties as per section 18 of ID Act 1947. | |
| (viii). | Based on the foregoing submissions and in view of the fact that the manning scale as codified in schedule VI of the CDLB Scheme, 1970 and the National Tribunal Award being statutory and mandatory to all parties covered as passed by the Hon'ble Presiding Officer, Mr. Justice Hrishikesh Banerjee, the Propriety and authority of KOPT for mooted the purported proposal of revised and reduced manning of cargo handling dock workers is hereby strongly challenged and be it noted that cargo handling workers of on board operation or shore operation would not accept the revised and reduced manning and proposal of absurd increase in datum till such time a consensus followed by an agreement on it is reached and signed between KOPT and all Trade Unions affiliated to 5 Major and Recognised Federations. Till then the existing manning with old age practice in respect of cargo handling pattern, manning and datum should continue to maintain peace and harmony in Port & Dock Industries. | |
| (ix). | TAMP is the Competent Authority for fixing the rates for cargo related, vessel related and other matters relating to the Port operations and revenue, etc. But the fixation of manning and datum as applicable for all major ports is uniformly vested on other forum and even Ministry did not say anything keeping in mind the Award of National Tribunal, Schedule 6 of Dock Workers (Regulation of employment) Scheme and other Agreements in force. | |
| (x). | In view of the above, the contention expressed by the KOPT that its proposal is in terms of Guidelines and that the manpower for stevedoring operation is as per the manning norms given in the Guidelines is confusing and does not corroborate with the existing area of functioning and authority of TAMP. | |
| 4. 5. | The Master Stevedores' Association (MSA) dated 17.01.2017 Ripley & Co. Stevedoring & Handling Pvt Ltd (RCSHPL) dated 6.02.2017 | |
| | Our detailed comments on KOPT proposal for determination of upfront tariff for stevedoring and shore handling operations at Kolkata Dock System is as follows: | |
| (i). | Section 42 (1) does not cover stevedoring service and as such stevedoring is not a Port Service as defined as per Section 42(1) of the Major Ports Act. Consequently, the stevedoring service does not come within the purview of 42(3). Stevedores are also not authorized persons as envisaged under Section 42 (3). They are licensed u/s. 123 for the purpose. Hence, the Board or TAMP cannot fix a ceiling rate as proposed now. | While preparing the tariff proposal, charges payable to Calcutta Dock Labor Board (CDLB) has not been considered, instead proposed as an additional levy by the stevedores along |

| | | |
|-------|--|--|
| | | <p>with the ceiling rates. Hence, Stevedores can always provide their services within the notified ceiling rate with CDLB cost as an additional charge.</p> <p>Moreover, the legality of fixation of ceiling rate for stevedoring services by TAMP is a matter commonly applicable for all ports. Therefore, the Authority may like to dispose of this issue through general clarification.</p> |
| (ii). | Without prejudice to the above, MSA submits the following :- <u>Points need to be reviewed and clarified by TAMP</u> | |
| (a). | The guideline for determination of upfront tariff is not circulated. Hence, MSA is not able to comment on quoted paragraphs by KOPT. It is found that a number of clarifications are being sought from the Government on various points. Hence, MSA seeks the guidelines and the specific points for clarification sought/cleared. | Although proposal for upfront tariff for handling at anchorages and barge handling at docks have been submitted to TAMP, clarifications have also been sought whether there is requirement for fixation of such tariff as such operations are not covered under CDLB regulations, However, at KDS such operations are presently undertaken by stevedores (for vessel loading/unloading at anchorages) and by handling agents (for barge loading/unloading at docks). |
| (b). | Notwithstanding the above, MSA wishes to clarify that according to the revised Stevedoring and Shore Handling Policy for Major Ports“, no notional booking or levying of charges should be made and agents shall not be levied any charges for labour, in case the Port Trust (in our case Dock Labour Board does not supply the labour” A proposal, has however been made under this column that the charges payable to CDLB be treated as additional levy by the Stevedores. It is also stated in the statement of clarification of Normative Tariff / Ceiling Rates for Stevedoring of Dry Bulk Cargo (Annexure – C III) that “Stevedores are required to pay CDLB Levy as per Schematic Provisions of CDLB” which has not been considered while arriving at the aforesaid ceiling rates cost. Therefore CDLB charges are to be levied extra. We wish to clarify here that what we are paying to Dock | The labour deployment for stevedoring operations has been as per the norms provided in the guidelines and not as per Calcutta Dock Labor Board manning scale. However, as submitted by Master Stevedores’ Association during the hearing taken by |

| | | |
|------|--|---|
| | <p>Labour Board is a consolidated rate which is supposed to include wages for supply of labour and levy thereon as determined by Dock Labour Board. This exercise was done when the consolidated charges were introduced. Over the period, as already admitted by KOPT, the Dock Labour Board is not supplying full complement labour but continue collecting charges. This is not authorized by the Scheme, and the Scheme only authorizes collecting of wages for the workers supplied and levy thereon. Therefore, if this charge is to continue, the same has to be included in the cost as stevedores are to pay this charge upfront to the Board for supply of labour and it is factored in the cost of operation. As per the prevailing practice, the Trade only pays a consolidated stevedoring rate inclusive of Dock Labour Board charges. Therefore in the proposed tariff, this cost should be included as input cost and provide for margin etc. as per accepted formula.</p> | <p>TAMP on 25.01.2017 at Kolkata regarding the issue of on-board labour cost considered in the proposal of KDS based on the manning provided in the guidelines, the authority may consider a relief manning for equipment operator (operator for ship's crane) and signalman which is stated to be a practice as well as requirement for efficient and safe working, provided the same is also considered at other ports.</p> |
| (c). | <p><u>Para VI :</u> Anchorage points do not come under the purview of DLB / Port labour and cannot be included in the present proposed tariff. The same also applies for unloading of boats which is not considered as stevedoring activity as per DLB Scheme as no DLB labour is required to be booked.</p> | <p>KOPT has not given any comments.</p> |
| (d). | <p><u>Para VII :</u> In the proposed tariff annual indexation of tariff on the basis of Wholesale Price Index (WPI) is provided whereas the Kolkata Port and Dock Workers are entitled to review as per Cost Price Index (CPI) every quarter. Therefore suitable escalation clause should be provided on this line. Excluded services / activities, if any, will be by negotiation between the Principal and Agent.</p> | <p>KOPT has no comments on the methodology for the annual indexation of tariff.</p> |
| (e). | <p><u>Approach / assumptions made for fixation of upfront tariff / ceiling rates for stevedoring and shore handling operation – Page 5 to 7:</u> Assumption of labour cost for Shore Handling at a small percentage of equipment cost is not realistic. This is likely to be much higher. Existing manning scale in vogue should be the basis for any calculation. The assumption of labour manning is neither in line with the accepted norm of Dock Labour Board nor what is in practice / vogue. It may please be noted that it will not be possible to reduce the manning as it will definitely invite labour protest / unrest and other consequences affecting vessels' operation.</p> | <p>For manning cost of stevedoring and shore handling operations, KDS has followed the guidelines.</p> |
| (f). | <p><u>Para VIII :</u> At anchorage, Grabs are also provided by stevedores on most of the bulk vessels. As stated earlier, the proposed tariff should not include Anchorage points. Gears and equipment reckoned for various operations are not correct and exhaustive. The actual requirement is given in the following paragraphs.</p> | <p>It has been learnt that at times grabs are also used by the stevedores for operations on dry bulk vessels at anchorages when vessels does not provide the same. However, in arriving at the upfront tariff for</p> |

| | | |
|------|---|--|
| | | <p>stevedoring operations at anchorages the grab cost has not been taken into consideration as such situations are occasional. A separate tariff with grab cost may be considered by the Authority for meeting such situation.</p> <p>KDS has considered in the proposal standard gears and equipment's generally used in operations, which may not be exhaustive to meet each and every requirement. It apparently appears that 20% operational overheads and 20% administrative overheads besides 20% margin provided in the guidelines would cover such other costs. (Cost of Grabs at anchorage have not been considered as it has been learnt that in most cases the vessels provide the Grabs)</p> |
| (g). | <p>Para IX : Barge handling and unloading should be waived as it is not a stevedoring operation.</p> | ----- |
| (h). | <p><u>Proposed Upfront Tariff / Ceiling Rates Productivity Norms for stevedoring and shore handling operations at Kolkata Dock System under Kolkata Port Trust :</u> Any extra services, specialized equipments provided will have to be negotiated between the Principals and Agent. This may be decided by market forces. Under "Stevedoring on board ship for Break Bulk", timber log is considered only for vessels fitted with gears for grab handling. Shore handling: Adequate time should be provided for removal of cargo from the Wharf upon completion for Bulk and Break-Bulk cargo as long as this does not interfere with subsequent vessel berthing or any other related activity.</p> | <p>For shore handling operations, a time has been fixed for removal of cargo from jetty as performance norms. The proposal of Master Stevedores' Association that time should be provided for removal cargo jetty "as long as it does not interfere with subsequent vessel berthing or any other related activity" is not tune with the spirit of</p> |

| | | | the policy and cannot be accede to. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|------|--|---|---|--|---------------------------------------|--------------------------------------|--------------------------------|---|--------------------------|---------------------|---|--|---|-------------|--|-----|-----|---|---|---------------------|---|--|--|---|-----|-----|-----|---|---|-----|-----|-----|---|---|--------|-----|-----|---|---|-----|-----|-----|---|-----------------------------|-----|--|-----|---|-------------------------------------|---|--|--|--|
| (i). | The various Annexures as furnished by MSA/ RCSHPL is as follows: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <p>(a). PRODUCTIVITY NORMS PER HOOK PER SHIFT AND PER SHIFT FOR DRY BULK CARGO FOR STEVEDORING OPERATIONS AT KDS:</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Commodity</th> <th>Norm in Ton per Hook per shift</th> <th>Our suggested Norm</th> <th>Average No. of hooks per shift</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Fertilizer-Raw Materials</td> <td>375</td> <td>300</td> <td>1.5</td> </tr> <tr> <td>2</td> <td>Food Grains</td> <td colspan="3">To be decided later as Food Grains are yet to be handled as dry bulk cargo at dock berths</td> </tr> <tr> <td>3</td> <td>Coal - All types including Thermal/Steam Coal, Calcined petroleum coke, Coke/ Charcoal, Metallurgical Coke, Coking Coal, coke of all kinds and charcoal of all kinds, etc</td> <td>495</td> <td>400</td> <td>1.8</td> </tr> <tr> <td>4</td> <td>Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore</td> <td>605</td> <td>500</td> <td>2</td> </tr> <tr> <td>5</td> <td>Limestone, Dolomite, Clinker, Clay, Sand and other similar Dry Bulk cargo</td> <td>460</td> <td>375</td> <td>1.7</td> </tr> <tr> <td>6</td> <td>Salt</td> <td>470</td> <td>400</td> <td>1.6</td> </tr> </tbody> </table> | | No. | Commodity | Norm in Ton per Hook per shift | Our suggested Norm | Average No. of hooks per shift | 1 | Fertilizer-Raw Materials | 375 | 300 | 1.5 | 2 | Food Grains | To be decided later as Food Grains are yet to be handled as dry bulk cargo at dock berths | | | 3 | Coal - All types including Thermal/Steam Coal, Calcined petroleum coke, Coke/ Charcoal, Metallurgical Coke, Coking Coal, coke of all kinds and charcoal of all kinds, etc | 495 | 400 | 1.8 | 4 | Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 605 | 500 | 2 | 5 | Limestone, Dolomite, Clinker, Clay, Sand and other similar Dry Bulk cargo | 460 | 375 | 1.7 | 6 | Salt | 470 | 400 | 1.6 | The basis of calculations of productivity norms has already been submitted. | | | | | | | | | | | | | | | |
| No. | Commodity | Norm in Ton per Hook per shift | Our suggested Norm | Average No. of hooks per shift | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | Fertilizer-Raw Materials | 375 | 300 | 1.5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Food Grains | To be decided later as Food Grains are yet to be handled as dry bulk cargo at dock berths | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | Coal - All types including Thermal/Steam Coal, Calcined petroleum coke, Coke/ Charcoal, Metallurgical Coke, Coking Coal, coke of all kinds and charcoal of all kinds, etc | 495 | 400 | 1.8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | 605 | 500 | 2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | Limestone, Dolomite, Clinker, Clay, Sand and other similar Dry Bulk cargo | 460 | 375 | 1.7 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | Salt | 470 | 400 | 1.6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <p>(b). PRODUCTIVITY NORMS FOR THE PRODUCTIVITY PER HOOK PER SHIFT AND PER SHIFT FOR BREAK BULK CARGO AT KDS:</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Commodity</th> <th>Norm in Ton per Hook per shift</th> <th>Our suggested Norm</th> <th>Average No. of hooks per shift</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Bagged Cargo</td> <td>160</td> <td>150</td> <td>1.6</td> </tr> <tr> <td>2</td> <td>Jumbo Bags</td> <td>240</td> <td>200</td> <td>1.6</td> </tr> <tr> <td>3</td> <td>Iron and steel - coils and slabs</td> <td>515</td> <td>450</td> <td>1.0</td> </tr> <tr> <td>4</td> <td>Iron and steel - Pipes, tubes plates</td> <td>270</td> <td>175</td> <td>1.6</td> </tr> <tr> <td>5</td> <td>Timber logs - using Grab</td> <td>225</td> <td>200</td> <td>1.7</td> </tr> <tr> <td>6</td> <td>Container (Laden & Empty) at non-MHC berths</td> <td>60 TEU</td> <td>50</td> <td>1.5</td> </tr> <tr> <td>7</td> <td>Mixed General Cargo including Project and Machinery & parts</td> <td>220</td> <td>125</td> <td>1.6</td> </tr> <tr> <td>8</td> <td>Coastal Mixed General cargo</td> <td>100</td> <td></td> <td>1.5</td> </tr> <tr> <td>9</td> <td>Motor Vehicles (through Ro-Ro ship)</td> <td colspan="3">In Ro-Ro ships no hook is used. Discharge and loading is by moving on wheels. Normally vessel finishes work in less than one shift. Cost may be worked out on Unit basis.</td> </tr> </tbody> </table> | | No. | Commodity | Norm in Ton per Hook per shift | Our suggested Norm | Average No. of hooks per shift | 1 | Bagged Cargo | 160 | 150 | 1.6 | 2 | Jumbo Bags | 240 | 200 | 1.6 | 3 | Iron and steel - coils and slabs | 515 | 450 | 1.0 | 4 | Iron and steel - Pipes, tubes plates | 270 | 175 | 1.6 | 5 | Timber logs - using Grab | 225 | 200 | 1.7 | 6 | Container (Laden & Empty) at non-MHC berths | 60 TEU | 50 | 1.5 | 7 | Mixed General Cargo including Project and Machinery & parts | 220 | 125 | 1.6 | 8 | Coastal Mixed General cargo | 100 | | 1.5 | 9 | Motor Vehicles (through Ro-Ro ship) | In Ro-Ro ships no hook is used. Discharge and loading is by moving on wheels. Normally vessel finishes work in less than one shift. Cost may be worked out on Unit basis. | | | |
| No. | Commodity | Norm in Ton per Hook per shift | Our suggested Norm | Average No. of hooks per shift | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | Bagged Cargo | 160 | 150 | 1.6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Jumbo Bags | 240 | 200 | 1.6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | Iron and steel - coils and slabs | 515 | 450 | 1.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | Iron and steel - Pipes, tubes plates | 270 | 175 | 1.6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | Timber logs - using Grab | 225 | 200 | 1.7 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | Container (Laden & Empty) at non-MHC berths | 60 TEU | 50 | 1.5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | Mixed General Cargo including Project and Machinery & parts | 220 | 125 | 1.6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | Coastal Mixed General cargo | 100 | | 1.5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | Motor Vehicles (through Ro-Ro ship) | In Ro-Ro ships no hook is used. Discharge and loading is by moving on wheels. Normally vessel finishes work in less than one shift. Cost may be worked out on Unit basis. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <p>(c). NORMS ON TYPE AND CAPACITY OF EQUIPMENT TO BE DEPLOYED FOR HANDLING DRY BULK CARGO BETWEEN SHIP AND SHORE AT KDS:</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Commodity</th> <th>Handling Equipment from Ship to Shore</th> <th>Handling Equipment for hatch working</th> <th>Our suggested requirement</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Fertilizer-Raw Materials</td> <td>Ship Crane/ Derrick</td> <td>Payloader - 1 No. per hook Grab - 1 No. per hook</td> <td>Payloader/ Excavator - 1 No. per hook Grab - 1 No. per hook Electro grab Generator from the shore</td> </tr> <tr> <td>2</td> <td>Food Grains</td> <td colspan="3">May be decided later once handling for M/s ETC Agro by conveyor form KPD-II to the Plant is decided.</td> </tr> <tr> <td>3</td> <td>Coal - All types including Thermal/Steam Coal, Calcined petroleum coke, Coke/ Charcoal, Metallurgical Coke, Coking Coal, coke of all</td> <td>Ship Crane/ Derrick</td> <td>Payloader - 1 No. per hook Grab - 1 No. per hook</td> <td>Payloader/ Excavator - 1 No. per hook Grab - 1 No. per hook Electro grab</td> </tr> </tbody> </table> | | No. | Commodity | Handling Equipment from Ship to Shore | Handling Equipment for hatch working | Our suggested requirement | 1 | Fertilizer-Raw Materials | Ship Crane/ Derrick | Payloader - 1 No. per hook Grab - 1 No. per hook | Payloader/ Excavator - 1 No. per hook Grab - 1 No. per hook Electro grab Generator from the shore | 2 | Food Grains | May be decided later once handling for M/s ETC Agro by conveyor form KPD-II to the Plant is decided. | | | 3 | Coal - All types including Thermal/Steam Coal, Calcined petroleum coke, Coke/ Charcoal, Metallurgical Coke, Coking Coal, coke of all | Ship Crane/ Derrick | Payloader - 1 No. per hook Grab - 1 No. per hook | Payloader/ Excavator - 1 No. per hook Grab - 1 No. per hook Electro grab | Equipment deployed for handling dry bulk between ship and shore – the proposal of Master Stevedores' Association mentions cost for generator from shore. It may be mentioned that extra electrical power support is not a regular feature for vessels coming to KDS. Moreover, extra electrical power support is not a part of any stevedoring | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| No. | Commodity | Handling Equipment from Ship to Shore | Handling Equipment for hatch working | Our suggested requirement | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | Fertilizer-Raw Materials | Ship Crane/ Derrick | Payloader - 1 No. per hook Grab - 1 No. per hook | Payloader/ Excavator - 1 No. per hook Grab - 1 No. per hook Electro grab Generator from the shore | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Food Grains | May be decided later once handling for M/s ETC Agro by conveyor form KPD-II to the Plant is decided. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | Coal - All types including Thermal/Steam Coal, Calcined petroleum coke, Coke/ Charcoal, Metallurgical Coke, Coking Coal, coke of all | Ship Crane/ Derrick | Payloader - 1 No. per hook Grab - 1 No. per hook | Payloader/ Excavator - 1 No. per hook Grab - 1 No. per hook Electro grab | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | | | |
|---|---|----------------------|---------------|--------------------------|--|
| | kinds and charcoal of all kinds, etc | | | Generator from the shore | activity but merely an arrangement by the vessel agent to give power to ship's crane. (All ports including KoPT are in the process of setting up arrangement to provide electrical power to vessels, as required, under Green Port initiative. It will be an arrangement between the port and the vessel agent and not the stevedore). |
| 4 | Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | Ship Crane/ Derrick | Same as above | Same as above | |
| 5 | Limestone, Dolomite, Clinker, Clay, Sand and other similar Dry Bulk cargo | Ship Crane / Derrick | Same as above | Same as above | |
| 6 | Salt | Ship Crane/ Derrick | Same as above | Same as above | |

| (d). NORMS ON TYPE AND CAPACITY OF EQUIPMENT TO BE DEPLOYED FOR HANDLING BREAK BULK CARGO BETWEEN SHIP AND SHORE AT KDS: | | | | | Equipment deployed for handling break bulk between ship and shore – the proposal of Master Stevedores' Associations mentions cost of different types of slings used. It may be mentioned that cost of different types of slings for different types of cargo has already been accounted for. |
|--|---|---|--|---|--|
| No. | Commodity | Handling Equipment from Ship to Shore | Handling Equipment for hatch working | Our suggested requirement | |
| 1 | Bagged Cargo | By net sling (maximum load ST) and hooks if required | No equipment | Jubba wire slings, hooks, Shackles, spreader beams | |
| 2 | Jumbo Bags | By hooks | DFLT ST - 1 No. | DFLT ST - 1 No. Jubba wire slings, hooks, shackles, spreader beams | |
| 3 | Iron and steel - coils and slabs | By ship cranes/derrick using wire rope slings attached to the hooks | DFLT 20T - 1 No. or 2 X 10T, if 20T is not available | DFLT 20T - 1 No. or 2 I X 10T, if 20T is not available Booms, wires, spreader beams, 'L' hooks with wires, braided slings | |
| 4 | Iron and steel - Pipes, tubes plates | By ship crane/derrick Using slings | DFLT ST - 1 No. | DFLT ST - 1 No. Pipe hooks ('L' hooks), clamp hooks with wires, spreader beams, rail clips | |
| 5 | Timber logs - using Grab | By ship crane/derrick using log grabs | Log grab Sling - 1 No. per hook | Log grab Sling - 1 No. Per hook – generator for power | |
| 6 | Container (Laden & Empty) at non-MHC berths | By ship crane using manual spreaders | Spreader - 1 No. per hook | Spreader - 1 No. per hook With wires and shackles, boat hook, aluminum ladder, Human cage | |

| | | | | |
|---|---|------------------------------------|-------------------|--|
| 7 | Mixed General Cargo including Project and Machinery & parts | By ship crane/derrick using slings | DFLT (ST) - 1 No. | DFLT (ST) - 1 No. Wires of various capacity, shackles, tape slings of various capacities, spreader beams, 'T' tray, nets, wire slings, jubba slings |
| 8 | Coastal Mixed General cargo | By ship crane/derrick Using slings | No equipment | Grabs, jubba wire slings, forklifts, front-end loader, rope net and slings |
| 9 | Motor Vehicles (through Ro-Ro ship) | Nil | Nil | Nil |

(e). NORMS FOR ESTIMATION OF EQUIPMENT HIRE COST FOR STEVEDORING OPERATION AT KDS

A – Dry Bulk Cargo

| No. | Commodity | Handling Equipment from Ship to Shore | No. of hooks worked per shift | Handling Equipment for hatch working | Our suggested requirement | No. of hatch worked per shift |
|-----|---|--|-------------------------------|---|---|-------------------------------|
| 1 | Fertilizer-Raw Materials | Ship Crane/ Derrick | 1.5 | Payloader - 1 No. per hook Grab - 1 No. per hook | Payloader/ Excavator - 1 No. per hook Grab - 1 No. per hook Electro grab Generator from the shore | 1.5 |
| 2 | Food Grains | May be decided later once handling for M/s ETC Agro by conveyor from KPD-II to the Plant is decided. | | | | |
| 3 | Coal - All types including Thermal/Steam Coal, Calcined petroleum coke, Coke/ Charcoal, Metallurgical Coke, Coking Coal, coke of all kinds and charcoal of all kinds, etc | Ship Crane/ Derrick | 1.8 | Payloader - 1 No. per hook Grab - 1 No. per hook | Payloader/ Excavator - 1 No. per hook Grab - 1 No. per hook Electro grab Generator from the shore | 1.8 |
| 4 | Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | Ship Crane/ Derrick | 2 | Same as above | Same as above | 2 |
| 5 | Limestone, Dolomite, Clinker, Clay, Sand and other similar Dry Bulk cargo | Ship Crane / Derrick | 1.7 | Same as above | Same as above | 1.7 |
| 6 | Salt | Ship Crane/ Derrick | 1.6 | Same as above | Same as above | 1.6 |

B – Break Bulk Cargo

| No. | Commodity | Handling Equipment from Ship to Shore | No. of hooks worked per shift | Handling Equipment for hatch working | Our suggested requirement | No. of hatch worked per shift |
|-----|---|---|-------------------------------|--|---|-------------------------------|
| 1 | Bagged Cargo | By net sling (maximum load ST) and hooks if required | 1.6 | No equipment | Jubba wire slings, hooks, Shackles, spreader beams | 1.6 |
| 2 | Jumbo Bags | By hooks | 1.6 | DFLT ST - 1 No. | DFLT ST - 1 No. Jubba wire slings, hooks, shackles, spreader beams | 1.6 |
| 3 | Iron and steel - coils and slabs | By ship cranes/derrick using wire rope slings attached to the hooks | 1.0 | DFLT 20T - 1 No. or 2 X 10T, if 20T is not available | DFLT 20T - 1 No. or 2 I X 10T, if 20T is not available Booms, wires, spreader beams, 'L' hooks with wires, braided slings | 1.0 |
| 4 | Iron and steel - Pipes, tubes plates | By ship crane/derrick Using slings | 1.6 | DFLT ST - 1 No. | DFLT ST - 1 No. Pipe hooks ('L' hooks), clamp hooks with wires, spreader beams, rail clips | 1.6 |
| 5 | Timber logs - using Grab | By ship crane/derrick using log grabs | 1.7 | Log grab Sling - 1 No. per hook | Log grab Sling - 1 No. Per hook – generator for power | 1.7 |
| 6 | Container (Laden & Empty) at non-MHC berths | By ship crane using manual spreaders | 1.5 | Spreader - 1 No. per hook | Spreader - 1 No. per hook With wires and shackles, boat hook, aluminum ladder, Human cage | 1.5 |
| 7 | Mixed General Cargo including Project and Machinery & parts | By ship crane/derrick using slings | 1.6 | DFLT (ST) - 1 No. | DFLT (ST) - 1 No. Wires of various capacity, shackles, tape slings of various capacities, spreader beams, 'T' tray, nets, wire slings, jubba slings | 1.6 |
| 8 | Coastal Mixed General cargo | By ship crane/derrick Using slings | 1.5 | No equipment | Grabs, jubba wire slings, forklifts, front-end loader, | 1.5 |

| | | | | | rope net and slings | |
|---|--|--|---------------------|-------------------|---------------------|------------------------|
| 9 | Motor Vehicles (through Ro-Ro ship) | Nil | Nil | Nil | Nil | Nil |
| (f). NORMS FOR ESTIMATION OF LABOUR COST FOR STEVEDORING OPERATION AT KDS | | | | | | |
| A – Dry Bulk Cargo | | | | | | |
| No. | Commodity | Tindal per shift | Signalman per shift | Mazdoor per shift | Operator per shift | No. of hooks per shift |
| 1 | Fertilizer-Raw Materials KOPT - MSA - | 0 1 | 1 2 | 0 4 | 1 2 | 1.5 |
| 2 | Food Grains KOPT - MSA - | May be decided later once handling for M/s ETC Agro by conveyor from KPD-II to the Plant is decided. | | | | |
| 3 | Coal - All types including Thermal/Steam Coal, Calcined petroleum coke, Coke/ Charcoal, Metallurgical Coke, Coking Coal, coke of all kinds and charcoal of all kinds, etc KOPT - MSA - | 0 1 | 1 2 | 0 4 | 1 2 | 1.8 |
| 4 | Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore KOPT - MSA - | 0 1 | 1 2 | 0 4 | 1 2 | 2 |
| 5 | Limestone, Dolomite, Clinker, Clay, Sand and other similar Dry Bulk cargo KOPT - MSA - | 0 1 | 1 2 | 0 4 | 1 2 | 1.7 |
| 6 | Salt KOPT - MSA - | 0 1 | 1 2 | 0 4 | 1 2 | 1.6 |
| B – Break Bulk Cargo | | | | | | |
| No. | Commodity | Tindal per shift | Signalman per shift | Mazdoor per shift | Operator per shift | No. of hooks per shift |
| 1 | Bagged Cargo KOPT - MSA - | 1 1 | 1 2 | 0 10 | 1 2 | 1.6 |
| 2 | Jumbo Bags KOPT - MSA - | 1 1 | 1 2 | 0 6 | 1 2 | 1.6 |
| 3 | Iron and steel - coils and slabs KOPT - MSA - | 1 1 | 1 2 | 0 6 | 1 2 | 1.0 |
| 4 | Iron and steel - Pipes, tubes plates KOPT - MSA - | 1 1 | 1 2 | 0 6 | 1 2 | 1.6 |
| 5 | Timber logs - using Grab KOPT - MSA - | 1 1 | 1 2 | 0 4 | 1 2 | 1.7 |

| | 6 | Container (Laden & Empty) at non-MHC berths KOPT - MSA - | 1 1 | 1 2 | 0 6 | 1 2 | 1.5 | | | | | | | | | | | | | | | | | | | | | | |
|-----|--|--|--------|--------|--------|-----------------|-----|-----|-----------|--|---|--------------------------|----------------|---|-------------|---|---|---|---|---|---|---|---|---|---|---|------|---|--|
| | 7 | Mixed General Cargo including Project and Machinery & parts KOPT - MSA - | 1 1 | 1 2 | 0 8 | 1 2 | 1.7 | | | | | | | | | | | | | | | | | | | | | | |
| | 8 | Coastal Mixed General cargo KOPT - MSA - | 1 1 | 1 2 | 0 8 | 1 2 | 1.8 | | | | | | | | | | | | | | | | | | | | | | |
| | 9 | Motor Vehicles (through Ro-Ro ship) KOPT - MSA - | Nil | Nil | Nil | Driver per unit | Nil | | | | | | | | | | | | | | | | | | | | | | |
| | <p>(g). NORMS FOR ESTIMATION OF EQUIPMENT HIRE COST FOR SHOREHANDLING OPERATION AT KDS UNDER METHOD 5 I.E. CARGO UNLOADED ON TO WHARF AND LOADED ON TO TRUCKS AND TRANSPORTED TO STORAGE YARD WITHIN PORT PREMISES (WITHIN 1 km)</p> <p>A – Dry Bulk Cargo</p> <table border="1" data-bbox="292 884 1083 1482"> <thead> <tr> <th>No.</th> <th>Commodity</th> <th></th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Fertilizer-Raw Materials</td> <td>Not applicable</td> </tr> <tr> <td>2</td> <td>Food Grains</td> <td>To be decided if conveyor system comes into operation at KPD-II</td> </tr> <tr> <td>3</td> <td>Coal - All types including Thermal/Steam Coal, Calcined petroleum coke, Coke/ Charcoal, Metallurgical Coke, Coking Coal, coke of all kinds and charcoal of all kinds, etc</td> <td>Payloader - (at berth) / 2 nos. + 1 no. Excavator Dumper Trucks 15T - 6 nos</td> </tr> <tr> <td>4</td> <td>Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore</td> <td>Payloader - (at berth) / 2 nos. + 1 no. Excavator Dumper Trucks 15T - 7 nos</td> </tr> <tr> <td>5</td> <td>Limestone, Dolomite, Clinker, Clay, Sand and other similar Dry Bulk cargo</td> <td>Payloader - (at berth) / 2 nos. + 1 no. Excavator Dumper Trucks 15T - 6 nos</td> </tr> <tr> <td>6</td> <td>Salt</td> <td>Payloader - (at berth) / 2 nos. + 1 no. Excavator Dumper Trucks 15T - 6 nos</td> </tr> </tbody> </table> <p>Note: In addition to the above fleet of equipment as proposed by KOPT, the MSA has requested for deployment of 1 no. of Excavator and 1 no. of Payloader at storage yard.</p> <p>B – Break Bulk Cargo</p> <p>(a). Under the Shore handling Method of unloading the Cargo on to truck and transport to storage yard within the port premises or vice versa, the MSA has proposed the following fleet of equipment in addition to the equipment envisaged by the KOPT, for handling break bulk cargo:</p> <p>(i). Iron and Steel- coils and slabs - 1 Reach Stacker / Heavy Dumper Cargo – ODC + Cargo handling gears</p> <p>(ii). Iron and steel- pipes, tubes, plates - 1 front loader/lifters + cargo handling gears</p> <p>(b). Under the Shore handling Method of unloading the Cargo on to wharf and loaded on to trucks and transported to storage yard</p> | | | | | | | No. | Commodity | | 1 | Fertilizer-Raw Materials | Not applicable | 2 | Food Grains | To be decided if conveyor system comes into operation at KPD-II | 3 | Coal - All types including Thermal/Steam Coal, Calcined petroleum coke, Coke/ Charcoal, Metallurgical Coke, Coking Coal, coke of all kinds and charcoal of all kinds, etc | Payloader - (at berth) / 2 nos. + 1 no. Excavator Dumper Trucks 15T - 6 nos | 4 | Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | Payloader - (at berth) / 2 nos. + 1 no. Excavator Dumper Trucks 15T - 7 nos | 5 | Limestone, Dolomite, Clinker, Clay, Sand and other similar Dry Bulk cargo | Payloader - (at berth) / 2 nos. + 1 no. Excavator Dumper Trucks 15T - 6 nos | 6 | Salt | Payloader - (at berth) / 2 nos. + 1 no. Excavator Dumper Trucks 15T - 6 nos | <p>Equipment deployed for handling dry bulk for shore handling – the proposal of master Stevedores' association mentions use for 1 no of pay loader and 1 no. excavator on the berth. It is mentioned that only pay loaders are usually used on the berth. In KDS, average per shift landing of dry bulk cargo varies between 550 MT to 1200 MT per 8 hr. shift. This amount of discharge can be handled by 1 no. of pay loader, and the deployment of an additional pay loader does not seem to be justified.</p> <p>Equipment deployed for handling break bulk for shore handling – the proposal of Mater Stevedores' Association mentions Forklift for high-piling of Jumbo bags at yard, a crane at the yard has been considered for such operation which will</p> |
| No. | Commodity | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | Fertilizer-Raw Materials | Not applicable | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Food Grains | To be decided if conveyor system comes into operation at KPD-II | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | Coal - All types including Thermal/Steam Coal, Calcined petroleum coke, Coke/ Charcoal, Metallurgical Coke, Coking Coal, coke of all kinds and charcoal of all kinds, etc | Payloader - (at berth) / 2 nos. + 1 no. Excavator Dumper Trucks 15T - 6 nos | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | Iron Ore, Iron Ore Pellets, Bentonite, Bauxite, Copper Concentrate, Lead and Zinc Ore | Payloader - (at berth) / 2 nos. + 1 no. Excavator Dumper Trucks 15T - 7 nos | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | Limestone, Dolomite, Clinker, Clay, Sand and other similar Dry Bulk cargo | Payloader - (at berth) / 2 nos. + 1 no. Excavator Dumper Trucks 15T - 6 nos | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | Salt | Payloader - (at berth) / 2 nos. + 1 no. Excavator Dumper Trucks 15T - 6 nos | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | |
|--|---|--|
| | <p>within the port premises or vice versa, the MSA has proposed the following fleet of equipment in addition to the equipment envisaged by the KOPT, for handling break bulk cargo:</p> <ul style="list-style-type: none"> (i). Jumbo bags - 1 forklift at the wharf + 1 forklift for high piling at yard/ shed + cargo handling gears. (ii). Mixed General Cargo Including Project and Machinery & parts - 1 forklift of 6 T & 1 forklift of 10/15 T required at wharf and yard + cargo handling gears + 1 Reach Stacker for Heavy Duty at the yard. (iii). Coastal Mixed General cargo - 1 forklift of 6 T & 1 forklift of 10/15 T required at wharf and yard + cargo handling gears + 1 Reach Stacker for Heavy Duty at the yard. | <p>take care of the high-piling cost at yard. At berth/ wharf jumbo bags are usually loaded/ unloaded on. from trucks directly with ship's cranes. However, there may be occasions where Fork-lift is needed for operational exigencies. As such it cannot be considered as regular item of cost. For Mixed General Cargo including project cargo, the equipment mentioned and process of handling at berth as mentioned in the Association's letter are not a regular feature and therefore cannot be considered as a regular item of cost. However, a provision has been kept in the proposed upfront tariff as condition for levy of additional charges following the procedure mentioned therein (Part-I, Explanation-iv). In case of Iron and Steel cargo, type of equipment has been considered as per guidelines. Reach Stackers and Front Loaders mentioned by Master Stevedores' Association are basically container handling equipment, therefore may not be considered for fixation of upfront tariff for Iron and Steel cargo.</p> |
| | <p>Based on the above referred changes suggested, the MSA has made a request to modify/ recast the upfront stevedoring and shore handling tariff for the dry bulk cargo and break bulk cargo as proposed by the KOPT.</p> | <p>-----</p> |

1.2. Subsequent to passing of Order granting adhoc approval to the stevedoring and shore handling charges, some of the users/ stevedore associations

have given their additional comments. The comments of the users/ stevedore associations and the comments of KOPT thereon are tabulated below:

| Sr. no. | Name of the Users or user organization or stevedore association | Reply of KOPT |
|----------|--|--|
| 1. 2. | Master Stevedore association (MSA) dated 11 March 2017 T.P Roy Chowdhury & Co. Private Limited (TPRCCPL) dated 11 March 2017 | |
| (i). | Calcutta Dock Labour Board charges include the cost of wages of workers supplied and notional wages for workers not supplied as per Dock Labour Board (DLB) Manning Scale plus about 300% levy thereon. Thus the DLB cost forms an important input cost to the stevedoring basic cost and as per guidelines, 20% is payable for Operating Overheads, 20% Administrative Overhead plus Margin @ 20%. At Chennai, Vizag and Paradip Ports etc. the labour cost to include the wages and levy of the workers supplied by the Port and aforesaid overheads and margin have been provided to arrive at ceiling rate. This system has not been followed in KDS calculation in contravention of the guidelines notified by TAMP. | |
| (ii). | Further, as per the revised Stevedoring Policy for Major Ports of the Government, no notional charge is leviable on Stevedores by Port/ DLB for labour not supplied. However, presently the CDLB charges for notional cost of labour and levy thereon through a consolidated charge. Therefore, with the introduction of the revised Stevedoring Policy for Major Ports CDLB too should stop levying such notional charges. If for any reason this cannot be stopped, TAMP present notification implementing the ceiling rate as proposed by the Port cannot be enforced till such time Kolkata Port/DLB is able to implement the revised Stevedoring Policy in toto. This will be major contravention and as quasi judiciary, the present Order cannot be implemented | The issue of CDLB charges has already been submitted to TAMP with the proposal as item no. (ii) under the heading 'Points to be reviewed and clarified by TAMP'. While notifying their Order of approval for implementation of upfront tariff for stevedoring and shore handling operations on adhoc basis, TAMP has not dealt the matter. At Para 10 of the Stevedoring and Shore handling Policy, 2016, it is stated that 'no notional booking or levying of charges should be made and agents shall not be levied any charges for labour, incase the port trust does not supply the labour'. CDLB labour is not port trust labour. Further, the CDLB charges are being levied on per MT basis irrespective of the manning supplied. [The SOR proposed by KOPT prescribes a note to the effect that "The above rates do not include Calcutta Dock Labour Board charges payable by the Stevedores under Calcutta Dock Workers (Regulation of Employment) Scheme, 1970 and Calcutta Dock Clerical and Supervisory (Regulation of Employment) Scheme, 1970.] |
| (iii). | Apart from the above, various mistakes have been committed by KOPT in manning scale, equipment, their cost etc., which is to be addressed before implementing the Order. | KOPT has already furnished its comments on the manning scale, equipment and their costs earlier, while responding to the comments of MSA earlier. |

| | | |
|-----------|--|--|
| (iv). | In these circumstances, it is requested to not implement the present Order till the above inconsistencies are resolved. | ----- |
| 3. | Ripley & Co. Stevedoring & Handling Pvt Ltd (RCSHPL) dated 15.03.2017 | |
| (i). | Stevedoring on-board ship at Anchorage under Part-II, Clause (B) is not a stevedoring operation under Section 42(1) of the Major Port Trust Act and hence the tariff rate should not be applicable. | ----- |
| (ii). | TAMP does not account for the difficulties in getting operators and labours necessary for various operation related to unloading of cargo from mother vessel to barge and topping up of cargo from barge to mother vessel. | Regarding barge operation, equipment and labour costs have already been considered and factored in the proposal for ceiling rates. |
| (ii). | This is a mid-stream operation and hence the rate fixed by the union is quite high compared to the shore handling rates along with complexity in arranging their logistics and food etc. | The labour cost at mid-stream operation has been considered as per verbal information received and this has also been indicated in our proposal. |
| (iii). | Shore handling operation including loading/unloading of cargo to/ from Barge at Wharf/Berth of break-bulk cargo (Clause 2 point D) is also not correct. | No specific comments furnished by the port. |
| (iv). | The discharge of cargo from the barges require shore cranes – good quality and sufficient numbers of which is not present in the port, because of which the productivity is not good and the entire discharge of food grains etc. takes place through manual bagging which is quite labour intensive and there is a fixed rate settled by the labour union and contractors which makes the entire operation quite expensive. | No specific comments furnished by the port. |
| (v). | Moreover, there are variation in rates where the cargo is stacked at the shed which is off-site from the barge discharge point as well as the tier of the shed in which the cargo is stored. Hence, it is requested to consider all the above points along with the comments made by RCSHPL before implementing the Order. | No specific comments furnished by the port. |

2.1. A joint hearing in this case in reference was held on 25 January 2017 at the KOPT premises in Kolkata. At the joint hearing, the KOPT has made a brief power point presentation of its proposal. The KOPT and the users have made the following submissions at the joint hearing:

Kolkata Port Trust (KOPT)

- (i). Our proposal is as per the Guidelines notified by TAMP. However, we had to modify norms keeping in view the local condition. Modification of norms is permitted by the Guidelines.
- (ii). Project cargo materials and packages require specialized slings and attachment. Therefore, we have kept provision for separate levy of charge for additional cost involved in the handling of project cargo material and packages. The provision is like this: The Agent may levy additional charge on actual basis as agreed between the agents and consignor/consignee. Agents should confirm this arrangement to the port, disclosing the rates before the actual operations.
- (iii). Guidelines do not cover the activity of bagging and stitching of food grains either on board or on shore. So, we have not considered these activities for fixation of normative tariff for stevedoring and shore handling.
- (iv). Shore handling operation involves receiving of cargo at stacking point or delivery of cargo at stacking point. But, there are no norms for these activities. We have not proposed tariff for these activities in the absence of norms.
- (v). The proposed rates do not include Calcutta Dock Labour Board (CDLB) charges payable by the stevedores as per 1970 Regulation of CDLB.
- (vi). Guidelines do not prescribe norms for stevedoring activity at anchorage. It involves on board operation at anchorage. No norms are prescribed for barge handling, which involves unloading of barge and shore handling. Stevedoring at anchorage and barge unloading are not covered by CDLB Regulation. Barge operation is a major activity in KDS. So, we have proposed rates for these activities.
- (vii). We have proposed performance norms for stevedoring activity at berth for handling Bulk & Break Bulk cargo. We have also proposed performance norms for shore handling in terms of time limitation to remove the cargo within the prescribed time limit. If cargo is not removed, then there will be penalty. We have not proposed performance norms for vessels working at anchorage. Vessels often work at anchorage during day light only. There are no fixed shift hour.

Master Stevedores Association (MSA)

- (i). We have already given our written comments to TAMP.
- (ii). We have not received the guidelines. It was not circulated. Port has sought clarification from Government. We are not able to comment on the clarification in the absence of guidelines.
- (iii). CDLB charges are not included in the proposed rate and kept as additional levy. The consolidated charges we pay to CDLB includes

wages for supply of labour. CDLB is not supplying full complement of labour, but collect charges. Guidelines do not allow notional booking. If CDLB does not supply labour, stevedores should not be charged as per guidelines. If CDLB charge is to continue, please include this charge in the cost as we have to pay upfront to the CDLB.

- (iv). Anchorage operation is a minor discharge operation during lean season. Unloading of boat is not a stevedoring operation. No CDLB labour is required to be booked. We recommend not to fix rate for activity at anchorage.
- (v). 4 or 5 labour for a cargo ship in shore handling operation is not sufficient. Requirement of labour is more. It is known to port. Labour cost as a small percentage of equipment hire is not realistic. We need to produce result. Existing manning scale for shore operation should be the basis.
- (vi). Equipment requirement is negotiated by the Agent with the principals. We have given our report on equipment requirement and cost in Annexure V, VI, VII A & VII B. This must be considered.
- (vii). We have given output norms for bulk and break bulk cargo in Annex-III & IV. We want this to be gone into.
- (viii). We have given our calculation for shore handling tariff. They may be gone through and workable rates may be considered. We are prepared to assist TAMP/KOPT in this regard.

[KOPT: The MSA has given written comments. We will examine and respond.]

[TAMP: Please respond written 10 days.]

2.2. Subsequent to the joint hearing, the MSA vide its letter dated 04 February 2017 has given its following additional comments. These comments were forwarded to KOPT. We have not received the response of KOPT till finalization of this case.

- (i). The Stevedoring Policy is clear that no notional charges will be made on operation for non-supply of labour by CDLB. This should, therefore, be implemented along with the Normative tariff. If, however, this cannot be implemented, the DLB charges are to be included in the cost as prevailing today and unit cost be arrived at the accepted formula.
- (ii). The manning scale considered for proposed normative rate cannot be implemented, as this will invite labour unrest and consequent dislocation of port operation in Kolkata. It is suggested that a rational number of workers for different commodities may be taken into account to arrive at the final normative rate.

(iii). Shore handling:

In Kolkata docks, because of river draft restriction and limitation of dock lock gates, deeper vessel or large vessel with large quantity of cargo cannot enter. Therefore, small parcels of cargo, largely containers and break bulk cargo are handled. Bulk cargo is almost negligible. For containers, shore handling is already arranged by the port. The break bulk cargo including project and mixed general cargo contains smaller parcels for a number of importers. Such vessels do not regularly visit Kolkata. As a result, the free supply of equipment are not available at the cost reckoned for trailers, cranes etc., which is unrealistic. Persons who have invested for equipment do not get regular usage of their equipment and there is a lot of idle time adding to the cost. Therefore, equipment cost should be reckoned on the basis of rates suggested by MSA, so that the trade can be serviced efficiently.

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

G.No. 76

New Delhi,

26 February 2018

NOTIFICATION

In exercise of the powers conferred by Section 48 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby disposes of the proposal received from Kolkata Port Trust (KOPT) for determination of upfront tariff for stevedoring and shore handling operations at Haldia Dock Complex (HDC) of KOPT, as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports
Case No. TAMP/79/2016-KOPT

Kolkata Port Trust

...

Applicant

QUORUM

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

ORDER

(Passed on this 19th day of January 2018)

This case relates to the proposal received from Kolkata Port Trust (KOPT) for determination of upfront tariff for stevedoring and shore handling operations at Haldia Dock Complex (HDC) at KOPT.

2. The Ministry of Shipping (MOS) has issued the guidelines for determination of upfront tariff for Stevedoring and Shore Handling Operation to all Major Port Trusts. In this backdrop, the KOPT has come up with a proposal in reference vide its letter dated 17 November 2016.

3.1. The submissions made by KOPT in its proposal are summarized below:

- (i). At HDC, stevedoring (on-board operation) is undertaken by the Port either by deployment of its own man-power or through contractor. For rendering such services, charges are realized directly from the customers based on TAMP approved rates. Therefore, the tariff for stevedoring operations is not proposed. Only upfront tariff for shore handling operation has been proposed.
- (ii). At HDC, equipment support on-board the vessels for handling cargo using ship's cranes is provided by the handling agents appointed by the importers/ exporters. The tariff for such equipment deployment has also been proposed.
- (iii). At HDC, the cargo handling equipment deployed by the handling agent for operation on-board (under conventional method) as well as on shore is either owned by themselves or is hired by them from various agencies as per their mutually accepted terms and conditions, not known to port. Although efforts were made by HDC for obtaining the market rates for hiring such equipment from the Handling Agents but the same could not be obtained officially from them. However, such rates have been gathered from various sources informally for the purpose of fixation of Upfront Tariff. TAMP may accept tariff proposal based on rates obtained informally as stated or provide directions as to how the issue is to be dealt.
- (iv). The performance norms for Stevedoring (on-board) operation have already been fixed by HDC following the Berthing Policy guidelines issued by the Ministry. The instant tariff has been proposed on the basis of the said performance norms in respect of handling of dry bulk cargo. However, for fixation of tariff for break bulk cargo, last 3 year's average ship-day productivity has been considered for fixing the performance norms.
- (v). For handling bagged cargo, no separate deployment pattern of labours on shore have been prescribed in the Guidelines and only 10% of the equipment cost is to be considered as a labour cost. However, the handling of bagged cargo at jetty as well as at stack yard is labour intensive and as such, the deployment of labour is to be considered separately. Accordingly, the tariff for shore handling of bagged cargo has been proposed based on the actual deployment pattern of labour at hook points as well as at stack yard. The prevailing wage rates of such labours have been obtained informally. The rates so obtained are also found to be comparable with the CTC of contract labours hired by HDC.

- (vi). For handling project cargo, machinery and machinery products, no productivity norms and methodology for calculation of Upfront Tariff has been prescribed in the guidelines. However, the average productivity of such cargo handled during last 3 years has been considered and actual deployment of equipment during the handling of such cargo has been taken into account. The heavy project cargo/ machinery including the over dimension packages (ODCs) are directly discharged onto trailers or loaded directly from the trailer and as such these types of cargo are directly delivered/ received from/ at the hook points. Therefore, no shore handling charge have been considered in respect of such materials.
- (vii). In the overall approach of the tariff guideline, it has been stated that the Upfront Tariff and Performance standards notified by TAMP will be mentioned in the Bid Document and subsequently in the Agreement in respect of the operator. Clause - 3 (iv) of the Stevedoring and Shore Handling Policy provides that the Port Trust should be liberal in issuing license and all eligible agents would be issued the license. Further, the Royalty amount is also pre fixed by the Port. Accordingly, the policy does not seem to require selection of the best bidder. The bid for enlistment of agencies may thus be to only ensure that the selected agency fulfils the laid down criteria and agrees with the conditions. Clarity is required on the reference of 'Bid Document' in the guidelines.
- (viii). The deployment pattern of cargo handling equipment on shore as given in the guidelines varies considerably with the actual deployment practice of such equipment at HDC. Further, the productivity at MHC berth varies significantly from Non MHC berths requiring different equipping profile at shore. The guidelines, however, does not provide any separate norm for MHC and non MHC Berths. HDC has prepared its proposal for upfront tariff based on actual deployment pattern of different equipment in MHC and non-MHC berths separately, which may be considered.
- (ix). The Annexure-IX of the guidelines specifies the norms for equipment on hire basis for shore handling operation of dry bulk cargo under different handling methods. Under Methods 1, 2, 3 and 5 of the said annexure, the deployment pattern of equipment has been separately specified for movement of cargo at a distance within 1KM and those for movement beyond 1KM. It is submitted that at HDC, quantity of the amount of cargo under two parameters cannot be measured, as multiple importers bring cargo in the same vessels and storage area are allotted to them in different parcels separately at various locations within the Port. There is no mechanism to determine the quantity of cargo moved into different plots on account of the same importer. Accordingly, proposal by KOPT is based on deployment of equipment on the basis of a single rate (i.e. beyond 1 KM) only.
- (x). For the purpose of delivery/ receiving of cargo from/ to the dock, deployment of equipment are required for loading/ unloading of wagons/ trucks. This aspect has not been considered in the guidelines. As per clause-1 of the Stevedoring and Shore Handling Policy for Major Ports, the term 'Shore Handling' includes receiving and delivery from wagons/ trucks. Further, the existing licensing policy of HDC regulates this activity. This activity is an integral part of the shore handling activity for a major part of cargo handled at HDC and not fixing the rate of such activity may not be appropriate. In fact, the existing licensing policy adopted at HDC also covers this activity. In absence of any norm, the details of equipment and manpower actually deployed in such activity is being compiled and a proposal for fixation of rate for such activity will be filed shortly.
- (xi). Clause 2.11 of the guidelines stipulates that before commencement of stevedoring and or the shore handling operation, the operator will approach TAMP for notification of the SOR containing the ceiling rates of the stevedoring and or the shore handling charges and performance standards as required under section 48 of the MPT Act' 1963. In this connection, clarification is sought whether all the Handling Agents, who will be selected by the Port for undertaking Stevedoring and

Shore handling operation will have to approach TAMP individually for notification of the same SOR containing ceiling rates as approved by TAMP before commencing operation.

- (xii). As per Clause – 1.3 of the Guidelines, the guidelines will be applicable for authorization for stevedoring and shore handling activity under Section-42(3) of MPT Act. Section-42(3) of the Act provides “Notwithstanding anything contained in this section, the Board may, with the previous sanction of the Central Government, authorize any person to perform any of the services mentioned in sub-section (1) on such terms and conditions as may be agreed upon.” As previous sanction of Central Government is a pre-requisite for such authorization, clarification is sought whether for issuance of such license to each agency, separate approval of Central Government would be required.
- (xiii). Regarding Clause 4.5.7 of the guidelines, it is stated that at HDC the shore handling agents do not have their own labour and they are sourcing the labour force from the registered labour pools controlled by the labour Unions. These labours are paid monthly wages and their cost per shift have been calculated based on the same.
- (xiv). At HDC, the performance norms for Stevedoring (on-Board) operation has also been considered for the shore handling operation for fixation of Shore handling tariff. However, at berth no. 2 & 8 of HDC, the shore handling contractor have been allowed maximum six hours’ time after the completion of vessel’s operational work to remove the cargo from the jetty. In the existing shore handling license which is valid till 31.03.2017 also, similar allowances have been granted. While proposing the shore handling tariff, allowance have been considered.
- (xv). At HDC due to limited storage/ staking space, heaping / high- heaping for dry bulk cargo is often required to be done at the plots for which poclain is used along with pay loaders. In the calculation of upfront tariff we have factored equipment required for this activity on actual basis. TAMP may consider the same.
- (xvi). In the cases relating to tariff fixation for Ports and BOT Operators, the foreign rates are increased to cross subsidize the coastal traffic. However, in case of guidelines for Stevedoring and Shore Handling no such provision is there. Further, the selected agencies will not have any exclusive jurisdiction to operate, unlike that of BOT Operator, which operators a Berth. Accordingly, one agent may get to service Foreign Cargo while other may handle coastal cargo. The agent handling coastal cargo may not get any opportunity to cover the loss in handling the coastal cargo through handling of foreign cargo. Accordingly, it is difficult to accommodate the coastal concession. TAMP may consider the above and allow fixation of upfront tariff in respect of coastal cargo without any rebate/concession.
- (xvii). At HDC, bagged cargo is neither directly discharged on trucks nor directly delivered from jetty. Bag cargo is discharged normally by ship’s cranes and stored in shed inside the dock premises. Moreover, the productivity of bag cargo do not vary to a great extent for different commodities and it is more or less uniform for 50 kg bags irrespective of its contents. Thus, uniform shore handling tariff has been proposed for handling 50 kg bags which are normally handled at HDC. The average hook shift productivity of such cargo has been considered to be 150 MT and average deployment of 3 hooks per shift has been considered.
- (xviii). In the Guidelines, no norm for anchorage discharge and barge handling has been provided. In absence of such norms, the proposal does not include for fixation of upfront tariff for stevedoring activity for anchorage loading/ discharge and Stevedoring and Shore-handling activities associated with barge handling at the Port. However, Kolkata Dock system (KDS) of KOPT has already proposed rates for these items even though there is no norm for the same. If TAMP considers to fix the rate for HDC also, then the same will be proposed subsequently considering the

contract provisions for engaging floating crane for handling barges at the anchorage and also at the proposed barge jetty of HDC, as well as any other berth/ jetty of HDC.

- (xix). The performance norms for Shore Handling Agents have not been specifically proposed. However, TAMP may consider the following performance norms for the Shore Handling Agents:
- (a) The shore handling agent will be allowed 6 hours' time in case of dry bulk cargo and 2 hours' time in case of break bulk cargo after completion of vessel's discharge/loading to clear the cargo from the jetty either by way of removal to the stack yard or by way of direct delivery from the jetty. However, if the agent fails to do so, then for every additional hour or part thereof taken by the Handling Agent to clear the cargo, he has to pay penalty @ two times the berth hire charges after expiry of initial 6 hours' / 2 hours' time as the case may be.
 - (b) If the Shore Handling Agent fails to clear the cargo from the jetty within 6 hours/ 2 hours as the case may be for 3 consecutive vessels, then Chairman may at any time suspend the license for such period as he may deem fit or cancel the license or refuse to renew the license.

3.2. The KOPT, while seeking the approval on the upfront tariff /Ceiling rates and while formulating the productivity norms for stevedoring and shore handling operations at HDC has reported to have made some assumptions. The assumptions made by KOPT are as follows:

- (i). At the MHC berths (No. 2, 8, 4B & 13) the equipment (Pay loader) service in the hatches of Dry Bulk cargo ship is provided by HDC through its appointed contractors for respective berths. However, at other berths, port does not provide Pay loader in hatches. On behalf of the Importers, the Handling Agent deploys Pay loader & equipment in hatches. Pay loader in hatches is not required from the very beginning of discharge work. The same is required only for the bottom cargo when collection of cargo from all corners inside the hold becomes necessary. Therefore, actual deployment of Pay loader per vessel has been considered. Basis utilization of Pay loaders in hatches in the past, the total equipment-shifts and the average parcel load of 25,000 MT has been considered for the purpose of calculation of the tariff. However, unlike deployment of big pay loader on shore, smaller pay loaders are deployed inside the ship's holds. The hiring charge has been considered accordingly.
- (ii). In case of Payloader service provided in hatches, the actual quantity of cargo handled by Payloaders onboard cannot be assessed. Therefore, the per ton charge has been calculated on the basis of the entire parcel load of 25,000 MT cargo and productivity has not been taken into consideration for the purpose of calculating the rate.
- (iii). The tariff for Pay loader deployment in hatches of Dry Bulk cargo ships varies from ₹. 9.53 per tonne to ₹. 10.58 per tonne. However to avoid complication in maintaining data, uniform tariff @ ₹. 10.00 per MT for all Dry Bulk cargo is proposed.
- (iv). In case of direct delivery of cargo discharged by ship's crane, the cargo with higher productivity needs more pay loader at jetty for quicker loading of cargo on the delivery vehicle so as to avoid difficulty in discharge operation from accumulation of high volume of cargo at jetty. Accordingly, for the cargo having productivity less than 3000 ton per shift, 4 Pay loaders per shift on jetty are deployed and for cargo with productivity above 3,000 ton per shift, 6 Pay loaders per shift are deployed on jetty.
- (v). At MHC Berths of HDC, delivery of cargo directly from hook points of the ship is not encouraged by HDC and no such operation has taken place at HDC so far. However, considering the provision of the Guideline regarding fixation of tariff for

cargo discharged on Jetty and moved to consignee premises, the tariff is created for the same.

- (vi). In view of high productivity of MHCs (for Dry Bulk cargo), 4 Payloaders per hook-point has been proposed in the interest of smooth operation when the cargo is delivered directly from jetty to consignee premises. Out of 4 Payloaders, 2 to be utilized for loading of cargo from Jetty onto trucks and the balance 2 to be used for shifting cargo from the hook-points to jetty-back up so as to enable free operation of hooks.
- (vii). In case of Dry Bulk cargo discharged by ship's crane and moved to storage area inside port, for productivity upto 3500 MT per shift 4 payloaders is deployed on shore. For productivity above 3500 MT per shift, 6 payloaders deployment on jetty is necessary to clear the cargo. Similarly for cargo with productivity upto 3500 MT per shift 16 Dumpers and for cargo having high productivity of more than 3500 MT per shift, 24 Dumpers per shift is required to be deployed.
- (viii). In case of Dry Bulk for considering the extra time of 6 hours for clearance of entire cargo for the jetty, the per shift productivity has been assessed as per the following formula:-

As per Berthing Policy, discharge of 20,000 MT cargo needs 3 shifts
Therefore, at the same rate, discharge of 25,000 MT Cargo needs 3.75 shifts
Extra Time required for evacuation of Entire Cargo from Jetty is 6 Hr. i.e. 0.75 shift
Total Permissible Time of Engaging Equipment on Shore for clearance of 25,000 MT cargo is (3.75 + 0.75 Shift) = 4.5 Shifts
Basis above, Per Shift Productivity for a parcel load of 25,000 MT is (25,000 MT / 4.5 Shift) = 5,556 MT Per Shift.

- (ix). At HDC, Project Cargo comes in small ships usually having 2 cranes onboard. Accordingly, only 2 hooks per shift can be worked, which has been considered in the assessment of tariff.

The Berthing Policy of HDC does not contain any provision regarding productivity of Iron & Steel cargo. Therefore, the average productivity of Bag Cargo, Project Cargo and Iron & Steel cargo during the last three years (2013-14 to 2015-16) has been considered in the assessment of upfront tariff for such cargo.

- (x). Most of the project cargo arriving at Haldia is heavy packages and/or over dimensional packages which are unloaded from ship direct onto trailers/ barges and taken directly to the consignee premises. Such cargo does not require service of Handling Agent on shore and hence does not involve any shore handling charge thereof. Other project cargo in smaller packages is either unloaded from ship onto truck and then transported to dock yard for storage or (in some cases) unloaded onto Jetty then loaded by Forklift onto trailer and subsequently transported to storage yard. At the yard, the cargo is unloaded by Forklift or crane of lower capacity. The tariff exercise is done considering the aforesaid handling involving storage of cargo in port premises. For such smaller packages of project cargo forklifts of lower capacity are used and the hire charge has been considered accordingly.
- (xi). The Upfront Tariff proposed will be the ceiling rates and chargeable subject to achieving the productivity level prescribed in the proposed Scale of rates for Upfront Tariff for Stevedoring and Shore Handling Operations undertaken by the port authorised private Handling Agents at HDC.
- (xii). For Direct Delivery of cargo from jetty to consignee premises, the shore handling charge will cover only loading of cargo from the Jetty on to trucks for going directly to consignee premises or vice versa.

- (xiii). The common conditionality to be framed by TAMP for inclusion in the Scale of rates may also be included in the Scale of rates being proposed by HDC.

3.3. Alongwith the proposal dated 17 November 2016, the KOPT has also furnished the following:

- (i). Assessment of Shore Handling Tariff for Dry Bulk Cargo - Discharged by Ship's Cranes & Direct Delivery to Consignee
- (ii). Assessment of Shore Handling Tariff for Dry Bulk Cargo - Discharged by MHC & Delivered Directly from jetty
- (iii). Assessment of Shore Handling Tariff for Dry Bulk Cargo - Discharged by Ship's Cranes & Stored within Port premises
- (iv). Assessment of Shore Handling Tariff for Dry Bulk Cargo - Discharged by MHC & Stored in Dock Premises
- (v). Assessment of Onboard Payloader deployment Tariff for Dry Bulk Cargo - Discharged by Ship's Crane
- (vi). Assessment of Shore Handling Tariff for Bag Cargo - Discharged by Ship's Crane & Stored in dock premises
- (vii). Assessment of Shore Handling Tariff for Project Cargo - Discharged by Ships Cranes & moved to storage place inside Port premises
- (viii). Assessment of Shore Handling Tariff for Iron & Steel Cargo - Discharged by Ship's Crane & Stored in dock premises
- (ix). Assessment of On board Equipment deployment Tariff for Project Cargo - Discharged by Ships Crane
- (x). Assessment of On board equipment deployment Tariff for Steel Cargo - Discharged by Ships Crane

4.1. The KOPT vide its email dated 20 December 2016 has furnished Copy of the extract of the draft resolution of the Board vide N. R/142/HDC/Sh&CH/3/11/2016 dated 30.11.2016, draft Scale of Rates (SOR) alongwith conditionalities governing the SOR and proposed Performance Standards.

4.2. Accordingly, the proposal of KOPT seeks approval for the following:
 (i). Charges for Supply & Service of Equipment in hatches on-board ship at berth for discharging cargo by using ship's crane.

| Sl. No. | Commodity | Rates per Tonne (In ₹.) |
|---|---|-------------------------|
| (a) Charges for Supply & Service of Payloader in hatches on-board ship at berth for discharging Dry Bulk cargo by using ship's crane. | | |
| 1. | All Dry Bulk cargo viz Coking Coal, Other Coal (except Thermal Coal), Met. Coke, Lime Stone, Manganese Ore, Iron Ore Fines & Lumps, MOP, Rock Phosphate, Sulphur, Clinker, Gypsum, Sugar etc. | 10.00 |
| (b) Charges for Supply & Service of Equipment in hatches on-board ship at berth for discharging Break Bulk cargo by using ship's crane. | | |
| 1. | Project Cargo, Machinery, Spares | 49.28 |
| 2. | CR Sheets, HR Plates, Steel Sheets, Steel Slabs | 50.52 |
| 3. | Steel Coils, HR Coils, WR Coils | 21.66 |
| 4. | Steel billets, Steel blooms, Steel Rails, Pipes and Tubes | 37.88 |

Note : The rates under (i) will be applicable uniformly on the entire quantity of cargo discharged from the ship at the berth, irrespective of the actual time of use of the equipment.

Subsequently, the KOPT while responding to the comments of the users vide its letter dated 02 March 2017 has proposed to include the following notes below the above referred table:

(ii). On board equipment services will include supply and service of suitable payloaders/ equipment on board for transfer/ aggregation of cargo at hatch square on the ship by transferring from other areas inside the hatch, including slinging and un-slinging of pay loader/ equipment for lifting up of lifting down on/ from the ship.

(iii). The rates under this section will also be applicable for shore handling operations in respect of export cargo shipped by MHC/ Ship's crane.

(ii). Charges for shore handling operation

(a). Dry Bulk cargo

(Rates per Tonne)

| Sl. No. | Commodity | Discharged by ship's crane and delivered directly from Jetty to consignee premises. | Discharged by MHC and delivered directly from Jetty to consignee premises | Discharged by Ship's Crane and transferred & stored in storage area inside port premises. | Discharged by MHC and transferred & stored in area inside port premises |
|---------|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) | (6) |
| | | (₹.) | (₹.) | (₹.) | (₹.) |
| 1. | Coking Coal, Other Coal (except Thermal Coal) | 35.71 | 35.56 | 106.35 | 91.57 |
| 2. | Met. Coke | 37.99 | 35.56 | 103.65 | 91.57 |
| 3. | Lime Stone | 32.45 | 35.56 | 104.76 | 91.57 |
| 4. | Manganese Ore | 30.24 | 35.56 | 90.07 | 91.57 |
| 5. | Iron Ore Fines & Lumps | 34.19 | 35.56 | 110.40 | 91.57 |
| 6. | MOP, Rock Phosphate, Sulphur | 37.04 | 35.56 | 101.08 | 91.57 |
| 7. | Clinker | 30.45 | 35.56 | 88.15 | 91.57 |
| 8. | Gypsum | 30.45 | | 98.30 | 91.57 |
| 9. | Sugar | 35.71 | 35.56 | 97.42 | 91.57 |

(b). Break Bulk cargo

(Rates per Tonne)

| Sl. No. | Commodity | Discharged by Ship's Crane and transferred & stored in area inside port premises. |
|---------|---|---|
| | | (In ₹.) |
| 1. | All Bag cargo containing Fertiliser, Food grain, Sugar, Cement and other commodities having unit weight upto 50 kg. | 167.33 |
| 2. | CR Sheets, HR Plates, Steel Sheets, Steel Slabs | 129.91 |
| 3. | Steel Coils, HR Coils, WR Coils | 55.70 |

| | | |
|----|---|--------|
| 4. | Steel billets, Steel blooms, Steel Rails, Pipes and Tubes | 138.89 |
| 5. | Project Cargo, Machinery, Spares | 172.48 |

Note: If any new cargo is handled which is not included in the list, then KOPT will categorize the cargo with any of the aforesaid cargo groups based on the nature, physical characteristics and method of handling of that cargo.

Note to (ii).

- (a). For transfer/ delivery of cargo from Jetty direct to consignee's premises, the above rate does not include supply of transport (for delivery) by the Handling Agent. The same shall be arranged by the concerned importer/exporter/receiver of cargo, at their own cost.
- (b). In case of Bag cargo (unit bag weight upto 50kg), the shore handling charge includes supply of trucks by the Handling Agent for transportation of cargo between the jetty and the storage yard including loading & unloading on and from truck in such operation.

Subsequently, the KOPT while responding to the comments of the users vide its letter dated 02 March 2017 has proposed to include the following notes below the above referred table:

- (c). The rate mentioned at column (5) and (6) above include charges for heaping/ high heaping of cargo at the storage yards.
- (d). In case of break bulk cargo indicated at sl. No. 2, 3, 4 and 5, the shore handling charges include supply of trailers by the Handling Agents for transportation of the cargo between the jetty and the storage area including loading and unloading on and from trailers thereat.
- (e). The rates under this section will also be applicable for shore handling operations in respect of export cargo shipped by MHC/ Ship's crane.
- (iii). Stevedoring and Shore Handling Agents working at HDC, who will be issued license for undertaking such work under Kolkata Port Trust (Stevedoring and Shore Handling) Regulations, 2016 shall comply with the following productivity norms and the ceiling rate proposed is subject to fulfillment of productivity norms.
- (a). For the purpose of levy of rates under this SOR, achievement of the following productivity levels will be applicable.

Dry Bulk Cargo

| Sl. No. | Cargo Group | Productivity Norms in Tonnes per Ship-Day (in terms of the Mode of Operation) | |
|---------|---|---|-----------------|
| | | By MHC [2 MHCs working simultaneously] | By Ship's Crane |
| 1. | Coking Coal, Other Coal (except Thermal Coal) | 20,000 | 8,300 |
| 2. | Met. Coke | 20,000 | 8,300 |
| 3. | Lime Stone | 20,000 | 13,700 |
| 4. | Manganese Ore | 20,000 | 9,800 |
| 5. | Iron Ore Fines & Lumps | 20,000 | 13,000 |
| 6. | MOP, Rock Phosphate, Sulphur | 20,000 | 8,000 |
| 7. | Clinker, Gypsum | 20,000 | 14,600 |
| 8. | Sugar | 20,000 | 8,300 |

Note:

- (i). In case of operation with single MHC, the productivity norm will be 10000 MT per day.
- (ii). The Shore Handling Agents will be required to match the aforesaid productivity norms of loading/unloading to ensure that there is no detention in loading/unloading operation of the vessel due to reasons attributable to the Stevedoring & Shore Handling Agent.

Break Bulk Cargo handled by ship's crane

| Sl.No. | Commodity | Productivity Norms in Tonnes per Hook per Shift |
|--------|---|---|
| 1. | All Bag Cargo, Project Cargo, Machinery, Spares | 150 |
| 2. | CR Sheets, HR Plates, Steel Sheets, Steel Slabs | 256 |
| 3. | Steel Coils, HR Coils, WR Coils | 597 |
| 4. | Steel billets, Steel blooms, Steel Rails, Pipes and Tubes | 195 |

- (b). Norms for Clearance of Cargo from Jetty and Penalty for Non-Achievement of the same.
- (c). The shore handling agent will be allowed 6 hours' time in case of dry bulk cargo and 2 hours' time in case of break bulk cargo from the time of completion of vessel's discharge/loading to clear the cargo from the jetty either by way of removal to the stack yard or by way of direct delivery from the jetty.
- (d). If the agent fails to achieve the above said norms as per (c), then for every additional hour or part thereof taken by the Handling Agent to clear the cargo he will pay penalty @ two times the berth hire charges after expiry of initial 6 hours / 2 hours' time as the case may be.
- (e). If the Shore Handling Agent fails to clear the cargo from the jetty within 6 hours / 2 hours as the case may be for 3 consecutive vessels, then Chairman may at any time suspend the license for such period as he may deem fit or cancel the license or refuse to renew the license.
 Note: In case of MHC Berth, the time of the last MHC cycle/unloading of last pay loader from the vessel as the case may be as certified by HDC will be considered as the completion time in case of unloading of cargo.

5. In accordance with the consultative procedure prescribed, a copy of the KOPT proposal was forwarded to the concerned users/ user organizations/ stevedore associations vide our letter dated 22 December 2016 and to the additional users/ user organizations/ stevedore associations as suggested by KOPT, vide our letter dated 6 January 2017, seeking their comments. Some of the users/ user organisations/ stevedore association have furnished their comments. The said comments were forwarded to the KOPT as feedback information. The KOPT has responded to the comments of the users/ user organisations/ stevedore association vide its letter dated 02 March 2017.

6.1. In the meantime, considering that the proposal is under consultation and as it may take some more time to dispose of the case and keeping in view that the Ministry of Shipping (MOS) has directed this Authority for immediate action, this Authority vide its Order dated 8 February 2017 has granted adhoc approval to the upfront tariff for stevedoring and shore handling operations and Performance Standards as proposed by the HDC of KOPT, as an interim arrangement, pending fixation of final rates by this Authority after completion of the consultation process. This Authority has also directed that the final rates to be approved by this Authority will have a prospective effect

and that the interim rate adopted in an ad-hoc basis will be recognised as such and further that there will not be any question of refund/ recovery, if any, in case of variation between ad-hoc rates and final rates.

6.2 The said Order has been notified in the Gazette of India Extraordinary (Part III Section 4) on 21 February 2017 vide Gazette No. 63. The Notification and Order has been communicated to the KOPT and the concerned users/ user organisation vide our letter dated 24 February 2017.

6.3. In response to this, T.P. Roy Chowdhury & Company Pvt Ltd (TPRRCPL), Master Stevedores Association (MSA), Ripley & Co. Stevedoring & Handling Pvt Ltd (RCSHPL) and A.M. Enterprises have generally stated that the interim Order passed by this Authority will cause immense damage and inconvenience to trade, as the anomalies and the actual labour cost and equipment cost as brought out by them in their earlier correspondences, has not been considered while passing the interim Order. Thus, the above said users have requested to consider the submission made by them on the KOPT proposal in reference, before implementation of the said Order dated 8 February 2017.

7. A joint hearing in this case in reference was held on 25 January 2017 at the KOPT premises in Kolkata. The KOPT made a brief power point presentation of its proposal. At the joint hearing, the KOPT and the users have made their submissions.

8. As decided at the Joint hearing, some of the users or user organization / stakeholders have furnished their comments. The said comments were forwarded to the KOPT as feedback information. The KOPT has responded to the comments received from the users/ user organizations/ stevedore associations vide its letter dated 02 March 2017.

9.1. In the meanwhile, the KOPT vide its letter no. MTO/G/115-M/Pt.II/GMT-64 dated 14 February 2017 has submitted its proposal for fixation of ceiling rates for receiving and delivery operations at HDC. The main points made by KOPT in its letter dated 14 February 2017 are summarized below:

- (i). Based on Stevedoring and Shore Handling Policy for the Major Ports issued by the Government, KOPT vide its letters dated 17 November 2016 and subsequent letter dated 19 December 2017 has filed a proposal for fixation of upfront tariff for stevedoring and shore handling operations at Haldia Dock Complex (HDC).
- (ii). However, the proposed SOR does not include the rate for loading/ unloading of cargo at the storage yard/ shed for the purpose of delivery/ receiving. Since the delivery and receiving operations are integral part of the Shore handling activity, as per the Stevedoring and Shore Handling Policy, 2016, upfront tariff has been calculated for receiving/ delivery operation based on the actual deployment of equipment/ labour at HDC.
- (iii). Besides, the existing licensing scheme adopted by HDC also covers receiving and delivery operations and under the said policy royalty is recovered by HDC, from the handling agents on the entire shore handling operation including delivery and receiving.
- (iv). Moreover, unless the total shore handling rate is fixed, the decision on the quantum of royalty payable by the Handling Agent cannot be ascertained.
- (v). As the guidelines does not contain norms in respect of delivery and receiving operations, the matter was referred by KOPT to MOS as well as to TAMP and the matter was discussed in the TAMP's workshop on 05.11.2016. TAMP was requested to provide guidelines in the matter as the shore handling services undertaken by the Handling Agents at HDC include delivery and receiving operations as well.

- (vi). The new Stevedoring and Shore Handling Scheme shall be made applicable at HDC after expiry of the existing licensing scheme of HDC, i.e. from 1 April 2017. The Handling Agency licenses issued under the existing scheme of HDC includes Delivery & Receiving operation as the integral part of shore handling services and the royalty is received by KOPT from the Handling Agents by considering the entire shore handling operations from landing/ receiving to delivery/ shipment of cargo.
- (vii). In view of the above, to avoid difficulties in operations as well as for issuance of new shore handling licence, the upfront tariff for delivery and receiving operation has been calculated on the basis of actual deployment of equipment and/ or labour for such operations at HDC.
- (viii). Accordingly, a draft Scale of rates for fixation of upfront tariff/ ceiling rate for Receiving & Delivery operations at HDC has been framed and the same has been approved by the Board in its meeting held on 30.01.2017.

9.2. The KOPT has reported to have made some assumption in its proposal for fixation of upfront tariff/ Ceiling rates. The assumption made by KOPT are as follows:

- (i). For delivery/ receiving of cargo from/ to dock, deployment of equipment is required for loading/ unloading of wagons/ truck. In case of bag cargo (other than pre-slung bags), such loading/ unloading is done manually which requires substantial deployment of labour.
- (ii). The Guidelines for Fixation of Upfront Tariff for Stevedoring and Shore Handling Operations authorised by Major Ports does not include any stipulation regarding equipment deployment and norm about delivery & receiving operations. For assessing the upfront tariff for delivery/ receiving operations, the actual deployment pattern of cargo handling equipment for delivery of the major commodities at HDC has been considered. [The calculation sheets are furnished by KOPT.]
- (iii). The delivery and receiving of cargo depends on various factors attributable to the importer/ exporter, viz., arrangements involving documentation, payment of port charges, supply of transport etc. Besides, factors like queuing of transport vehicles at the port operated weighbridges and congestion on roads etc. also influence the pace of delivery and receiving operations. Therefore, it is not practicable to fix any performance norms for delivery and receiving operations separately. The proposal of KOPT is based on actual deployment pattern of equipment
- (iv). At HDC, the cargo handling equipment deployed by the handling agent for operation on-board (under conventional method) as well as on shore is either owned by them or is hired by them from various agencies as per their mutually accepted terms and conditions not known to Port. Although, efforts were made by HDC for obtaining the market rates for hiring such equipment from the Handling Agents but the same could not be obtained officially from them. However, such rates have been gathered from various sources informally for the purpose of fixation of Upfront Tariff.
- (v). In case of delivery and receiving of cargo by railway wagons, the assessed tariff will be applicable for completion of the rake loading/unloading operations within the free time stipulated under railway rules prevailing from time to time. In case of failure to complete loading/ unloading of rakes within the free time, the consequential demurrage accrued for the delay in rake loading will be payable by the Handling Agent to the concerned importer/exporter.
- (vi). In case of project cargo deployment of equipment for loading unloading operation is not uniform throughout the shift as the same depends on shape, size and weight of the cargo. Moreover the delivery receiving program is made by the Importers/ Exporters as per their requirement and suitability which lead to frequent idling of equipment during delivery/ receiving of project cargo. Therefore, assessment of tariff for delivery/ receiving operation of cargo is difficult. However, an indicative tariff

has been assessed on the basis of information gathered from the existing handling agents.

- (vii). Regarding Clause 4.5.7 of the guidelines, it is to state that at HDC, the shore handling agents do not have their own labour and they are sourcing the labour force from the registered labour pools controlled by the labour Unions. These labours are paid monthly wages and their cost per shift has been calculated based on the CTC including the fringe benefits.
- (viii). For Dry Bulk cargo the similar approach of assessment, as done in case of shore handling operations, has been adopted by considering Operational Overhead and Administrative overhead @ 20% of the total of Equipment & Labour cost and Margin @ 20% of the total operating cost. In view of no deployment of labour deployment by the Handling Agent for road delivery of Dry Bulk cargo, any cost of labour has not been considered for such operation.
- (ix). In the said guidelines regarding fixation of upfront tariff for Stevedoring & Shore handling of bag cargo, TAMP has only considered 10% of the equipment cost as a labour cost. However, the operations of delivery and receiving of bag cargo as well as manual unloading of cargo from railway rake are labour intensive and as such the deployment of labour is to be considered separately. Accordingly, the tariff for delivery/receiving operations for bag cargo and manual unloading of cargo from railway rake has been proposed based on the actual deployment pattern of labour vis-à-vis the per capita datum of cargo to be loaded/unloaded by each labour as per the union rules of the local labour supplier as gathered informally. The prevailing wage rates of such labours have been obtained informally. The other components viz Operational Overhead, Administrative overhead and Margin has been considered similar to the said guidelines. The labour rates so obtained are also found to be comparable with the CTC of contract labours hired by HDC.
- (x). The bag cargo moving through HDC is more or less in uniform bag size of 50 Kg each irrespective of its contents. Thus uniform tariff for delivery and receiving has been proposed for handling 50 kg bags which are normally handled at HDC.
- (xi). The Upfront Tariff proposed will be the ceiling rates.
- (xii). The common conditionality to be framed by TAMP for inclusion in the Scale of rates may also be included in the Scale of rates being proposed by HDC.
- (xiii). The information used in the assessment are gathered informally through verbal discussion with different users and there is no scope to validate the same with documents/records.

9.3. Accordingly, the KOPT has sought approval for the following in its proposal dated 14 February 2017:

- (i). Charges for Delivery / Receiving of Dry Bulk cargo by road, from the storage areas inside port premises.

| Sl. No. | Commodity | Rates per Tonne (in ₹.) |
|---------|--------------------|-------------------------|
| 1. | All Dry Bulk cargo | 35.28 |

- (ii). Charges for Delivery of Dry Bulk cargo by rail, from the storage areas inside port premises (including aggregation of cargo at wagon loading area, post loading clearance and shifting back of balance cargo & restacking of the same in storage area).

| Sl. No. | Commodity | Rates per Tonne (in ₹.) |
|---------|--------------------|-------------------------|
| 1. | All Dry Bulk Cargo | 38.85 |

- (iii). Charges for Receiving of Dry Bulk cargo by manual unloading from wagons, at the storage areas inside port premises including shifting of cargo from the wagon face to immediate back up area of the rail yard by equipment.

| Sl. No. | Commodity | Rates per Tonne (in ₹.) |
|---------|--------------------|-------------------------|
| 1. | All Dry Bulk Cargo | 53.78 |

- (iv). Charges for Delivery / Receiving of Bag cargo by road, from / at the storage areas inside port premises

| Sl. No. | Commodity | Rates per Tonne (in ₹.) |
|---------|---------------------------------------|-------------------------|
| 1. | All types of Bag cargo (of 50 kg bag) | 117.34 |

- (v). Charges for Delivery / Receiving of Bag cargo by rail, from / at the storage areas inside port premises (including transportation of cargo from storage area to rail siding or vice versa).

| Sl. No. | Commodity | Rates per Tonne (in ₹.) |
|---------|---------------------------------------|-------------------------|
| 1. | All types of Bag cargo (of 50 kg bag) | 242.42 |

- (vi). Charges for Delivery / Receiving of Project Cargo by road, from / at the storage areas inside port premises.

| Sl. No. | | Commodity | Rates per Tonne (in ₹.) |
|---------|---------------|----------------------------------|-------------------------|
| 1. | Project cargo | Less than 5 tonnes | 74.67 |
| 2. | | 5 tonnes to less than 10 tonnes | 84.00 |
| 3. | | 10 tonnes to less than 20 tonnes | 109.03 |
| 4. | | 20 tonnes to less than 40 tonnes | 128.69 |

Note: Project Cargo weighing more than 40 tonnes is unloaded/loaded directly on/from transport vehicles and no further loading/unloading is required at the time of delivery/receiving.

- (vii). Charges for Delivery / Receiving of Iron & Steel Cargo by road, from / at the storage areas inside port premises.

| | | |
|----|--|----|
| 1. | CR Sheets, HR Plates, Steel Sheets, Steel Slabs | 84 |
| 2. | CR Coils, HR Coils, GP Coils (Unit piece weight upto 10 Ton) | 50 |
| 3. | CR Coils, HR Coils, GP Coils (Unit piece weight 10 -25 Ton) | 63 |
| 4. | Steel billets, Steel blooms, Steel Rails | 56 |
| 5. | WR Coils | 45 |

- (viii). Charges for Delivery / Receiving of Iron & Steel Cargo by rail, from / at the storage areas inside port premises including intermediate transportations.

| Sl. No. | Commodity | Rates per Tonne (in ₹.) |
|---------|---|-------------------------|
| 1. | CR Sheets, HR Plates, Steel Sheets, Steel Slabs | 164.53 |
| 2. | CR Coils, HR Coils, GP Coils | 120.53 |

| | | |
|----|--|--------|
| 3. | Steel billets, Steel blooms, Steel Rails | 120.88 |
| 4. | WR Coils | 116.48 |

(ix). The performance norms proposed by KOPT for fixation of upfront tariff / ceiling rates for receiving and delivery operation is as follows:

- (a). In case of rail borne cargo the Handling Agents are required to complete loading/unloading of cargo on/from the railway rakes within the stipulated free time as per the railway rules as may prevail from time to time. In case of failure to complete loading/unloading of the rake within the stipulated free time, demurrage as may be applicable will be payable by the handling Agent to the importer/exporter concerned.
- (b). In case of road bound cargo no norms for loading/unloading of cargo for delivery/receiving can be fixed as the supply of transport depends on the importer/exporter and the handling Agents have no role in it.

9.4. Alongwith the proposal dated 14 February 2017, the KOPT has also furnished workings with regard to the following:

- (i). Assessment of charge for delivery / receiving of dry bulk cargo by road from / at storage spaces inside dock Area at HDC.
- (ii). Assessment of charge for delivery / receiving of dry bulk cargo by rail from storage spaces inside dock Area at HDC. In this regard, the HDC has stated the following:
 - (a). In view of involvement of labour in substantial number for cleaning, trimming, lime spraying, door fixing, labelling etc., labour cost on actual deployment basis is considered.
 - (b). For assessing labour cost the CTC per labour @ ₹. 22,500/- per month is considered as per information gathered informally. The rate of Payloader Charge considered is as per information gathered informally from the Handling Agents. Prior to delivery aggregation of cargo at wagon loading area as well as post-loading clearance as well as shifting back of balance cargo & restacking of the cargo in the storage space is also required for which equipment assistance is necessary. Therefore, though actual wagon-loading time ranging around 5 hour, the deployment of payloader and charge thereof has been considered on full shift basis.
- (iii). Assessment of charge for receiving of dry bulk cargo through manual unloading from railway wagons for storage at areas inside dock area at HDC.
- (iv). Assessment of upfront tariff for delivery / receiving of bag cargo by road. In this regard, the HDC has stated the following:
 - (a). The rate of loading for delivery of cargo is dependent on supply of trucks/lorries by the importer/exporter.
 - (b). The per shift loading quantity has been assessed considering the following:-
 - (i) Loading of 6 lorries per hour.
 - (ii) Loading of 200 bags per lorry
 - (iii) Weight of each bag as 50 Kg
 - (iv) Loading time in shift as 7.5 hour.
- (v). Assessment of upfront tariff for delivery / receiving of bag cargo by rail (including manual loading of cargo trucks in shed, transportations of cargo from shed to wagons by truck and subsequent loading of cargo from lorry onto wagons). In this regard, the HDC has stated the following:

- (a). The assessment is based on deployment of 4 labours per wagon
 - (b). At Haldia the labour is supplied through a private pool of workers commonly known as 'Cargo Pool'. As per existing union rules, the labour get monthly wages along with statutory benefits which is quite high. For transportation of bag cargo, there prevails fixed fleet of trucks which are not used for transportation of other cargo. The per labour loading limit is controlled by labour unions. The foregoing factors resulted in high per ton cost for handling of bag cargo (in 50 kg bags) at Haldia.
 - (c). At Haldia transfer of bag cargo from hook point to wagons or vice versa is carried out through deployment of trucks in view of the location of the shed and the railway sidings. However, at HDC due to high labour cost the calculated rate is as high as ₹.242.42/- per ton.
 - (d). The above assessed tariff will be applicable for completion of loading/unloading of rake within the stipulated free time allowed as per Indian Railway rules.
- (vi). Assessment of upfront tariff for delivery receiving of project cargo by road. In this regard, the HDC has stated the following:
- (a). The above rates have been assessed considering loading/ unloading of one unit of package at a time.
 - (b). In case of Project Cargo, loading/unloading is not uniform throughout the shifts or even through the days and programme for delivery /receiving is arranged by importers/exporters on piece meal basis in very small parcels from time to time. Therefore assessment of tariff for project cargo is difficult. However, basis information informally gathered, an indicative tariff has been assessed as shown in the above table.
 - (c). Considering the equipment's engaged in loading/unloading operation, NO LABOUR involvement is considered in case of deployment of FORKLIFTS only. In case of Mobile Cranes, labour deployment has been considered on actual basis. Accordingly, the criteria of considering Labour Cost @ 10% of Equipment Cost has not been considered in the instant assessment.
 - (d). The per shift delivery quantity as well as pattern of equipment deployment have been considered on the basis of informal information gathered verbally from Handling Agents and the same cannot be validated by records.
 - (e). The packages weighing above 40 Ton are unloaded / loaded by ship's cranes directly on / from specialised cargo carrying vehicles for direct delivery/receiving.
- (vii). Assessment of upfront tariff for delivery / receiving of steel cargo by road. In this regard, the HDC has stated the following:
- (a). Direct assessment of productivity level per shift for delivery/receiving of Iron & Steel cargo is not possible, as the loading for delivery operations are dependent on supply of trailers by the importer/exporter. However, depending upon the time taken to load/unload one trailer and quantity handled on/ex one trailer, per shift productivity has been assessed.
 - (b). The deployment pattern of equipment & labour has been considered as per the practice in vogue at HDC.

- (c). Considering the equipment's engaged in loading/unloading operation, NO LABOUR involvement is considered in case of FORKLIFTS. In case of Mobile Cranes, labour deployment has been considered on actual basis. Accordingly, the criteria of considering Labour Cost @ 10% of Equipment Cost has not been considered in the instant assessment.
- (viii). Assessment of upfront tariff for delivery / receiving of steel cargo by rail (including manual loading of cargo on trailers in storage area, transportation of cargo from shed to wagons by Trailers and subsequent loading of cargo from trailers onto wagons). In this regard, the HDC has stated the following:
- (a). The above Steel cargo is primarily transported in BOX-N wagons therefore cranes are required to be deployed for loading/unloading of cargo on/from wagons
- (b). The deployment pattern of equipment & labour has been considered as per the practice in vogue at HDC.
- (c). It is assumed that one full rake carrying 2,500 MT cargo is handled per shift.
- (d). At wagon points 4 labours are required to be deployed per crane while at yard 2 labours are required to be deployed per crane as per the existing practice

10. In accordance with the consultative procedure prescribed, we have vide our letter dated 21 February 2017 forwarded a copy of the KOPT proposal dated 14 February 2017 to the concerned users/ user organizations for their comments. Some of the users/ user organisations/ stevedore association have furnished their comments. The said comments were forwarded to the KOPT as feedback information. The KOPT has responded vide its letter dated 23 March 2017.

11. Based on the preliminary scrutiny of the KOPT proposal, additional information/ clarification was sought from KOPT vide our letter dated 07 August 2017. After a reminder dated 13 November 2017, the KOPT has responded vide its letter dated 20 November 2017. The information/ clarification sought by us and the response of KOPT thereon are tabulated below:

| Sl. No. | Information/ Clarification sought by us | Response from KOPT |
|----------------|---|--|
| (i)(a) | Detailed workings in support of the ship day productivity in respect of each of the cargo item envisaged to be handled by ship cranes and by HMCs separately to be furnished. | At HDC, Dry Bulk Cargo is handled by ship's cranes primarily at Berth No.9 while the same is handled by MHCs at Berth Nos. 2, 4B, 8 & 13. For handling by ship's cranes, the Performance Norms have been assessed as per the Guidelines mentioned in the Berthing Policy while for MHCs, the contractual Performance Norms have been considered. It may be stated that as per the contract, at MHC operated berths the Benchmark Productivity Norms is 20,000 MT per day for handling by 2 MHCs irrespective of the nature of Dry Bulk cargo. The Performance Norms calculated for Berth No.9 for various Dry Bulk cargo is furnished. |
| (i)(b) | Though the KOPT has reported to have arrived at tariff for shore handling in | At the MHC berths of HDC, dry bulk cargo handling is done by using MHC only. Only |

| | |
|--|--|
| <p>respect of dry bulk cargo following the productivity as per Berthing Policy, it is seen that the productivity for none of the dry bulk cargo items as proposed to be handled by KOPT matches with the productivity prescribed in Berthing Policy. For example, in case of coal the KOPT has considered a ship-day productivity of 8,300 tonnes for handling by 4 nos. of ships cranes whereas the Berthing Policy stipulates a ship day productivity of 12000 tonnes (4 ships cranes * 3000 tonnes per day per crane.).</p> | <p>at the Berth No. 9, cargo handling is done in conventional method by using Ship's Cranes. Combination of MHC and Ship's Crane is not used.</p> <p>The norms for commodity wise berth-day output as set out under clause 4.1.3(iv) of the Berthing Policy Guidelines cannot be applicable for HDC.</p> <p>In the guidelines, the productivity has been indicated by TAMP perhaps considering the sea ports, which handles the fully loaded ships with top cargo that offers opportunity to achieve high level of productivity.</p> <p>In this regard, it may be stated that during the workshop held at Mumbai on the implementation of Berthing Policy, it was indicated that the guidelines for the Berthing Policy would be adopted by different Ports considering the local conditions and other working parameters and the cargo-wise Productivity Norms would be fixed following the same.</p> <p>Accordingly, at HDC, the Productivity Norms for different cargo for handling by ship's gears have been assessed in terms of the guidelines mentioned in the Berthing Policy so adopted. This issue has been covered by TAMP at Para 8(3) of their Order dated 04.01.2017 notified through TAMP's letter No. TAMP/59/2016-KOPT dated 09.02.2017. Incidentally, the said Productivity Norms have also been approved by KOPT Board.</p> <p>Accordingly, it is requested that the said Productivity Norms assessed by HDC may be considered for fixation of Tariff.</p> <p>At HDC the dry bulk cargo ships comes with the bottom cargo only, along with cargo lying in high ribs in ship's hatches which are not conducive to high level of productivity like the sea ports. Aggregation of cargo in ship's holds by using equipment in hatches as well at cleaning and sweeping of cargo in hatches and deck are also time consuming and affects the productivity so far as low draft port like HDC is concerned.</p> <p>Accordingly in the berthing policy of HDC the ship-day output has been assessed considering the various factors like bulk density of cargo, grab size, average picking factor on which the productivity is</p> |
|--|--|

| | | dependent. Thus ship-day productivity of various cargo (viz 8,300 MT for Coking Coal) was assessed. The detail workings in this regards, as submitted to TAMP along with HDC, KOPT's proposal on berthing policy is furnished. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------------------------------|--|--|--|---------------------------------|-------------|-----------------------|--|--|--|-------------|------|------|--------|----------------------------------|------|------|--------|-----------|------|------|--------|------------|------|------|-------|---------------|------|------|-------|------------------------|------|------|--------|-----|------|------|-------|---------|------|------|-------|--------|------|------|-------|----------------|------|------|------|---------|------|------|------|-------|------|------|-------|-------------------------|--|--|--|--------------|-----|-----|-----|---------------|-----|---|----|-----------------------|-----|-----|------|--|
| (i)(c) | Further, as per clause 7 of the Stevedoring and Shore handling Guidelines, the productivity as prescribed in the Berthing Policy for dry bulk cargo is to be taken into account only for the purpose of indexation of tariff for stevedoring and shore handling operation. | The proposed norms for allowing additional time of 6 hours in case of Dry Bulk Cargo and 2 hours in case of Break Bulk Cargo as well as the provision of penalty under Section 4.3.1 and 4.3.2 of the TAMP approved ad-hoc Scale of Rates for Upfront Tariff for Stevedoring and Shore Handling Services are being withdrawn and the provision for indexation of Tariff as per Clause 7 of the Stevedoring and Shore handling Guidelines is being proposed under a separate section. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (i)(d) | In view of the points brought out at Sl. no. (b) and (c) above, the KOPT is requested to arrive at the upfront tariff for the shore -handling operation based on the productivity levels as stipulated in Annex -III and IV of the Stevedoring and Shore handling Guidelines, supported by detailed workings. | The reason for different Productivity Norms has already been clarified at issue No. 1(a). | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (i)(e) | On a comparison, it is seen that the productivity norms considered in the proposal are at wide variance with the productivity norms given in the guidelines. The details are given as under; | Reason for variation in the Productivity Norms has already been clarified. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1"> <thead> <tr> <th>Commodity</th> <th>Productivity levels as per KOPT's proposal (per shift)</th> <th>As per Guide -lines (per shift)</th> <th>% Variation</th> </tr> </thead> <tbody> <tr> <td colspan="4">Dry Bulk Cargo</td> </tr> <tr> <td>Coking Coal</td> <td>2767</td> <td>3600</td> <td>-23.14</td> </tr> <tr> <td>Other Coal (Except Thermal Coal)</td> <td>2767</td> <td>4000</td> <td>-30.82</td> </tr> <tr> <td>Met. Coke</td> <td>2600</td> <td>3600</td> <td>-27.78</td> </tr> <tr> <td>Lime Stone</td> <td>4567</td> <td>3240</td> <td>40.96</td> </tr> <tr> <td>Manganese Ore</td> <td>3267</td> <td>2610</td> <td>25.17</td> </tr> <tr> <td>Iron Ore Fines & Lumps</td> <td>4333</td> <td>5840</td> <td>-25.80</td> </tr> <tr> <td>MOP</td> <td>2667</td> <td>2700</td> <td>-1.22</td> </tr> <tr> <td>Clinker</td> <td>4867</td> <td>3240</td> <td>50.22</td> </tr> <tr> <td>Gypsum</td> <td>4867</td> <td>3240</td> <td>50.22</td> </tr> <tr> <td>Rock Phosphate</td> <td>2667</td> <td>2430</td> <td>9.75</td> </tr> <tr> <td>Sulphur</td> <td>2667</td> <td>2430</td> <td>9.75</td> </tr> <tr> <td>Sugar</td> <td>2767</td> <td>1980</td> <td>39.75</td> </tr> <tr> <td colspan="4">Break Bulk Cargo</td> </tr> <tr> <td>Bagged Cargo</td> <td>450</td> <td>750</td> <td>-40</td> </tr> <tr> <td>Project Cargo</td> <td>300</td> <td>-</td> <td>NA</td> </tr> <tr> <td>CR Steets, HR Plates,</td> <td>768</td> <td>700</td> <td>9.71</td> </tr> </tbody> </table> | Commodity | Productivity levels as per KOPT's proposal (per shift) | As per Guide -lines (per shift) | % Variation | Dry Bulk Cargo | | | | Coking Coal | 2767 | 3600 | -23.14 | Other Coal (Except Thermal Coal) | 2767 | 4000 | -30.82 | Met. Coke | 2600 | 3600 | -27.78 | Lime Stone | 4567 | 3240 | 40.96 | Manganese Ore | 3267 | 2610 | 25.17 | Iron Ore Fines & Lumps | 4333 | 5840 | -25.80 | MOP | 2667 | 2700 | -1.22 | Clinker | 4867 | 3240 | 50.22 | Gypsum | 4867 | 3240 | 50.22 | Rock Phosphate | 2667 | 2430 | 9.75 | Sulphur | 2667 | 2430 | 9.75 | Sugar | 2767 | 1980 | 39.75 | Break Bulk Cargo | | | | Bagged Cargo | 450 | 750 | -40 | Project Cargo | 300 | - | NA | CR Steets, HR Plates, | 768 | 700 | 9.71 | |
| Commodity | Productivity levels as per KOPT's proposal (per shift) | As per Guide -lines (per shift) | % Variation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Dry Bulk Cargo | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Coking Coal | 2767 | 3600 | -23.14 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other Coal (Except Thermal Coal) | 2767 | 4000 | -30.82 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Met. Coke | 2600 | 3600 | -27.78 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lime Stone | 4567 | 3240 | 40.96 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Manganese Ore | 3267 | 2610 | 25.17 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Iron Ore Fines & Lumps | 4333 | 5840 | -25.80 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MOP | 2667 | 2700 | -1.22 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Clinker | 4867 | 3240 | 50.22 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gypsum | 4867 | 3240 | 50.22 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Rock Phosphate | 2667 | 2430 | 9.75 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sulphur | 2667 | 2430 | 9.75 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sugar | 2767 | 1980 | 39.75 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Break Bulk Cargo | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bagged Cargo | 450 | 750 | -40 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Project Cargo | 300 | - | NA | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CR Steets, HR Plates, | 768 | 700 | 9.71 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | <table border="1"> <tr> <td>Steel Sheets etc.</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Steel Coils, HR Coils, WR Coils,</td> <td>1792</td> <td>3400</td> <td>-47.29</td> </tr> <tr> <td>Steel Billets, Steel blooms, Steel Rails</td> <td>585</td> <td>700</td> <td>-16.43</td> </tr> </table> | Steel Sheets etc. | | | | Steel Coils, HR Coils, WR Coils, | 1792 | 3400 | -47.29 | Steel Billets, Steel blooms, Steel Rails | 585 | 700 | -16.43 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|---|---------------------------|---------------------------------|-------------------------------|----------------------------------|---------------------------------|---------|---------|--|--------|--------|--------|----------------------------------|--------|--------|--------|----------|---------|--------|--------|-----------|--------|--------------|--------------|---------------|---------------|--------|--------|-------------------------------|------------------------|------------------------------|--------|---------|--------|--------|--------|----------------|---------|--------|--------|--------|---|---------|-------|----------------|--------|--------|--------------|--------------|--------------|---------------|--------|-------|--------|--------|--------|
| Steel Sheets etc. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Steel Coils, HR Coils, WR Coils, | 1792 | 3400 | -47.29 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Steel Billets, Steel blooms, Steel Rails | 585 | 700 | -16.43 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (ii) | <p>The HDC is requested to justify the variation for each of the items of Dry Bulk as well as Break Bulk Cargo.</p> <p>The productivity norms of Project Cargo at 150 tonnes per hook per shift as proposed by the Port to be substantiated with actual productivity of the said cargo for the past three years, as reported by the Port.</p> | <p>The average hook shift productivity of Project cargo & Machineries for the past three years handled through conventional method by using Ship's cranes is as follows:</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Year</th> <th>Total Quantity of cargo in MT</th> <th>Total no. of hooks worked</th> <th>Average hook shift output in MT</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>2016-17</td> <td>9865</td> <td>53</td> <td>186.13</td> </tr> <tr> <td>2</td> <td>2015-16</td> <td>2579</td> <td>18</td> <td>143.28</td> </tr> <tr> <td>3</td> <td>2014-15</td> <td>8778</td> <td>66</td> <td>132.95</td> </tr> <tr> <td></td> <td>Total</td> <td>21219</td> <td>137</td> <td>154.88</td> </tr> </tbody> </table> <p>The average ship day productivity of Project cargo & Machineries for the past three years handled through conventional method by using Ship's cranes is as follows:</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Year</th> <th>Total Quantity of cargo in MT</th> <th>Working period in days</th> <th>Average shipday output in MT</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>2016-17</td> <td>9865</td> <td>11.08</td> <td>890.34</td> </tr> <tr> <td>2</td> <td>2015-16</td> <td>2579</td> <td>4.25</td> <td>606.32</td> </tr> <tr> <td>3</td> <td>2014-15</td> <td>8778</td> <td>43.39</td> <td>202.24</td> </tr> <tr> <td></td> <td>Total</td> <td>21219</td> <td>58.72</td> <td>361.36</td> </tr> </tbody> </table> | No. | Year | Total Quantity of cargo in MT | Total no. of hooks worked | Average hook shift output in MT | 1 | 2016-17 | 9865 | 53 | 186.13 | 2 | 2015-16 | 2579 | 18 | 143.28 | 3 | 2014-15 | 8778 | 66 | 132.95 | | Total | 21219 | 137 | 154.88 | No. | Year | Total Quantity of cargo in MT | Working period in days | Average shipday output in MT | 1 | 2016-17 | 9865 | 11.08 | 890.34 | 2 | 2015-16 | 2579 | 4.25 | 606.32 | 3 | 2014-15 | 8778 | 43.39 | 202.24 | | Total | 21219 | 58.72 | 361.36 | | | | | |
| No. | Year | Total Quantity of cargo in MT | Total no. of hooks worked | Average hook shift output in MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | 2016-17 | 9865 | 53 | 186.13 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | 2015-16 | 2579 | 18 | 143.28 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | 2014-15 | 8778 | 66 | 132.95 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Total | 21219 | 137 | 154.88 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| No. | Year | Total Quantity of cargo in MT | Working period in days | Average shipday output in MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | 2016-17 | 9865 | 11.08 | 890.34 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | 2015-16 | 2579 | 4.25 | 606.32 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | 2014-15 | 8778 | 43.39 | 202.24 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Total | 21219 | 58.72 | 361.36 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (iii) | <p>Further, the Average productivity achieved during the last three years for each of the dry bulk cargo and break bulk cargo as listed above also to be furnished.</p> | <p>The average hook shift productivity of dry bulk cargo and other break bulk cargo for the last three years through conventional method by using Ship's cranes is as follows:</p> <table border="1"> <thead> <tr> <th rowspan="2">Cargo</th> <th colspan="3">Average hook shift output in MT</th> </tr> <tr> <th>2014-15</th> <th>2015-16</th> <th>2016-17</th> </tr> </thead> <tbody> <tr> <td>Coking coal</td> <td>663.54</td> <td>609.81</td> <td>-</td> </tr> <tr> <td>Other coal (except thermal coal)</td> <td>580.83</td> <td>635.66</td> <td>505.49</td> </tr> <tr> <td>Met coke</td> <td>500.37</td> <td>453.47</td> <td>615.45</td> </tr> <tr> <td>Limestone</td> <td>566.56</td> <td>591.50</td> <td>675.15</td> </tr> <tr> <td>Manganese Ore</td> <td>664.41</td> <td>671.41</td> <td>664.13</td> </tr> <tr> <td>Iron Ore Fines & Lumps</td> <td>747.41</td> <td>665.25</td> <td>569.70</td> </tr> <tr> <td>MOP</td> <td>739.88</td> <td>595.79</td> <td>-</td> </tr> <tr> <td>Cement Clinker</td> <td>-</td> <td>721.98</td> <td>489.78</td> </tr> <tr> <td>Gypsum</td> <td>-</td> <td>447.06</td> <td>39.75</td> </tr> <tr> <td>Rock Phosphate</td> <td>453.68</td> <td>382.78</td> <td>325.92</td> </tr> <tr> <td>Sulphur</td> <td>510.07</td> <td>379.30</td> <td>322.12</td> </tr> <tr> <td>Sugar</td> <td>371.92</td> <td>500.79</td> <td>473.09</td> </tr> </tbody> </table> <p>The average ship day productivity of dry bulk cargo and other break bulk cargo for the last three years through conventional method by using Ship's cranes is as follows:</p> | Cargo | Average hook shift output in MT | | | 2014-15 | 2015-16 | 2016-17 | Coking coal | 663.54 | 609.81 | - | Other coal (except thermal coal) | 580.83 | 635.66 | 505.49 | Met coke | 500.37 | 453.47 | 615.45 | Limestone | 566.56 | 591.50 | 675.15 | Manganese Ore | 664.41 | 671.41 | 664.13 | Iron Ore Fines & Lumps | 747.41 | 665.25 | 569.70 | MOP | 739.88 | 595.79 | - | Cement Clinker | - | 721.98 | 489.78 | Gypsum | - | 447.06 | 39.75 | Rock Phosphate | 453.68 | 382.78 | 325.92 | Sulphur | 510.07 | 379.30 | 322.12 | Sugar | 371.92 | 500.79 | 473.09 |
| Cargo | Average hook shift output in MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2014-15 | 2015-16 | 2016-17 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Coking coal | 663.54 | 609.81 | - | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other coal (except thermal coal) | 580.83 | 635.66 | 505.49 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Met coke | 500.37 | 453.47 | 615.45 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Limestone | 566.56 | 591.50 | 675.15 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Manganese Ore | 664.41 | 671.41 | 664.13 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Iron Ore Fines & Lumps | 747.41 | 665.25 | 569.70 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MOP | 739.88 | 595.79 | - | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cement Clinker | - | 721.98 | 489.78 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gypsum | - | 447.06 | 39.75 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Rock Phosphate | 453.68 | 382.78 | 325.92 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sulphur | 510.07 | 379.30 | 322.12 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sugar | 371.92 | 500.79 | 473.09 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| Cargo | Average ship day productivity in MT | | |
|----------------------------------|-------------------------------------|---------|---------|
| | 2014-15 | 2015-16 | 2016-17 |
| Coking coal | 5435 | 5684 | - |
| Other coal (except thermal coal) | 4872 | 5661 | 4930 |
| Met coke | 3945 | 4269 | 2779 |
| Limestone | 4716 | 4870 | 7790 |
| Manganese Ore | 4946 | 5543 | 5149 |
| Iron Ore Fines & Lumps | 6771 | 6109 | 5123 |
| MOP | 3768 | 3139 | - |
| Cement Clinker | - | 5953 | 4915 |
| Gypsum | - | 5234 | 150 |
| Rock Phosphate | 2777 | 2932 | 2381 |
| Sulphur | 3699 | 3716 | 2143 |
| Sugar | 3491 | 2646 | 4278 |

The average hook shift productivity and ship day productivity of steel cargo for the last three years through conventional method by using Ship's cranes is as follows:

| Cargo | Average hook shift productivity | Average ship day productivity |
|---|---------------------------------|-------------------------------|
| CR sheets, HR plates, Steel sheets, steel slabs | 409 | 2415 |
| Steel coils, HR coils, WR coils | 612 | 3179 |
| Steel billets, steel blooms, steel rails | 276 | 2710 |

The average hook shift productivity of Bagged cargo (weighing 50 kg each) for the past three years handled through conventional method by using Ship's cranes is as follows:

| No. | Year | Total Quantity of cargo in MT | Total no. of hooks worked | Average hook shift output in MT |
|-----|--------------|-------------------------------|---------------------------|---------------------------------|
| 1 | 2016-17 | 114779 | 789 | 145 |
| 2 | 2015-16 | 151587 | 1270 | 119 |
| 3 | 2014-15 | 157799 | 1156 | 137 |
| | Total | 424165 | 3215 | 132 |

The average ship day productivity of Bagged cargo (weighing 50 kg each) for the past three years handled through conventional method by using Ship's cranes is as follows:

| No. | Year | Total Quantity of cargo in MT | Working period in days | Average shipday output in MT |
|-----|--------------|-------------------------------|------------------------|------------------------------|
| 1 | 2016-17 | 114779 | 96.14 | 1194 |
| 2 | 2015-16 | 151587 | 195.22 | 776 |
| 3 | 2014-15 | 157799 | 161.24 | 979 |
| | Total | 424165 | 452.60 | 937 |

(iv) The (cargo-wise) productivity norms prescribed in the guidelines for dry bulk cargo for stevedoring operations at Annex-II read with Annex-V is common productivity norms with reference to handling cargo by ship crane or shore crane or Harbour Mobile Crane (HMC) (100 tonnes as per the note under the Annex) or combination of these. The

At HDC, the MHC and ship's crane are not used simultaneously. That is why no Productivity Norms has been fixed for simultaneous operation of MHC and Ship's Crane.

| | <p>guidelines do not prescribe separate productivity norms for each handling equipment.</p> <p>The KOPT has, however, in its proposal, considered separate productivity parameters for handling by ship cranes and by HMC. The upfront tariff sought is also for two different methods of handling viz., ship crane and 100T HMC for shore handling operations. The guidelines do not permit fixation of equipment-wise rate. The Productivity norms prescribed in the guidelines are based on the normative basis considering the optimal equipment handling (Ship cranes or shore cranes or HMC or combination of equipment). Moreover, the user agency particularly, in the shore handling activity, will get the same service whether the cargo in Stevedoring operations is handled with HMC or Ship crane etc. The Authority may not be in a position to approve equipment wise rate. Hence, the KOPT to propose cargo wise single rate. Other Major Ports have also filed the proposal for fixation of upfront reference tariff following the norms prescribed and not based on individual handling equipment.</p> | | | | | | | |
|------------|---|---|--|---|---|---|--|--|
| (v) | <p>As far as the shore handling activity is concerned, the guidelines prescribe 5 methods for movement of cargo at shore as given in Clauses 4.4.1 and 4.4.2 of the guidelines. These 5 methods are independent of the equipment deployed for the Stevedoring operations. Whereas, port has proposed shore handling rate linked to equipment considered for the stevedoring operations (cargo handled by ship crane or 100T HMC), which is not envisaged in the guidelines. Keeping in view the point no. (iv), KOPT to propose a single tariff for handling cargo instead of linking it to the equipment considered for the Stevedoring operations so as to be in line with the Stevedoring & Shore handling Guidelines.</p> | <p>Since the cargo will be discharged either by Ship's Crane or MHC, only two methods (i.e. handling either by MHC or by Ship's Crane) have been considered by HDC.</p> | | | | | | |
| 2.1(i) | <p>KOPT has proposed Shore handling tariff only for the following two methods of handling for Dry Bulk Cargo.</p> <table border="1" data-bbox="363 1816 869 2011"> <thead> <tr> <th data-bbox="363 1816 472 1917">Method no.</th> <th data-bbox="472 1816 679 1917">Detail of Handling Methods (using ship cranes)</th> <th data-bbox="679 1816 869 1917">Detail of Handling Methods (using 2 nos. HMC)</th> </tr> </thead> <tbody> <tr> <td data-bbox="363 1917 472 2011">4</td> <td data-bbox="472 1917 679 2011">Cargo unloaded onto wharf and loaded onto trucks and going to</td> <td data-bbox="679 1917 869 2011">Cargo unloaded onto wharf and loaded onto trucks and going</td> </tr> </tbody> </table> | Method no. | Detail of Handling Methods (using ship cranes) | Detail of Handling Methods (using 2 nos. HMC) | 4 | Cargo unloaded onto wharf and loaded onto trucks and going to | Cargo unloaded onto wharf and loaded onto trucks and going | <p>Since at HDC Dry Bulk Cargo is handled either by Ship's Crane or by MHC (2 Nos.), only Method No. 4 & 5 have been considered.</p> |
| Method no. | Detail of Handling Methods (using ship cranes) | Detail of Handling Methods (using 2 nos. HMC) | | | | | | |
| 4 | Cargo unloaded onto wharf and loaded onto trucks and going to | Cargo unloaded onto wharf and loaded onto trucks and going | | | | | | |

| | | | | |
|----------|---|---|---|---|
| | | consignee premises. | to consignee premises. | |
| | 5 | Cargo unloaded onto wharf and loaded onto trucks and transported to storage yard. | Cargo unloaded onto wharf and loaded onto trucks and transported to storage yard. | |
| | The KOPT has not considered remaining three methods i.e. method 1, 2 and 3 as per Annex-IX of the Guidelines. The reason for not considering these methods, may be explained. | | | |
| 2.1(ii) | The no. of hooks per shift considered in respect of Limestone, Manganese Ore, MOP, Clinker, Gypsum. Rock Phosphate, Sulphur and Sugar at 4 each in the calculation is seen to be more than the average no. of hooks per shift at 3 nos. prescribed in Annex-III of the Guidelines. The reason for considering more number of hooks to be clarified. | | | At HDC, the Dry Bulk Cargo is normally handled with 4 Nos. Ship's Cranes simultaneously, that is why 4 Nos. of Hooks in each shift has been considered. |
| 2.1(iii) | On a comparison, it is seen that the equipment profile envisaged by KOPT for shore handling operations under both methods is not in consonance with the equipment profile stipulated in the Guidelines, as given below: | | | The deployment of equipment patterns has been considered as per the present system of working in vogue at HDC. The number of equipment and the pattern of deployment as specified in the guidelines cannot be always followed at HDC. |
| | Commodity / Commodity Group | Method | As per Guidelines | As per KOPT Proposal |
| | | | Handling with Ship cranes | Handling with MHCs |
| | Coking Coal | 04 | 06 Nos. – 10T Pay-loaders | 04 Nos. – Pay-loaders |
| | | 05 | 25 Nos. – 15T trucks 10 Nos. – 10T Pay-loaders | 16 Nos. – Trucks 06 Nos. – Pay loaders 01 No. – Poclains |
| | Other coal (Except Thermal Coal) | 04 | 06 Nos. – 10T Pay-loaders | 08 Nos. – Pay loaders |
| | | 05 | 25 Nos. – 15T trucks 10 Nos. – 10T Pay-loaders | 28 Nos. – Trucks 10 Nos. – Pay loaders 02 No. – Poclains |
| | Met. coke | 04 | 06 Nos. – 10T Pay-loaders | 08 Nos. – Pay loaders |
| | | 05 | 25 Nos. – 15T trucks 10 Nos. – 10T Pay-loaders | 28 Nos. – Trucks 12 Nos. – Pay loaders |

| | | | | |
|-------------------|----|--|---|---|
| Lime Stone | 04 | 06 Nos. – 10T Pay loaders | 06 Nos. – Pay loaders | 08 Nos. – Pay loaders |
| | 05 | 25 Nos. – 15T trucks 10 Nos. – 10T Pay loaders | 24 Nos. – Trucks 10 Nos. – Pay loaders 02 No. – Poclaims | 28 Nos. – Trucks 10 Nos. – Pay loaders 02 No. – Poclaims |
| Cement Clinker | 04 | 06 Nos. – 10T Pay loaders | 06 Nos. – Pay loaders | 08 Nos. – Pay loaders |
| | 05 | 25 Nos. – 15T trucks 10 Nos. – 10T Pay loaders | 24 Nos. – Trucks 10 Nos. – Pay loaders | 28 Nos. – Trucks 12 Nos. – Pay loaders |
| Manganese Ore | 04 | 03 Nos. – 10T Pay loaders | 04 Nos. – Pay loaders | 08 Nos. – Pay loaders |
| | 05 | 20 Nos. – 15T trucks 5 Nos. – 10T Pay loaders | 16 Nos. – Trucks 06 Nos. – Pay loaders 01 No. – Poclaims | 28 Nos. – Trucks 10 Nos. – Pay loaders 02 No. – Poclaims |
| Gypsum | 04 | 06 Nos. – 10T Pay loaders | 06 Nos. – Pay loaders | 08 Nos. – Pay loaders |
| | 05 | 25 Nos. – 15T trucks 10 Nos. – 10T Pay loaders | 24 Nos. – Trucks 10 Nos. – Pay loaders 02 No. – Poclaims | 28 Nos. – Trucks 10 Nos. – Pay loaders 02 No. – Poclaims |
| Iron Ore Fines | 04 | 06 Nos. – 10T Pay loaders | 06 Nos. – Pay loaders | 08 Nos. – Pay loaders |
| | 05 | 34 Nos. – 15T trucks 10 Nos. – 10T Pay loaders | 24 Nos. – Trucks 10 Nos. – Pay loaders 02 Nos. – Poclaims | 28 Nos. – Trucks 10 Nos. – Pay loaders 02 No. – Poclaims |
| MOP | 04 | 03 Nos. – 10T Pay loaders | 04 Nos. – Pay loaders | 08 Nos. – Pay loaders |
| | 05 | 20 Nos. – 15T trucks 05 Nos. – 10T Pay loaders | 16 Nos. – Trucks 06 Nos. – Pay loaders | 28 Nos. – Trucks 12 Nos. – Pay loaders |
| Rock Phosphate | 04 | 03 Nos. – 10T Pay loaders | 04 Nos. – Pay loaders | 08 Nos. – Pay loaders |
| | 05 | 20 Nos. – 15T trucks 05 Nos. – 10T Pay loaders | 16 Nos. – Trucks 06 Nos. – Pay loaders | 28 Nos. – Trucks 12 Nos. – Pay loaders |
| Sulphur | 04 | 03 Nos. – 10T Pay loaders | 04 Nos. – Pay loaders | 08 Nos. – Pay loaders |
| | 05 | 20 Nos. – 15T trucks 05 Nos. – 10T Pay loaders | 16 Nos. – Trucks 06 Nos. – Pay loaders | 28 Nos. – Trucks 12 Nos. – Pay loaders |

| | Sugar | 04 | 03 Nos. – 10T Pay loaders | 04 Nos. – Pay loaders | 08 Nos. – Pay loaders | | | | | | | | | | |
|---------|--|--------------------------------|--|--|---|--|----------------------------|-------------|---|--|-------------|---|---|--------------------------------|---|
| | | 05 | 20 Nos. – 15T trucks 05 Nos. – 10T Pay loaders | 16 Nos. – Trucks 06 Nos. – Pay loaders | 28 Nos. – Trucks 12 Nos. – Pay loaders | | | | | | | | | | |
| 2.1(iv) | <p>In the backdrop of the observation made earlier that the rates for the shore handling operations have to be independent of equipment considered for stevedoring operations, the KOPT to review the equipment considered for shore handling operation in line with the equipment deployment prescribed in the shore handling guidelines, as brought out in the above table. In the event of any deviation from equipment norm, the same may be justified.</p> <p>Since the KOPT has expressed its inability to furnish documentary evidence in support of equipment hire charges, the KOPT to inform whether the hire charges considered by KOPT are reasonable, in the opinion of KOPT.</p> | | | | | <p>The equipment hire charges considered is reasonable in the opinion of KOPT.</p> | | | | | | | | | |
| 2.2(i) | <p>2.1 Break Bulk Cargo</p> <p>It is observed that, out of 4 methods of Shore handling operations stipulated in the guidelines for Break Bulk Cargo, the following methods are only proposed by HDC for shore handling.</p> <table border="1" data-bbox="363 1249 863 1626"> <thead> <tr> <th>Method</th> <th>Details of Handling Method</th> <th>Cargo Group</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>Cargo unloaded onto truck and transported to storage yard within the port premises or vice versa</td> <td>Steel Cargo</td> </tr> <tr> <td>4</td> <td>Cargo unloaded onto wharf and loaded onto trucks and transported to storage yard within the port premises or vice versa</td> <td>Bagged Cargo and Project Cargo</td> </tr> </tbody> </table> <p>Method 1, 2 and 4 of the Break Bulk shore handling, in case of Steel cargo and Method 1, 2 and 3 for Bagged cargo as prescribed in Annex – X of the Guidelines have not been considered by KOPT. The reason for not considering these methods to be explained.</p> | | | | | Method | Details of Handling Method | Cargo Group | 3 | Cargo unloaded onto truck and transported to storage yard within the port premises or vice versa | Steel Cargo | 4 | Cargo unloaded onto wharf and loaded onto trucks and transported to storage yard within the port premises or vice versa | Bagged Cargo and Project Cargo | <p>Since at HDC only two methods are in force for handling Break Bulk Cargo, the Methods 3 & 4 only have been considered.</p> |
| Method | Details of Handling Method | Cargo Group | | | | | | | | | | | | | |
| 3 | Cargo unloaded onto truck and transported to storage yard within the port premises or vice versa | Steel Cargo | | | | | | | | | | | | | |
| 4 | Cargo unloaded onto wharf and loaded onto trucks and transported to storage yard within the port premises or vice versa | Bagged Cargo and Project Cargo | | | | | | | | | | | | | |

| | | |
|---------|--|--|
| 2.2(ii) | <p>While arriving at the Shore Handling Charges for bagged cargo, KOPT has considered an amount of ₹.26820/- per shift towards labour charges as against the norm of 10% of the equipment cost stipulated in the guidelines. The proposed labour cost works out to 149% of the equipment hire cost. The Stevedoring and Shore Guidelines issued by Ministry of Shipping (MOS) do not consider separate deployment pattern of labour. It is a function of equipment hire charges. This is the guideline position formulated by MOS. The scheme of Stevedoring and Shore handling guidelines is to fix norm based tariff in order to improve the efficiency of Stevedoring and shore handling operations. Therefore, the question of considering actual deployment pattern of labour either at hook points or at stack yard does not arise. That being so, question of consideration of prevailing wage rates also does not arise. The KOPT to note that the Authority may not be in a position to consider this substantial deviation from the guideline position. Therefore, the KOPT to consider the labour cost as stipulated in the guidelines at 10% of the equipment hire cost.</p> | <p>Both at the time of sending KOPT's submission to TAMP (vide letter No. MTO/G/115-M/2219 dated 17.11.2016) TAMP in respect of the Guidelines for Determination of Upfront Tariff for Stevedoring & Shore handling operations authorized by Major Ports as well as submission of KOPT's tariff proposal in the matter, it was duly clarified to them that for handling bagged cargo, no separate deployment pattern of labour on shore has been considered in the guidelines and only 10% of the equipment cost has been considered as labour cost. However, the handling of bagged cargo at Jetty as well as at Stack Yard at HDC is labour intensive and no equipment is usually deployed during shore handling apart from deployment of trucks for transportation. Therefore, consideration of labour cost at 10% of equipment hire cost is not felt relevant and justified.</p> <p>As such the deployment of labour for handling bag cargo is to be considered separately. Accordingly, the Tariff for shore handling of bagged cargo has been proposed based on actual deployment pattern of labour at Hook points as well as Stack Yard. The wage rates for deployment of such labours have been considered on the basis of the monthly CTC payable as per the agreement signed between the union and RLC.</p> <p>Further, in the workshop held in Mumbai it was indicated that while determining the tariff, the prevailing working practice and local conditions in respective port has to be considered.</p> <p>In the calculation furnished vide Annexure-5 of the tariff proposal too it has been clarified that at Haldia labour is supplied through a private pool of workers commonly known as 'Cargo Pool' and as per existing system, the labour gets monthly wages along with statutory benefits which is quite high.</p> <p>Therefore, consideration of labour cost as 10 percent of equipment cost cannot be made applicable for bag cargo handling at HDC which may otherwise lead to very low tariff and such low tariff may not be workable at HDC. However, if TAMP still feels that the tariff proposed by HDC are not practical and very high then suitable tariff may be fixed after considering various provisions of the guideline.</p> |
|---------|--|--|

| 2.2(iii) | <p>On a comparison, it is seen that the equipment profile envisaged by KOPT for shore handling operation for the method envisaged is not in consonance with equipment profile stipulated in the Guidelines, as given below:</p> <table border="1" data-bbox="363 376 869 1010"> <thead> <tr> <th data-bbox="363 376 523 405">Break Bulk</th> <th data-bbox="523 376 603 405"></th> <th data-bbox="603 376 746 405"></th> <th data-bbox="746 376 869 405"></th> </tr> <tr> <th data-bbox="363 405 523 501">Commodity / Commodity Group</th> <th data-bbox="523 405 603 501">Method</th> <th data-bbox="603 405 746 501">As per Guidelines</th> <th data-bbox="746 405 869 501">As per KOPT Proposal</th> </tr> </thead> <tbody> <tr> <td data-bbox="363 501 523 645">CR Steets, HR Plates, Steel Sheets etc.</td> <td data-bbox="523 501 603 645">03</td> <td data-bbox="603 501 746 645">02 Nos. – 30T Mobile Crane 09 Nos. – 40T Tractor Trailers</td> <td data-bbox="746 501 869 645">02 Nos. – 30T Mobile Crane 12 Nos. – Tractor Trailers</td> </tr> <tr> <td data-bbox="363 645 523 788">Steel Coils, HR Coils, WR Coils,</td> <td data-bbox="523 645 603 788">03</td> <td data-bbox="603 645 746 788">02 Nos. – 30T Mobile Crane 09 Nos. – 40T Tractor Trailers</td> <td data-bbox="746 645 869 788">02 Nos. – 30T Mobile Crane 12 Nos. – Tractor Trailers</td> </tr> <tr> <td data-bbox="363 788 523 954">Steel Billets, Steel blooms, Steel Rails</td> <td data-bbox="523 788 603 954">03</td> <td data-bbox="603 788 746 954">02 Nos. – 30T Mobile Crane 09 Nos. – 40T Tractor Trailers</td> <td data-bbox="746 788 869 954">02 Nos. – 10T Fork Lift Truck 12 Nos. – Tractor Trailers</td> </tr> <tr> <td data-bbox="363 954 523 1010">Bagged Cargo</td> <td data-bbox="523 954 603 1010">04</td> <td data-bbox="603 954 746 1010">9 Nos. – 10 T Trucks</td> <td data-bbox="746 954 869 1010">6 Nos. Trucks</td> </tr> </tbody> </table> <p>The KOPT to justify the deviation in respect of number of each of the equipment for each of the commodity with reference to the equipment prescribed for each of the cargo in the guidelines.</p> | Break Bulk | | | | Commodity / Commodity Group | Method | As per Guidelines | As per KOPT Proposal | CR Steets, HR Plates, Steel Sheets etc. | 03 | 02 Nos. – 30T Mobile Crane 09 Nos. – 40T Tractor Trailers | 02 Nos. – 30T Mobile Crane 12 Nos. – Tractor Trailers | Steel Coils, HR Coils, WR Coils, | 03 | 02 Nos. – 30T Mobile Crane 09 Nos. – 40T Tractor Trailers | 02 Nos. – 30T Mobile Crane 12 Nos. – Tractor Trailers | Steel Billets, Steel blooms, Steel Rails | 03 | 02 Nos. – 30T Mobile Crane 09 Nos. – 40T Tractor Trailers | 02 Nos. – 10T Fork Lift Truck 12 Nos. – Tractor Trailers | Bagged Cargo | 04 | 9 Nos. – 10 T Trucks | 6 Nos. Trucks | As already clarified, the equipment deployment patterns have been considered based on the prevailing working system at HDC. |
|--|--|---|---|--|--|-----------------------------|--------|-------------------|----------------------|---|----|--|--|----------------------------------|----|--|--|--|----|--|---|--------------|----|----------------------|---------------|---|
| Break Bulk | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Commodity / Commodity Group | Method | As per Guidelines | As per KOPT Proposal | | | | | | | | | | | | | | | | | | | | | | | |
| CR Steets, HR Plates, Steel Sheets etc. | 03 | 02 Nos. – 30T Mobile Crane 09 Nos. – 40T Tractor Trailers | 02 Nos. – 30T Mobile Crane 12 Nos. – Tractor Trailers | | | | | | | | | | | | | | | | | | | | | | | |
| Steel Coils, HR Coils, WR Coils, | 03 | 02 Nos. – 30T Mobile Crane 09 Nos. – 40T Tractor Trailers | 02 Nos. – 30T Mobile Crane 12 Nos. – Tractor Trailers | | | | | | | | | | | | | | | | | | | | | | | |
| Steel Billets, Steel blooms, Steel Rails | 03 | 02 Nos. – 30T Mobile Crane 09 Nos. – 40T Tractor Trailers | 02 Nos. – 10T Fork Lift Truck 12 Nos. – Tractor Trailers | | | | | | | | | | | | | | | | | | | | | | | |
| Bagged Cargo | 04 | 9 Nos. – 10 T Trucks | 6 Nos. Trucks | | | | | | | | | | | | | | | | | | | | | | | |
| 2.2(iv) | Since the KOPT has expressed its inability to furnish documentary evidence in support of equipment hire charges, the KOPT to inform whether the hire charges considered by KOPT are reasonable in the opinion of KOPT. | The equipment hire charges considered for calculation of the Shore Handling Tariff are reasonable in the opinion of KOPT. | | | | | | | | | | | | | | | | | | | | | | | | |
| 3(i) | <p><u>Charges for supply and service of equipment</u></p> <p>The KOPT has stated that since the stevedoring (on-board operations) is undertaken by the port either by deployment of its own man power or through contractor and the charges are being realized directly from the customers based on the TAMP approved rates, the tariff for stevedoring operations is not required to be proposed (Item no. 1 of Annexure-1 of the KOPT letter no. MTO/G/115-M/2219 dated 17.11.2016). In this regard, KOPT to note that. Para no. 2 of the clause 6 “Migration to the new Stevedoring and Shore Handling Scheme” of the Stevedoring and Shore handling Policy for Major Ports, 2016 stipulates that all existing contracts to Stevedoring and Shore Handling</p> | <p>At HDC, the Stevedoring (on-board) is undertaken by the Port either by deployment of its own manpower or through its appointed contractors. For rendering such services, charges are realized directly from the customers based on TAMP’s approved rate. Therefore, the Tariff for Stevedoring Operation is not required to be proposed as decided in the workshop. This has also been clarified in the Clause 1.3 of the ANNEX-II of the Guidelines for Determination of Upfront Tariff for Stevedoring and Shore Operation authorized by Major Ports, which reads as follows:-</p> <p><u>Quote:</u> For Stevedoring and Shore Handling Operation, which are carried out by the concerned Major Port Trust itself, Tariff</p> | | | | | | | | | | | | | | | | | | | | | | | | |

| | | |
|-------|--|---|
| | <p>operation would be allowed exemption till the date of expiry of the contract or 31 July 2017 whichever is earlier. Stevedoring and Shore handling Policy for Major Ports, 2016 illustrated an example of Haldia Dock Complex, that HDC had introduced Stevedoring Licence for two years from April 2015 and valid till March 2017 through auction process. Therefore, the new Stevedoring and Shore Handling Scheme will be made applicable after expiry of the existing Scheme i.e. from April 2017 for Haldia Dock Complex. Keeping in view of the above policy guidelines, KOPT to examine prescription of upfront tariff for the Stevedoring operations as per the Stevedoring and Shore Handling Guidelines instead for proposing tariff for supply of equipment for on-board ship at berth for discharging dry bulk cargo as well as break bulk cargo.</p> | <p>Policy, 2015 as amended from time to time shall continue to apply. <u>Un-Quote:</u> However, on shore handling operation at HDC is carried by the licensed Handling Agents and the license had been given for this purpose for a period of two years w.e.f. 01.04.2015 (excluding Berth Nos. 2 & 8). Such licenses are applicable for handling Dry Bulk Cargo. However, considering the guidelines, Shore Handling Tariff has only been proposed in respect of Dry Bulk and Break Bulk Cargo both. Incidentally, as the Stevedoring and Shore Handling Regulation could not be introduced at KOPT as yet, the said licenses have been extended with the approval of the Board. However, at HDC, equipment support on-board the vessels for handling cargo using ship's cranes is provided by the Handling Agent appointed by the importers / exporters. The Tariff for such deployment of equipment has also been proposed as discussed in the workshop.</p> |
| 3(ii) | <p>As per the definition of the Stevedoring prescribed in Stevedoring and Shore handling Policy for Major Ports, 2016, Stevedoring includes loading and unloading and stowage of cargo in any form on board the vessels in Ports. Accordingly, an approach has been prescribed in the Stevedoring and Shore handling guidelines considering the equipment cost, Labour cost, operational and administrative overheads to arrive at stevedoring tariff to perform the entire Stevedoring operations as defined in the Stevedoring and Shore handling policy. In this regard, it is observed that, as against the Stevedoring tariff, HDC has proposed only a charge for supply & service of equipment in hatches on-board ship at berth for discharging both break bulk and dry bulk cargo. Further, it is noticed that labour cost has not been considered as per NIT Award prescribed in the guidelines, against which, the labour cost of 5% of the equipment cost for dry bulk cargo and 10% of equipment cost for break bulk cargo has been considered. The KOPT to, therefore, justify consideration of labour cost, particularly when the port has stated that the Stevedoring operation is being undertaken by the port with its own manpower or through contractors.</p> | <p>At HDC, the on-board operation has two parts. One is deployment of required manpower and another is deployment of required equipment. For deployment of manpower on-board, Port realizes the charges from the customers as per the prevailing SOR approved by TAMP. However, equipment are not deployed by Port and these are required to be deployed by Handling Agent appointed by the importers / exporters and the payment of such deployment is also directly made by importers / exporters to the Handling Agents. Such payments are required to be regulated and that is why, the Tariff has been proposed for on-board supply of equipment and for such deployment of equipment, labour cost has been considered as per the provision in the guidelines.</p> <p>Subsequently, the KOPT vide its e-mail dated 05 January 2018 has stated that during deployment of equipment inside the hatches for handling dry bulk & break bulk cargo on-board the vessels, labours are necessary for slinging/ unslinging of equipment and hence 5% / 10% labour cost has been considered. However, the equipment hire cost as indicated in the calculation sheets of the proposal already includes the operational overheads like expenditure for operators, spares, fuel, lubricants etc. and thus 20% operational overheads need not be considered</p> |

| | | additionally. Accordingly, the rate for deployment of equipment on-board inside the hatches for handling dry bulk as well as break bulk cargo may be determined. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------------------------------|---|--|---|--|-----------------|--|--|-------------|--------------------|----------------------------|----------------------------------|--------------------|----------------------------|-----------|--------------------|----------------------------|------------|-------------------|----------------------------|---------------|-------------------|----------------------------|------------------------|--------------------|----------------------------|-----|-------------------|----------------------------|---------|-------------------|----------------------------|--------|-------------------|----------------------------|----------------|-------------------|----------------------------|---------|-------------------|----------------------------|-------|-------------------|----------------------------|--|
| 3(iii) | <p>On a comparison, it is seen that the equipment profile envisaged by KOPT to be used on board ship at berth for discharging dry bulk cargo and break bulk cargo is not as per the equipment profile as stipulated in Annex V and VI of the Guidelines as given below:</p> <table border="1"> <thead> <tr> <th>Commodity / Commodity Group</th> <th>As per Guidelines (Equipment per shift)</th> <th>As per HDC's Proposal (Equipment per vessel)</th> </tr> </thead> <tbody> <tr> <td>Dry Bulk</td> <td></td> <td></td> </tr> <tr> <td>Coking Coal</td> <td>4 Nos - Excavators</td> <td>20 Nos -2.5 Cum Payloaders</td> </tr> <tr> <td>Other Coal (Except Thermal Coal)</td> <td>4 Nos - Excavators</td> <td>20 Nos -2.5 Cum Payloaders</td> </tr> <tr> <td>Met. Coke</td> <td>4 Nos - Excavators</td> <td>20 Nos -2.5 Cum Payloaders</td> </tr> <tr> <td>Lime Stone</td> <td>3 Nos – 5T Dozers</td> <td>18 Nos -2.5 Cum Payloaders</td> </tr> <tr> <td>Manganese Ore</td> <td>3 Nos – 5T Dozers</td> <td>18 Nos -2.5 Cum Payloaders</td> </tr> <tr> <td>Iron Ore Fines & Lumps</td> <td>4 Nos - Excavators</td> <td>18 Nos -2.5 Cum Payloaders</td> </tr> <tr> <td>MOP</td> <td>3 Nos – 5T Dozers</td> <td>18 Nos -2.5 Cum Payloaders</td> </tr> <tr> <td>Clinker</td> <td>3 Nos – 5T Dozers</td> <td>20 Nos -2.5 Cum Payloaders</td> </tr> <tr> <td>Gypsum</td> <td>3 Nos – 5T Dozers</td> <td>20 Nos -2.5 Cum Payloaders</td> </tr> <tr> <td>Rock Phosphate</td> <td>3 Nos – 5T Dozers</td> <td>20 Nos -2.5 Cum Payloaders</td> </tr> <tr> <td>Sulphur</td> <td>3 Nos – 5T Dozers</td> <td>20 Nos -2.5 Cum Payloaders</td> </tr> <tr> <td>Sugar</td> <td>3 Nos – 5T Dozers</td> <td>20 Nos -2.5 Cum Payloaders</td> </tr> </tbody> </table> <p>As can be seen from the above table, the proposal of the port for equipment for the commodity group of dry bulk cargo is substantially more than the norms. The port has stated that the basis for number of equipment proposed is actual deployment. The normative approach cannot recognise the actual deployment. Consideration of actual equipment deployment may lead either to inefficiency and increase in cost of operation or insufficiency leading to poor performance and under utilisation of infrastructure. The KOPT, therefore, to adhere to the norms in the equipment for each type of cargo.</p> | Commodity / Commodity Group | As per Guidelines (Equipment per shift) | As per HDC's Proposal (Equipment per vessel) | Dry Bulk | | | Coking Coal | 4 Nos - Excavators | 20 Nos -2.5 Cum Payloaders | Other Coal (Except Thermal Coal) | 4 Nos - Excavators | 20 Nos -2.5 Cum Payloaders | Met. Coke | 4 Nos - Excavators | 20 Nos -2.5 Cum Payloaders | Lime Stone | 3 Nos – 5T Dozers | 18 Nos -2.5 Cum Payloaders | Manganese Ore | 3 Nos – 5T Dozers | 18 Nos -2.5 Cum Payloaders | Iron Ore Fines & Lumps | 4 Nos - Excavators | 18 Nos -2.5 Cum Payloaders | MOP | 3 Nos – 5T Dozers | 18 Nos -2.5 Cum Payloaders | Clinker | 3 Nos – 5T Dozers | 20 Nos -2.5 Cum Payloaders | Gypsum | 3 Nos – 5T Dozers | 20 Nos -2.5 Cum Payloaders | Rock Phosphate | 3 Nos – 5T Dozers | 20 Nos -2.5 Cum Payloaders | Sulphur | 3 Nos – 5T Dozers | 20 Nos -2.5 Cum Payloaders | Sugar | 3 Nos – 5T Dozers | 20 Nos -2.5 Cum Payloaders | The vessels carrying Dry Bulk Cargo are calling at HDC with bottom cargo only. Thus, deployment of equipments is required almost from the very beginning and that is why more number of equipments are required on-board than the numbers prescribed in the Norms. |
| Commodity / Commodity Group | As per Guidelines (Equipment per shift) | As per HDC's Proposal (Equipment per vessel) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Dry Bulk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Coking Coal | 4 Nos - Excavators | 20 Nos -2.5 Cum Payloaders | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other Coal (Except Thermal Coal) | 4 Nos - Excavators | 20 Nos -2.5 Cum Payloaders | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Met. Coke | 4 Nos - Excavators | 20 Nos -2.5 Cum Payloaders | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lime Stone | 3 Nos – 5T Dozers | 18 Nos -2.5 Cum Payloaders | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Manganese Ore | 3 Nos – 5T Dozers | 18 Nos -2.5 Cum Payloaders | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Iron Ore Fines & Lumps | 4 Nos - Excavators | 18 Nos -2.5 Cum Payloaders | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MOP | 3 Nos – 5T Dozers | 18 Nos -2.5 Cum Payloaders | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Clinker | 3 Nos – 5T Dozers | 20 Nos -2.5 Cum Payloaders | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gypsum | 3 Nos – 5T Dozers | 20 Nos -2.5 Cum Payloaders | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Rock Phosphate | 3 Nos – 5T Dozers | 20 Nos -2.5 Cum Payloaders | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sulphur | 3 Nos – 5T Dozers | 20 Nos -2.5 Cum Payloaders | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sugar | 3 Nos – 5T Dozers | 20 Nos -2.5 Cum Payloaders | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3(iv) | The guidelines prescribe the requirement of the equipment on a per shift basis, whereas, the KOPT has considered the requirement based on the parcel size. That being so, the equipment requirement | One Payloader is normally required per Hook per shift when the bottom of the hatch is exposed. However, this deployment pattern is not uniform and one equipment may not work against one Hook | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | <p>assessed based on the parcel size of the vessel and the equipment prescribed in the guidelines on shift basis are seen to be at deviation. The deviation in respect of the Coking coal is given below as an example;</p> <p>Coking coal:</p> <table border="1" data-bbox="363 465 861 969"> <thead> <tr> <th>Particulars.</th> <th>As per Guidelines</th> <th>As per HDC proposal</th> </tr> </thead> <tbody> <tr> <td>Equipment</td> <td>Excavator</td> <td>Pay loader</td> </tr> <tr> <td>No. of Hooks per shift</td> <td>4</td> <td>4</td> </tr> <tr> <td>Equipment requirement per hook</td> <td>1</td> <td>Not Stated</td> </tr> <tr> <td>Equipment requirement per Shift</td> <td>4</td> <td>Not Stated</td> </tr> <tr> <td>Productivity norm/ shift</td> <td>3600</td> <td>2767</td> </tr> <tr> <td>Average Parcel (As per HDC proposal)</td> <td>25000</td> <td>25000</td> </tr> <tr> <td>No. of Shifts</td> <td>7</td> <td>9.0</td> </tr> <tr> <td>Total Requirement of equipment- shift for a vessel</td> <td>28</td> <td>20 (As assessed by HDC)</td> </tr> </tbody> </table> <p>Therefore, the KOPT to re-examine the requirement of the equipment for each of cargo item.</p> | Particulars. | As per Guidelines | As per HDC proposal | Equipment | Excavator | Pay loader | No. of Hooks per shift | 4 | 4 | Equipment requirement per hook | 1 | Not Stated | Equipment requirement per Shift | 4 | Not Stated | Productivity norm/ shift | 3600 | 2767 | Average Parcel (As per HDC proposal) | 25000 | 25000 | No. of Shifts | 7 | 9.0 | Total Requirement of equipment- shift for a vessel | 28 | 20 (As assessed by HDC) | <p>throughout the shift. Further, it is also not essential that against each Hook, the Payloader will be required to be deployed. Therefore, the average deployment of total Payloaders per shift has been assessed for the vessels having parcel size 25,000 MT. This has been arrived at 20 per vessel on an average.</p> |
|--|--|---|-------------------|---------------------|-----------|-----------|------------|------------------------|---|---|--------------------------------|---|------------|---------------------------------|---|------------|--------------------------|------|------|--------------------------------------|-------|-------|---------------|---|-----|--|----|-------------------------|---|
| Particulars. | As per Guidelines | As per HDC proposal | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Equipment | Excavator | Pay loader | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| No. of Hooks per shift | 4 | 4 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Equipment requirement per hook | 1 | Not Stated | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Equipment requirement per Shift | 4 | Not Stated | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Productivity norm/ shift | 3600 | 2767 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Average Parcel (As per HDC proposal) | 25000 | 25000 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| No. of Shifts | 7 | 9.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Requirement of equipment- shift for a vessel | 28 | 20 (As assessed by HDC) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3(v) | <p>Since the KOPT has expressed its inability to furnish documentary evidence in support of equipment hire charges, the KOPT to inform whether the hire charges considered by KOPT are reasonable, in the opinion of KOPT.</p> | <p>The equipment hire charges considered is reasonable in the opinion of KOPT.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | <p>Receiving / Delivery Charges: As brought out by HDC, Receiving and Delivery Operations are integral part of the Shore handling operations. Also, the Stevedoring and Shore handling Policy defines Shore handling activity to include the receiving and delivery of cargo from / to wagons / trucks. In view of this position, the tariff for receiving and delivery operations may be proposed as an internal part to the proposed SOR of Stevedoring and Shore Handling tariff, so as to have a comprehensive SOR for the entire stevedoring and shore handling operations at HDC.</p> | <p>Since no Norms for Receiving / Delivery Charges is proposed in the guidelines, tariff for Receiving / Delivery Charges have been proposed separately based on the prevailing practice of operations. The proposal in respect of the Receiving / Delivery Charges has been sent to TAMP vide letter No. MTO/G/115M/Part-II/GMT-64 dated 14.02.2017. However, as suggested, the Tariff for Receiving / Delivery Charges may be included in the proposed SOR as a separate section.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5(i) | <p>Proposed Scale of Rates. As per clause 7.1 of the stevedoring and Shore handling Guidelines, the operator is entitled for 100% WPI indexation in the tariff instead of 60% WPI indexation on achievement of performance standards as prescribed in the Berthing Policy</p> | <p>As suggested, a suitable clause is to be included in the proposal, as given below: “From the date of Commercial Operation (CoD) till 31st March of the same financial year, the tariff would be limited to the indexed upfront tariff relevant to that year, which would be the ceiling. The aforesaid</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | |
|--------|---|---|
| | <p>issues by the Ministry of Shipping vide letter no. PD-11033/73/2013-PT (pt) dated. 06.06.2016 for dry bulk cargo. A suitable clause to give effect to the clause 7.1 of the Stevedoring and Shore handling guidelines may be incorporated in the Draft proposed SOR.</p> | <p>tariff shall be automatically revised every year based on an indexation as per the S.5.1 above. The same will be applicable for the entire licence period. However, the operator would be entitled to 100% WPI indexation instead of 60% WPI indexation prescribed at S.5.1 above, from the second year of operation on achievement of performance standards as prescribed in S.5.3 below as well as S.4.3.1 and S.4.3.2 of this Scale of Rates. For this purpose, the Operator shall approach the concerned Major Port Trust within 30 days of completion of financial year of operation along with details of cargo wise average Performance standard achieved for each cargo. The Operator can apply 100% indexation instead of 60% as prescribed at S.5.1 above, on written confirmation by the Major Port Trust to the Operator that it has achieved the Performance Standards notified along with the upfront tariff.</p> |
| 5(ii) | <p>Clause 2.8 of Stevedoring & Shore Handling Guidelines states that Major Port Trusts should comply with the policy direction set out by the Government from time to time like coastal cargo/ containers etc. One of the policy directions issued by the (then) Ministry of Shipping, Road and Transport and Highways (MSRTH) relates to concessional rate for coastal vessel and coastal cargo. As per para 3 (iii) and 5(2.2) of Order No. TAMP/4/2004–Genl. dated 7 January 2005 passed by the Authority based on the said policy direction of the MSRTH, the concessional tariff need to be prescribed for cargo handling charges at 60% of the rate for foreign for all the relevant handling charges i.e. ship-shore transfer and transfer from quay to storage yard including wharfage. The policy direction issued by the (then) MSRTH is uniformly applied at all the Major Ports and Private Terminal Operators governed under 2005, 2008 and 2013 guidelines while setting their tariff. The KOPT to, therefore, consider proposing separate concessional rate for coastal cargo as per the policy direction issued by the (then) MSRTH and as per clause 2.8 of the Stevedoring and Shore Handling Guidelines issued by the MOS, or a general note (as prescribed in the adhoc Order) may continue to be prescribed.</p> | <p>In the workshop, the difficulty associated with granting of coastal concession by the Stevedoring and Shore Handling Agency was discussed at length.</p> <p>In the cases, relating to tariff concession for Ports and BOT Operators, the foreign rates are increased to cross subsidize the coastal traffic. However, in case of guidelines for Stevedoring and Shore Handling, no such provision is there. Further, the selected agencies will not have any exclusive jurisdiction to operate unlike that of BOT Operators, which operate an exclusive berth. Accordingly, possibilities are always there that one agent may get to service foreign cargo while other may handle coastal cargo. The agent handling coastal cargo may not get any opportunity to cover the loss in handling the coastal cargo through handling of foreign cargo although they are required to maintain similar fleet of equipment and manpower. Accordingly, it is difficult to accommodate the coastal concession.</p> <p>TAMP may consider the above and allow fixation of Upfront Tariff in respect of coastal cargo without any rebate / concession.</p> |
| 5(iii) | <p>The port may suitably adjust the proposed rate (i.e. for foreign cargo) to consider the impact of coastal concession as done in the upfront and reference tariff cases. Furnish detailed working of the rate (to be</p> | |

| | | |
|---|--|---|
| | proposed indicating the share of foreign and coastal cargo. | |
| 6 | <p>Anchorage and Barge handling: The HDC has not proposed rates for Anchorage discharge and Barge handling. However, it has sought clarification whether there is a requirement for fixation of upfront tariff. In this regard, the HDC to note that the Kolkata Dock System (KDS) has proposed upfront tariff for this activity upon which we have sought some information / clarification from KDS vide our letter no. TAMP/80/2016-KOPT dated 6 July 2017. Therefore, the HDC to refer to the KDS proposal in this regard.</p> | <p>Monitoring of the operations of vessels at anchorages is not possible for HDC. That is why, no rate has been proposed for handling of vessels at Anchorage.</p> <p>Regarding Barges, it may be stated that the same will be primarily handled at the Floating Barge Terminal to be operated through the contractor appointed by KOPT for which the charges will be directly collected by port from the customers as per the SoR and contractors will be directly paid by the Port at the agreed rate. That is why, no separate Tariff for handling of Barges at HDC has been proposed.</p> |

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

13. With reference to totality of information collected during the processing of this case, the following points emerges:

- (i). The Ministry of Shipping (MOS) in June 2016 has issued Stevedoring and Shore Handling Policy for Major Ports, 2016, to fix normative tariff for carrying out of Stevedoring and Shore Handling operation, separately for mechanised and manual handling of dry bulk and break bulk cargo. Subsequently, the MOS in October 2016 has issued the Guidelines for determination of Upfront Tariff for Stevedoring and Shore Handling Operations authorised by Major Ports. Thereafter, a Workshop was conducted in the Office of this Authority in November 2016 with all the Major Port Trusts. In this backdrop, the Kolkata Port Trust (KOPT) has come up with a proposal for fixation of normative tariff for stevedoring and shore handling operations at Haldia Dock Complex (HDC) of KOPT. The proposal of the Port has the approval of its Board of Trustees.
- (ii). The KOPT had initially filed a complete proposal for fixation of normative tariff for stevedoring and shore handling operations in December 2016. Subsequently, the KOPT, in February 2017 has filed a proposal for fixation of upfront tariff/ ceiling rates for receiving and delivery operations at HDC. The information/ clarification sought by us has been responded by the Port in November 2017. The said proposals of KOPT alongwith the information/ clarification collected during the proceedings of the case in reference are considered in the analysis.
- (iii). As stated earlier, this Authority has vide Order No. TAMP/79/2016- KOPT dated 8 February 2017 approved upfront stevedoring and shore handling operations on an adhoc basis as an interim arrangement at KDS of KOPT. In this regard, subsequent to the issue of the interim Order, the stevedore agencies viz., T.P. Roy Chowdhury & Company Pvt Ltd (TPRRCPL), Master Stevedores Association (MSA), Ripley & Co. Stevedoring & Handling Pvt Ltd (RCSHPL) and A.M. Enterprises have expressed their grievance stating that the interim Order will cause immense damage and inconvenience to trade, as their various submissions and concerns have not been addressed in the interim Order. In the current exercise for fixation of final upfront tariff for the stevedoring and shore handling operations at HDC, based on the proposal filed by the KOPT, the major concerns of the stakeholders in the case in reference are dealt in this Order.

- (iv). (a). The Stevedoring and Shore handling Guidelines prescribe norms for twelve broad Commodity Group under each of dry bulk cargo and break bulk cargo. The Guidelines also give an indicative list of cargo falling under each of the Commodity Group under dry bulk cargo and break bulk cargo respectively.
- (b). As brought out earlier, the proposal of the port is for fixation of upfront tariff for only the shore handling operation at HDC. In respect of the dry bulk cargo, the KOPT has proposed upfront tariff for Shore handling operations in respect of 12 commodities viz., Coking coal, Other Coal (Except Thermal coal), Met. Coke, Lime Stone, Manganese Ore, Iron ore (Fines & Lumps), Murate of Potash, Rock Phosphate, Sulphur, Clinker, Gypsum and Sugar.
- (c). Similarly, in respect of the break bulk cargo, the KOPT has proposed upfront tariff for Shore handling operations in respect of 5 commodity groups viz., Bagged cargo each bag of 50 kgs (Fertilizers, food grains, cement and other commodities), CR sheets/ HR plates/ Steel sheets/ steel slabs, Steel Coils/ HR Coils/ WR Coils, Steel Billets/ Steel blooms, Steel rails, Pipes and Tubes, Project cargo, Machinery and Spares.
- (d). The cargo items considered by the KOPT under the dry bulk cargo category and break bulk cargo category is seen to be as per the broad list of cargo falling under each of the Commodity Group under dry bulk cargo and break bulk cargo respectively, as prescribed in the Stevedoring and Shore handling Guidelines.

(v). **Productivity norms for Dry Bulk Cargo and Break bulk Cargo:**

- (a). The Stevedoring and Shore Handling Guidelines prescribe the productivity norms in respect of the various commodity groups under the dry bulk cargo and break bulk cargo. The proposed productivity norms for handling of dry bulk cargo and break bulk cargo as determined by the KOPT are different as compared to productivity norms prescribed in the Guidelines. Also, the KOPT has proposed one set of productivity norms for handling of dry bulk cargo and break bulk cargo by ship cranes and another set of productivity norms for handling of Dry Bulk Cargo by Harbour Mobile Cranes (HMCs).
- (b) (i). At HDC, Dry Bulk Cargo is reported to be handled by ship's cranes at some berths (primarily at Berth No.9) and by HMCs at others (Berth Nos. 2, 4B, 8 & 13). For handling of dry bulk cargo by ship's cranes, the Productivity norms have been proposed by the Port based on the Order no. TAMP/59/2016-KOPT dated 4 January 2017 passed by this Authority approving the Performance norm based Incentive/ Penalty, Anchorage charges in respect of Dry Bulk Cargo handled at HDC of KOPT, based on the Berthing Policy for Dry Bulk Cargo for Major Ports, 2016, issued by the Ministry of Shipping (MOS). For handling of dry bulk cargo by HMCs, the Productivity norms have been proposed by the Port based on the contractual productivity of the MHC operated berths at 20000 MT per day for handling by 2 HMCs, irrespective of the type of Dry Bulk cargo handled.
- (ii). In respect of Dry Bulk Cargo handled by ship's cranes, it is relevant here to state that based on the proposal filed by the HDC of KOPT, Performance norm based Incentive/ Penalty, Anchorage charges in respect of Dry Bulk Cargo handled at HDC of KOPT were approved in January 2017. In this connection, it is also relevant to mention here that the performance norms for the various dry bulk cargo items were derived by the port then by taking into account various parameters viz., Density of commodity, Size of Grab, Grab

picking factor, Cycles/ Moves per hour, Quantity per grab lift, Productivity per hour per Crane, No. of working hours and No. of Ship Cranes per Vessel. Thus, the Ship-day productivity per vessel per Day had been arrived by KOPT for the various dry bulk cargo items. Though the said productivity arrived at by the KOPT was seen to be lower than the productivity stipulated in the Berthing Policy in the range of 20% - 30%, the KOPT had then pegged the performance norms at 75% of the derived norms, on the ground that the average ship day productivity of the dry bulk cargo vessels handled during the last three years was only 50% of the derived norms. Now, the productivity proposed by the KOPT for the various dry bulk cargo items is at the pre-pegged level. In other words, though the productivity proposed by the KOPT for the various dry bulk cargo items is lower than the productivity as prescribed in the Stevedoring and Shore Handling Guidelines as well as the productivity as prescribed in the Berthing Policy, it is higher than the actual productivity achieved at HDC of KOPT for the past three years.

- (iii). With regard to proposing lower productivity norms for handling of dry bulk cargo, the KOPT has stated that at HDC, due to draft constraints, the ships come with bottom cargo only. Aggregation of cargo in ship's holds, cleaning and sweeping of cargo in hatches and deck are reported to be time consuming and affecting the productivity. Thus, the KOPT is of the view that the operational modalities and parameters set in the Stevedoring and Shore Handling Guidelines may be applicable to other sea-ports and not to a low draft port like HDC.
 - (iv). In view of the local constraints put forth by KOPT and since Clause 1.8 of the Stevedoring and Shore handling Guidelines allows this Authority to accept necessary adjustment in norms based on the justification furnished by the port keeping in view of the port specific conditions having impact on the norms prescribed in the guidelines, this Authority is inclined to prescribe productivity norms for the various cargo under the dry bulk cargo as proposed by KOPT in its proposal.
- (c). Further, it is also relevant here to mention that the KOPT has proposed separate productivity norms for handling of the dry bulk cargo by ship cranes and by HMCs, on the ground that productivity of MHC berths are higher than non-MHC berths. In this connection, it is to state that the cargo-wise productivity norms prescribed in the guidelines for dry bulk cargo and break bulk cargo is a common productivity norm for handling a cargo by ship crane or shore crane or HMCs or a combination of these. The guidelines do not prescribe equipment wise separate productivity norms. The Productivity norms prescribed in the guidelines are based on normative basis considering the optimal equipment handling. Moreover, the user agency particularly, in the shore handling activity, will get the same service whether the cargo in Stevedoring operation has been handled with HMC or Ship crane etc. However, the KOPT has brought to fore the practical issue that, the productivity being achieved by handling cargo with HMC cranes varies significantly handling cargo with ship cranes. Thus, adoption of a common norm for handling with HMC/ ship crane may curb the performance of the HMC, thereby leading to underutilization of the HMC, which is not desirable. Non stipulation of equipment wise separate productivity norms in the Stevedoring and Shore Handling Guidelines should not act as a deterrent in tackling the issues put forth by the Port. In this connection, reference is drawn to the proposal received from Chennai Port Trust (CHPT) for fixation of upfront tariff for Stevedoring and Shore handling

operations at its port, wherein the port had proposed separate productivity norms for handling of the dry bulk cargo and break bulk cargo by ship cranes and by HMCs. For the reasons as given in the Order no. TAMP/77/2016-CHPT dated 14 November 2017, this Authority vide its above referred Order has prescribed separate productivity for handling of cargo by ship cranes and by HMCs.

Since Clause 1.8 of the Stevedoring and Shore handling Guidelines allows this Authority to accept necessary adjustment in norms based on the justification furnished by the port keeping in view of the port specific conditions having impact on the norms prescribed in the guidelines, the approach of the port to have separate productivity norms for handling of the dry bulk cargo by ship cranes and by HMCs, is accepted.

- (d). With regard to the productivity relating to the deployment of HMCs, it may be recalled that while fixation of upfront tariff for the various PPP projects at KOPT involving deployment of HMCs, in view of the peculiarity of the situation anticipated at the proposed riverine facility such as the continuous adjustment of working of the MHC to cope up with the up and down movement of the vessel with the change in water level of the river and handling of mainly bottom cargo vessels, handling rate of 10000 tonnes per day per MHC was considered which is about 20% lower than the handling rate of 12500 tonnes per day per 100 tonne MHC applied in the cases relating to fixation of tariff for the use of the HMCs at various Major Port Trusts. Taking into account the position that this Authority has already recognised the peculiarity of the situation at KOPT and considered a reduced ship day output of 10000 tonnes per day per MHC in the past, the same productivity level has been adopted by the KOPT in the case in reference.

Further, based on the provision contained in the shore handling contracts for Berth No. 2 & 8 of HDC, it is reported that an extra time of 6 hours after completion of ship's discharge is allowed for the purpose of clearance of cargo from wharf at Berth No. 2 & 8 of HDC. The KOPT has proposed to extend the said extra time where cargo is envisaged to be handled by HMCs at other berths. The KOPT has not brought out any justification warranting extension of the contractual provision allowing extra time to other berths. In view of the above position, the ship day output at 20000 tonnes per day for 2 MHCs has been translated to a productivity of 6667 tonnes per shift, for each of the dry bulk cargo items, as against the lower productivity of 5667 tonnes per shift proposed by the KOPT.

- (e). In respect of each of the cargo item listed under break bulk cargo also, the Productivity proposed by KOPT is lower than the norms prescribed in the Guidelines of Stevedoring & Handling Policy for the Major Ports, 2016. However, the productivity proposed by KOPT is seen to be higher than the actual productivity achieved at HDC of KOPT for the past three years in respect of all break bulk cargo items except for CR Sheets, HR Plates, Steel Sheets, Sheets and Steel Billet, Steel Blooms, Steel Rails. In respect of these cargo items, the productivity proposed by KOPT is seen to be lower than that the average productivity achieved by the KOPT at HDC during the last three years. In this connection, it is not felt appropriate to ignore the average actual productivity achieved at HDC of KOPT during the past three years and take into account the lower productivity proposed by port. In view of this position and since Clause 1.8 of the Stevedoring and Shore handling Guidelines allows this Authority to accept necessary adjustment in norms based on the justification furnished by the port keeping in view of the port specific conditions having impact on the norms prescribed in the guidelines, this Authority is inclined to prescribe productivity norms for the break bulk cargo at the higher of the average actual productivity achieved at HDC

during the past three years or the productivity as proposed by the KOPT in its proposal, whichever is higher.

- (f). A Comparative position of Productivity norms as per the Guidelines vis-à-vis average productivity at KOPT for the past 3 years as furnished by the Port, productivity norms proposed by KOPT in its proposal, and the productivity norms approved by this Authority is attached as **Annex – I**.
- (vi). **Charges for Supply & Service of Equipment in Hatches on-board ship for discharging cargo by ship's cranes – Dry bulk and Break Bulk:**
- (a). As stipulated in Clause 3.5.2 of the Stevedoring and Shore Handling Guidelines, the Operating Cost for the Stevedoring activity are grouped under the following major heads viz. Equipment hire cost, Labour cost, Operational overheads and Administrative Overheads.
 - (b). At HDC, stevedoring (on-board operation) is undertaken by the Port either by deployment of its own man-power or through contractor. The charges for rendering on-board services by deployment of labour are being realized by the Port directly from the user agencies based on the rates as prescribed by this Authority in the Scale of Rates of KOPT. In other words, since the Stevedore is not involved in the supply of the labour for the stevedoring operation, the KOPT has rightfully excluded the said component in the rate to be collected by the Stevedores from the users. However, the port has included labour cost component at 5% and 10% of equipment hire charges for dry bulk cargo and break bulk cargo respectively, while determining the charges for onboard equipment deployment, on the ground that labour is required for slinging/ unslinging of equipment. This aspect is discussed in the subsequent part of the analysis. Thus, the cost component proposed by the port comprises of the hire cost of the equipment support on-board the vessels, labour involved in slinging/ unslinging and the incidental administrative overheads, as discussed in the subsequent paragraphs.
 - (c). Further, the upfront tariff has been proposed by the KOPT towards supply and service of equipment in hatches on-board ship for discharging cargo by Ship Cranes only, as the port has stated that the hire charges for the use of HMC for loading/ unloading of dry bulk cargo at any MHC Berths is inclusive of charges towards grabs and pay loaders on board the vessel.
 - (d). The 4 no. of hooks per shift considered in respect of Limestone, Manganese Ore, MOP, Clinker, Gypsum, Rock Phosphate, Sulphur and Sugar is seen to be more than the average no. of 3hooks per shift, as stipulated in the Guidelines. In this connection, the KOPT has stated that at HDC, since the Dry Bulk Cargo is normally handled with 4 Nos. Ship's Cranes simultaneously, it has reported to have considered 4 Nos. of Hooks in each shift.
 - (e). Equipment Hire Charges:
 - (i). Annex – VII to the Stevedoring and Shore handling Guidelines prescribes norms for estimation of equipment hire cost for stevedoring operations for dry bulk cargo and break bulk cargo. As per the said Annex, for ship to shore operations, the normative handling equipment are ship crane, or shore crane or HMC or combination of these handling equipment.
 - (ii). The number of equipment proposed by the port in respect of handling each of the cargo item listed under the dry bulk cargo and break bulk cargo vis-à-vis equipment prescribed as per the Annex-

VII of the Stevedoring and Shore Handling Guidelines is given below.

| Commodity/ Commodity Group | As per Guidelines (per Shift) | As per KOPT Proposal (per Vessel) |
|---|--|--|
| Dry Bulk | | |
| Coking Coal | 4 Nos. Excavators | 20 Nos. Pay Loaders |
| Other Coal (Except Thermal Coal) | 4 Nos. Excavators | 20 Nos. Pay Loaders |
| Met. Coke | 4 Nos. Excavators | 20 Nos. Pay Loaders |
| Limestone | 3 Nos. 5T Dozers | 18 Nos. Pay Loaders |
| Manganese Ore | 3 Nos. 5T Dozers | 18 Nos. Pay Loaders |
| Iron Ore Lumps & Fines | 4 Nos. Excavators | 20 Nos. Pay Loaders |
| Murate of Potash | 3 Nos. 5T Dozers | 20 Nos. Pay Loaders |
| Clinkers | 3 Nos. 5T Dozers | 18 Nos. Pay Loaders |
| Gypsum | 3 Nos. 5T Dozers | 18 Nos. Pay Loaders |
| Rock Phosphate | 3 Nos. 5T Dozers | 20 Nos. Pay Loaders |
| Sulphur | 3 Nos. 5T Dozers | 20 Nos. Pay Loaders |
| Sugar | 3 Nos. 5T Dozers | 20 Nos. Pay Loaders |
| Break Bulk | | |
| Bagged Cargo | No Equipment | No Equipment |
| Project cargo | No Equipment | 2 Nos. FLT |
| CR Sheets, HR Plates, Steel Sheets, Sheet | 2-3 Nos. 10T DFTs | 3 Nos. Big FLT |
| Steel CR Coil, HR Coils, WR Coils | 2-3 Nos. 10T DFTs | 3 Nos. Big FLT |
| Steel Billet, Steel Blooms, Steel Rails. | 2-3 Nos. 10T DFTs | 3 Nos. Small FLT |

- (iii). As seen from the above table, more member of pay loaders are envisaged to be deployed by KOPT to handle all types of dry bulk cargo. In this regard, the port has clarified that since the vessels carrying Dry Bulk Cargo call at HDC with bottom cargo only, deployment of equipment is required almost from the very beginning for collection of cargo from all corners inside the hold. Hence, the port has considered deployment of more number of equipment on-board than the number of equipment as prescribed in the Guidelines. In view of this position, the per shift requirement of pay loaders and cargo handled by each of pay loader has not been determined by the port. Instead, the number of pay loaders has been assessed by the port on per vessel basis. The number of deployment of pay loaders inside ship's holds has been confirmed by the port, based on the past actual deployment of pay loader per vessel and taking into account the actual pay loader shifts for each of the dry bulk cargo.

As seen from the above table, incase of the break bulk cargo, forklifts are envisaged to be deployed to handle all types of break bulk cargo, as stipulated in the Guidelines. The variation is seen to be only with respect to the capacity of the forklifts. The port has reported to have considered the forklifts based on the actuals for the past three years for each of the break bulk cargo.

- (iv). In view of the submissions made by KOPT and since Clause 1.8 of the Stevedoring and Shore handling Guidelines allows this Authority to accept necessary adjustment in norms based on the justification furnished by the port keeping in view of the port specific conditions having impact on the norms prescribed in the guidelines, this Authority is inclined to consider the equipment profile as proposed by the port for the various cargo items under the dry bulk and break bulk category.
- (f). As per Stevedoring and Shore Handling Guidelines, the hire charges towards deployment of equipment is to be estimated based on the equipment hire cost prevailing at the relevant port locations or prevailing market based hire cost. The KOPT has expressed its inability to furnish documentary evidence in support of equipment hire charges. It has reported to have gathered the hire charges of equipment informally from other sources. However, KOPT has confirmed the reasonableness of the equipment hire charges considered by it on the ground that it is comparable to the market rate and takes into account the operation and maintenance cost of equipment. Some of the Stevedore Associations viz., Master Stevedores Association (MSA), Ripley & Co. Stevedoring & Handling Private Limited (RCSHPL), A.M. Enterprises (AME) have opined that the hire charges for the equipment considered by KOPT is out of line/ unrealistic. In this connection, the KOPT has stated that initially at the time of framing the proposal when the KOPT had requested the above referred Stevedore Associations to furnish documentary evidence in support of the hire cost of the equipment, it was not made available to KOPT. The above referred stevedore associations have not made available any documentary evidence even during proceeding of this case in support of equipment hire charges as proposed by them, as brought out in the earlier part of this order. Therefore, in view of the confirmation made by the KOPT about the reasonableness of the hire charges and that the hire charges reflecting the market position, the equipment hire charges as considered by KOPT are relied upon.
- (g). Labour Cost:
- (i). As per clause 3.5.7 of the Guidelines, labour deployment shall be as per the norms prescribed by the National Tribunal Award (NTA) as provided in the Annex-VIII to the Guidelines and the unit rate will be the prevailing actual cost of labour for the quantum of the labour prescribed norms. The Guidelines also state that the prescribed norms and any other norms specifically given for the port shall be followed for calculation of Labour cost.
- (ii). For the reasons as brought out earlier, since the Stevedore is not involved in the supply of the labour for the stevedoring operation, the KOPT has rightfully excluded the said component in the rate to be collected by the Stevedores from the users. Thus, the labour cost as per clause 3.5.7 of the guidelines has been not considered by KOPT.
- (iii). Further, the KOPT has considered the labour cost component at 5% and 10% of equipment hire charges for dry bulk cargo and break bulk cargo respectively, towards slinging/ unslinging, while determining the charges for onboard equipment deployment. Since the methodology adopted by KOPT for calculation of labour cost component as a percentage of hire charges of equipment is as per the methodology prescribed for calculation of labour charges for shore handling operations and keeping in view that the labour cost

proposed by the port is incidental to the deployment of equipment being unavoidable, the labour cost component at 5% and 10% of equipment hire charges as considered by the KOPT for dry bulk cargo and break bulk cargo respectively, is considered in the analysis.

- (h). The KOPT has initially considered general overheads at 20% of the operating cost while determining the charges for onboard equipment deployment. However, subsequently, the KOPT has clarified that the equipment hire cost already includes the operational overheads like expenditure for operators, spares, fuel, lubricants etc. and thus 20% operational overheads need not be considered additionally. Thus, the 20% operational overheads has been excluded in the workings, as requested by the Port.
- (i). The Administrative Overheads has been estimated by KOPT at 20% of the equipment hire cost, which is as per the stipulation contained in Clause 3.5.8 and 3.5.9 of the Stevedoring and Shore handling guidelines.
- (j). As stipulated in Clause 5 of the Stevedoring and Shore Handling Guidelines, a margin at 20% on the total operating cost has been considered by KOPT to arrive at the charges for supply & service of equipment in hatches on-board ship for discharging cargo.
- (k). Clause 2.8 of Stevedoring & Shore Handling Guidelines states that Major Port Trusts should comply with the policy direction set out by the Government from time to time like coastal cargo/ containers etc. One of the policy directions issued by the (then) Ministry of Shipping, Road and Transport and Highways (MSRTH) relates to concessional rate for coastal vessel and coastal cargo. As per para 3 (iii) and 5(2.2) of Order No.TAMP/4/2004-Genl. dated 07 January 2005 passed by this Authority based on the said policy direction of the MSRTH, concessional tariff need to be prescribed for cargo handling charges at 60% of the rate for foreign for all the relevant handling charges i.e. ship-shore transfer and transfer from quay to storage yard including wharfage except thermal coal, POL including crude oil, iron ore and iron ore pellets which are not eligible for Coastal Concession. The policy direction issued by the (then) MSRTH is uniformly applied at all the Major Ports and Private Terminal Operators governed under 2005, 2008 and 2013 guidelines while setting their tariff.

The KOPT in its initial proposal had not proposed separate concessional rate for coastal cargo. In this regard, on being pointed out, the KOPT has expressed its difficulty to propose concessional coastal tariff on the ground that unlike ports or BOT operators which handles both foreign and coastal cargo, one agent would handle only foreign cargo and the other agent may handle only coastal cargo. In such a scenario, since the foreign cargo cross subsidises coastal cargo, the agent handling only coastal cargo may not get any opportunity to cover the loss in handling the coastal cargo by handling of foreign cargo, though both the agents are required to maintain similar fleet of equipment and manpower. Accordingly, the KOPT in its revised proposal, has not proposed coastal concessional rate for supply & service of equipment in hatches on-board ship for discharging cargo and shore handling charges as per the coastal concession policy of the Government.

In view of Clause 2.8. of the Stevedoring and shore handling guidelines and also recognizing that the Coastal concession policy issued by the Government stipulates grant of coastal concession on all charges prescribed for ship-shore transfer and transfer from quay to yard and since the activities involved under the stevedoring and shore handling operations

also include these activities, this Authority is bound to comply with the coastal concession policy while approving upfront tariff for supply & service of equipment in hatches on-board ship for discharging cargo and shore handling operations. That being so, the ratio of foreign and coastal cargo at HDC have been taken out from the Administration Report of KOPT for the year 2016-17 at 86:14 in respect of dry bulk cargo and 93:7 for break bulk cargo. Thus, based on the said ratios, the impact of coastal concession has been captured in the proposed foreign rate for supply & service of equipment in hatches on-board ship for discharging cargo, to fall in line with the coastal concession policy of the MOS.

It is relevant to state that in view of submission made by Mormugao Port Trust (MOPT) while processing its proposal for fixation of upfront tariff for Stevedoring and Shore handling that coastal concession policy should not be applicable for this exercise and in view of similar request from few other Major Port Trusts, this Authority has requested the Ministry of Shipping (MOS) in January 2017 to examine whether the policy direction for prescription of concessional rate for eligible coastal cargo need to be applied while fixing tariff under the stevedoring and shore handling operations. The response of MOS is awaited. If the response of the MOS to be received on the matter referred to the MOS is different from the approval accorded, a suitable amendment can be issued at that point of time.

- (l). The cost statements for the determination of the upfront tariff for charges for supply & service of equipment in hatches on-board ship for discharging cargo for dry bulk cargo and break bulk cargo as furnished by KOPT and as modified by us, based on the various parameters discussed above is attached at **Annex- II (a)** and **Annex II (b)** respectively.
- (vii). **Rates for Shore Handling Operations:**
 - (a). As stipulated in the Clause 4.5.2 of the Stevedoring and Shore Handling Guidelines, the Operating cost for the Shore Handling Operations are grouped under following major heads, viz. Equipment hire cost, Labour cost, Operational overheads and Administration Overheads.
 - (b). Equipment Hire cost:
 - (i). Clauses 4.4.1 and 4.4.2 of the Stevedoring and Shore Handling Guidelines list down five different handling methods for the shore handling operations of dry bulk cargo and four methods for handling break bulk cargo. Out of the five handling methods prescribed in the Guidelines for dry bulk cargo, the KOPT has considered two methods of handling (i.e. Method 4 and Method 5). As per method 4, the bulk cargo is unloaded onto wharf and loaded trucks and goes to consignee premises. As per method 5, cargo is unloaded onto wharf and loaded onto trucks and transported to storage yard. KOPT has confirmed that for handling dry bulk, only method 4 and 5 are prevalent in the port. Similarly, for break bulk, method 3 for steel cargo where cargo is unloaded onto trucks and transported to storage yard and method 4 for bagged and project cargo where cargo is unloaded onto wharf and loaded wharf and loaded onto trucks and transported to storage yard are prevalent in the port for shore handling operations. The methods of handling of dry bulk cargo and break bulk cargo for shore handling operations as envisaged by KOPT are relied upon.
 - (ii). Clause 4.5.6 of the Stevedoring and Shore Handling Guidelines stipulates that the hire cost of Equipment to be taken on hire shall

be estimated as per norms prescribed in Annex – IX of the Guidelines proposed to be deployed for the shore handling operations.

- (iii). A comparative position of the equipment proposed to be deployed by KOPT for shore handling operations vis-à-vis the norm prescribed in the Stevedoring and Shore handling Guidelines for the method adopted by KOPT is attached as **Annex - III**.
- (iv). The Stevedore Associations viz., Master Stevedores Association (MSA), Ripley & Co. Stevedoring & Handling Private Limited (RCSHPL), A.M. Enterprises (AME) have opined about the inadequacy of the number of equipment considered by KOPT for the shore handling operations. The Stevedore Associations have given the list of equipment for the shore handling operations of various cargo items and have requested to consider the same to arrive at the upfront tariff for the shore handling operations.
- (v). With regard to the variation in the equipment profile, as brought out in the above referred Annex as well as to the submissions made by the Stevedore Associations as brought out in the preceding paragraph, the KOPT has stated that the deployment of various types of equipment envisaged by it in the proposal for the shore handling operations is based on the actual deployment pattern observed during the course of operation and taking into account the present system of working in vogue at HDC. As such, the port has expressed its inability to accept the views expressed by the Handling Agents with regard to the equipment deployment as proposed by the Stevedore Associations.
- (vi). Clause 1.8 of the Stevedoring and Shore handling Guidelines allows TAMP to accept necessary adjustment in norms based on justification furnished by port keeping in view of port specific conditions. In view of the above provision in the guidelines and based on the justification furnished by KOPT, this Authority is inclined to consider the equipment profile as proposed by the port for the various cargo items under the dry bulk and break bulk category.
- (vii). Further, with regard to the shore handling operation in respect of Steel billets, Steel blooms and Steel Rails, the KOPT has considered deployment of 12 trailers. While furnishing the comments on the proposal, MSA has, interalia, indicated the deployment of 9 trailers to handle the said cargo. The KOPT in its feedback comments has stated that though the trailers have been proposed by it based on the actual deployment observed during the course of operations, but since the Stevedore association has indicated reduced deployment of trailers to achieve the productivity, the port has requested to consider the number of trailers as proposed by MSA, so as to reduce the cost of operations. Thus, based on the suggestion of the KOPT, the shore handling rates in respect of Steel billets, Steel blooms and Steel Rails has been derived based on the deployment of 9 trailers.
- (viii). As per Stevedoring and Shore Handling Guidelines, the hire charges towards deployment of equipment are to be estimated based on the equipment hire cost prevailing at the relevant port locations or prevailing market based hire cost. As brought out earlier, though the KOPT has expressed its inability to furnish documentary evidence in support of equipment hire charges, it has

confirmed that the equipment hire charges considered are reasonable in its opinion. Therefore, the equipment hire charges considered by KOPT is relied upon. The Stevedore Associations viz., MSA, RCSHPL, AME have opined that the hire charges for the equipment considered by KOPT are very low and have requested to consider the hire charges for the various equipment as indicated by them. Since the above referred stevedore associations have not made available any documentary evidence in support of equipment hire charges proposed by them as required by KOPT and in view of the confirmation made by the KOPT about the reasonableness of the hire charges and that the hire charges reflecting the market position, as brought out earlier, the equipment hire charges as considered by KOPT are relied upon.

(c). Labour cost:

- (i). Clause 4.5.7 of the Stevedoring and Shore Handling Guidelines stipulates that the labour cost for shore handling operations should be estimated at 5% and 10% of the equipment hire cost for dry bulk cargo and break bulk cargo respectively. Accordingly, the KOPT has estimated the labour cost for all the dry bulk cargo and break bulk cargo, except for the bagged cargo.
- (ii). In respect to bagged cargo, as brought out earlier, KOPT has considered only method 4 for the shore handling operation of Bagged cargo i.e. bagged cargo is unloaded onto the wharf and loaded onto trucks and transported to storage yard within port premises and vice versa. The KOPT has stated that handling of bagged cargo at Jetty as well as at Stack Yard at HDC is labour intensive and that no equipment is usually deployed during shore handling operations apart from deployment of trucks for transportation. Further, the KOPT has stated that as per existing system, labour gets monthly wages along with statutory benefits which is quite high. Thus, the KOPT has stated that consideration of labour cost at 10% of equipment hire cost as prescribed in the Guidelines would not be sufficient and therefore has requested to consider deployment of labour for handling of bagged cargo separately. However, at the same breath, the KOPT has also stated that if the tariff proposed by it is not practical and found very high, it may be fixed based on the provisions of the guideline.
- (iii). In this regard, it is to state that as per Annex – X of the Stevedoring and Shore Handling Guidelines, which stipulates the norms for deployment of equipment for each method of the shore handling operation for various types of break bulk cargo, no equipment has been envisaged for handling of bagged cargo except for trucks for transportation. Thus, by strictly following the norms prescribed in the Guidelines, only 10% of the hire cost of trucks will have to be calculated as labour cost, which may be, as rightly pointed out by KOPT, insufficient, considering that labour would be deployed for loading/ unloading at wharf and at the stack yard. The intention of Stevedoring and Shore handling guidelines is to fix norm based tariff in order to improve the efficiency of Stevedoring and shore handling operations. At the same time, non-consideration of labour costs as proposed by the port, though significantly higher when compared to the labour cost derived based on the provisions of the Guidelines, would not reflect the ground reality. Incidentally, in the proposal filed by the KOPT, for fixation of upfront tariff for the Stevedoring and Shore Handling Operations at Kolkata Dock System (KDS), the KOPT on the ground that the labour cost under

the shore handling operation is a function of equipment hire cost and in the absence of any equipment envisaged for bagged cargo, has considered separate labour cost for the labour involved in transferring the bagged cargo from hook point to stacking point in licensed shed based on the prevailing rates. This Authority in its Order no. TAMP/80/2016-KOPT dated 19 January 2017 which is being passed simultaneously while disposing the proposal filed by KOPT, has relied upon judgment of the port and has considered the labour cost for bagged cargo as proposed by the port. Hence, in view of the above position and considering that Clause 1.8 of the Stevedoring and Shore handling Guidelines allows this Authority to accept necessary adjustment in norms based on justification furnished by port keeping in view of port specific conditions, this Authority is inclined to consider the labour cost as proposed by KOPT for bagged cargo.

- (d). Each of the Operational Overheads and Administrative Overheads has been estimated at 20% of the equipment hire cost and labour cost, which is as per the stipulation contained in Clause 4.5.8 and 4.5.9 of the Stevedoring and Shore handling guidelines.
- (e). As stipulated in Clause 5 of the Stevedoring and Shore Handling Guidelines, margin at 20% on the total operating cost has been considered by KOPT to arrive at the upfront stevedoring tariff.
- (f). As brought out earlier, the KOPT in its revised proposal has not proposed separate concessional rate for coastal cargo in respect of shore handling charges at 60% of the tariff for foreign cargo, as per coastal concession policy issued by the Ministry. For the reasons given earlier, the impact of coastal concession has been captured in the proposed foreign rate for shore handling charges based on the ratio at 86:14 to fall in line with the coastal concession policy of the MOS. If the response of the MOS to be received on the matter referred to the MOS is different from the approval accorded, a suitable amendment may be issued at that point of time.
- (g). The cost statements for the determination of the upfront tariff for Shore handling operations for dry bulk cargo and break bulk cargo as furnished by KOPT and as modified by us, based on the various parameters as discussed above is attached at **Annex - IV (a) to IV (e)**.
- (viii). Based on the above analysis and taking into consideration the submission made by the KOPT and recognizing that the proposal is filed by KOPT with the approval of its Board of Trustees, the charges for supply & service of equipment in hatches on-board ship for discharging cargo and Shore Handling charges for Dry bulk and Break Bulk cargo are approved as modified by us, based on various parameters discussed above.
- (ix). **Performance Standards proposed by KOPT for Dry Bulk Cargo for 100% indexation of Ceiling Tariff:**
 - (a). Clause 2.10. of the Stevedoring and Shore Handling Guidelines stipulates that tariff caps will be indexed to inflation only to an extent of 60% of the variation in the Wholesale Price Index (WPI) occurring between 1 January and 31 December of the relevant year. Thus, the rates approved in respect of the Stevedoring and Shore Handling Operations at HDC for all the dry bulk cargo items, would automatically be indexed to inflation to an extent of 60% of the variation in the WPI. The said indexation is automatic and is not linked to achievement of any performance standards considered for upfront tariff fixation for Stevedoring and Shore Handling Operations.

- (b). For the dry bulk cargo, Clause 7.1 of the Stevedoring and Shore Handling Guidelines stipulates that the operator is entitled for 100% WPI indexation in tariff instead of 60% WPI indexation, on achievement of Performance Standard as prescribed in the Berthing Policy issued by Ministry of Shipping (MOS) vide letter no. PD-11033/73/2013-PT (pt) dated 16.06.2016.

In this connection, the port has proposed a note to the effect of indexing the tariff by 100% of the WPI by the licensed agent from the second year of operation on achievement of performance standards for each of the commodities as indicated in the Scale of Rates.

In this regard, it is relevant to mention here that this Authority vide its Order no. TAMP/59/2016-KOPT dated 4 January 2017 has approved the Performance norm based Incentive/ Penalty, Anchorage charges in respect of handling Dry Bulk Cargo at HDC, based on the stipulations contained in the Berthing Policy, 2016. Based on the proposal of KOPT then, Performance norm based Incentive/ Penalty was prescribed for various dry bulk commodities viz. Coal, Met Coke, Limestone, Manganese Ore, Iron Ore, Fertilizer, Cement clinker and Gypsum. Further, for the reasons recorded in the above referred Order, the said Performance norm based Incentive/ Penalty was prescribed with a validity period of one year i.e. from 01 October 2016 to 30 September 2017. There has been no proposal from the port for prescription of Performance norm based Incentive/ Penalty for the period beginning from 1 October 2017. It is therefore, not found possible to link 100% indexation to the performance norms notified in the Order dated 4 January 2017.

Thus, in this backdrop, and taking into account the stipulation contained in Clause 7.1 of the Stevedoring and shore handling Guidelines, the note proposed by the KOPT is modified to state that the operator would be entitled for 100% WPI indexation in tariff instead of 60% WPI indexation, on achievement of Performance Standard as prescribed in the Berthing Policy.

The KOPT is advised to file a separate proposal for revision of performance standards for dry bulk cargo under the Berthing Policy issued by the MOS within a period of three months from the date of notification of this Order in the Gazette of India.

- (x). **Performance Standards proposed by KOPT for Break Bulk cargo.**

For Break bulk cargo, the Stevedoring and Shore handling guidelines stipulate that the productivity norms considered for arriving at the upfront tariff for stevedoring and shore handling operations will be applicable. Accordingly, KOPT has proposed the performance standards at par with the productivity norms considered for arriving the upfront tariff for stevedoring and shore handling operations. However, as discussed earlier, the productivity norms considered by port have been modified. Thus, the following performance standards for break bulk cargo are prescribed:

| Sl.No. | Commodity | Productivity norms Per Shift (in Metric Tonnes) |
|--------|---|---|
| 1 | Bagged Cargo | 450 |
| 2 | Project cargo | 300 |
| 3 | CR Sheets, HR Plates, Steel Sheets, Sheet | 805 |
| 2 | Steel CR Coil, HR Coils, WR Coils | 1500 |
| 4 | Steel Billet, Steel Blooms, Steel Rails. | 903 |

- (xi). The KOPT has proposed separate tariff for receiving/ delivering of the dry bulk cargo/ break bulk cargo by road/ rail from/ at the storage areas inside port premises.

In this connection, the KOPT is seen to have considered the equipment hire cost, labour cost and 20% each of the operational and administration overheads and with a profit margin of 20% of the total cost. The KOPT has reported to have considered the actual deployment of equipment and/ or labour for such operations at HDC. The Stevedoring and Shore handling guidelines do not prescribe any guidelines or norms for receiving/ delivering of cargo at the storage yard. However, considering that the definition of the shore handling includes the delivery/ receipt of cargo for wagon/ trucks and also since the receiving and delivering goods is also covered under Section 42 (1) (d) of the MPT Act., 1963 and the calculation made arriving upfront tariff with loading and unloading of dry bulk cargo to/ from wagons are in line with the guiding principles of Stevedoring and Shore Handling guidelines, this Authority is inclined to approve the tariffs for the receiving/ delivering of the dry bulk cargo/ break bulk cargo by road/ rail from/ at the storage areas inside port premises as proposed by KOPT relying on the calculation made by KOPT in this regard.

While furnishing its comments on the proposal of KOPT, one of the stevedore agents viz., A.M enterprises (AME) has stated that the labour cost @ 5% of the equipment cost, considered by the KOPT to determine the tariff for 'delivery/ receiving of dry bulk cargo by road from/ at storage spaces inside dock area at HDC' as well as for 'receiving of dry bulk cargo through manual unloading from railway wagons for storage at areas inside dock area at HDC' is abnormally low. The AME has stated that there is a fixed pool of labourers forming part of recognized Unions and on the payrolls of the Company and being paid all statutory benefits and entitlements viz., PF, ESI bonus, Overtime, Gratuity etc. In this connection, the AME has made available a copy of the Memorandum of Settlement dated 08 September 2015, arrived at between the Management of AME, the representative of their workmen and the Assistant Labour Commissioner cum Conciliation Officer at Kolkata, valid for a period of 3 years from 01 July 2015 to 30 June 2018. The AME has also made available calculations and has stated that the labour cost should be considered at ₹ 45/- per MT for 'delivery/ receiving of dry bulk cargo by road from/ at storage spaces inside dock area at HDC' and at ₹ 46/- per MT for 'receiving of dry bulk cargo through manual unloading from railway wagons for storage at areas inside dock area at HDC'. Based on the above referred Memorandum and the calculations made available by AME, the KOPT has requested this Authority to appropriately consider the claim made by the AME.

Considering the request made by KOPT and taking into account that the claim made by AME is supported by documentary evidence, this Authority is inclined to consider the labour cost for 'delivery/ receiving of dry bulk cargo by road from/ at storage spaces inside dock area at HDC' as well as for 'receiving of dry bulk cargo through manual unloading from railway wagons for storage at areas inside dock area at HDC' at the rates proposed by AME.

Incidentally, as brought out earlier, while determining the tariff for the shore handling operation of Bagged cargo i.e. where bagged cargo is unloaded onto the wharf and loaded onto trucks and transported to storage yard within port premises and vice versa, the KOPT has considered labour cost based on the prevailing agreement.

The workings to determine the receiving/ delivering charges for the dry bulk cargo/ break bulk cargo handled by road/ rail from/ at the storage areas inside port premises, as furnished by the Port and as modified by us is attached as **Annex – V (a) to V (h)**.

Further, on the ground that the delivery and receiving of cargo depends on various factors attributable to the importer/ exporter, viz., arrangements involving documentation, payment of port charges, supply of transport etc. and since other factors like queuing of transport vehicles at the port operated weighbridges and congestion on roads etc. also influence the pace of delivery and receiving operations, the port has expressed its inability to fix any separate performance norms for delivery and receiving operations.

The notes governing levy of charges for the delivery and receiving operation as proposed by the Port, are approved.

- (xii). While approving the ad-hoc upfront tariff for the stevedoring and shore handling operations across all major port trusts including HDC at KOPT, definitions for some common terms viz., Coastal vessel, Foreign-going vessel, Stevedoring, Stevedore, Shore Handling, Shore Handling Agent have been approved and prescribed. The same may continue to be prescribed in the upfront tariff schedule approved for the stevedoring and shore handling operations at HDC of KOPT.
- (xiii). While approving the ad-hoc upfront tariff for the stevedoring and shore handling operations across all major port trusts including the HDC of KOPT, the general terms and conditions relating to System of classification of vessel for levy of Vessel Related Charges (VRC), Criteria for levy of VRC and Cargo related charges (CRC) at concessional Coastal rate, non-applicability of tariff for BOT/ BOOT operators or any other arrangement for private sector participation who are governed by the Tariff Guidelines of 2005, 2008 and 2013, uniform applicability of tariff to the entire port where the stevedoring and shore handling operations are carried out by private agencies or firms, authorized agent to charge only for services provided by him and no permission for notional booking of labour and other similar notional charges, in the event of handling of any new cargo, then the port to categorise that cargo under any one of the cargo categories based on the nature, physical characteristics and the method of handling that cargo, Port to continue to levy charges for services for other miscellaneous activities and also the handling charges for specific cargoes when Port takes custody of cargo as per Section 42 of MPT Act, as per TAMP notified SOR, automatic annual indexation of Tariff caps to an extent of 60% of the variation in the Wholesale Price Index (WPI) occurring between 1st January and 31st December of the relevant year, all the operators to furnish to the Major Port Trust and TAMP annual reports on cargo traffic, ship berth day output, per shift output, any other information within a month following the end of financial year in respect of stevedoring/ shore handling operations licensed by the port, TAMP to publish on its website all such information received from operators and Major Port Trusts, performance norms prescribed for various commodities to be the minimum that should be achieved by the operator and that the performance norms to be incorporated in the bid documents, quarterly monitoring of actual performance achieved by the operator by both the Port and the TAMP and port to initiate action on the operator as per the terms contained in the agreement entered into with the operator by the Port in the event of any shortfall in achieving the performance prescribed, any user to prefer a representation to TAMP in the event a user has any grievance regarding non-achievement by the operator of the Performance Standards as notified by the TAMP, in calculating the gross weight or measurement by volume or capacity of any individual item, fractions upto 0.50 to be taken as 0.50 unit and fractions of 0.50 and above to be treated as one unit, Users to not pay charges for delays beyond reasonable level attributable to the operator, coastal policy direction issued by the MOS, if any question arises requiring clarification or interpretation of the Scale of Rates and Statement of conditions of the operator, the matter to be referred to TAMP and decision of TAMP to be binding on the operator, has been prescribed by this Authority. The same is continue to be prescribed in the upfront tariff schedule approved for the stevedoring and shore handling operations at KDS of KOPT, as has been done while notifying the upfront tariff schedule for the stevedoring and shore handling operations at other major port trusts.
- (xiv). While approving the ad-hoc upfront tariff for the stevedoring and shore handling operations across all major port trusts including HDC at KOPT, definitions for some common terms viz., Coastal vessel, Foreign-going vessel, Stevedoring, Stevedore, Shore Handling, Shore Handling Agent have been approved. The same is continue to be prescribed in the upfront tariff schedule approved for the charges for supply & service of equipment in hatches on-board ship for discharging cargo and shore handling operations at HDC of KOPT.

- (xv). As per Clause 2.10 of the Stevedoring and Shore Handling Guidelines, tariff caps will be indexed annually to the inflation to the extent of 60% variation in Wholesale Price Indexed (WPI) announced by the Government of India occurring between 1 January and 31 December of the relevant year and the adjusted indexed SOR will come into force from 1 April of the relevant year to 31 March of the following year. The KOPT has filed the proposal in the fog end of the year 2016. Therefore, it may be appropriate to fix the base year for WPI escalation as 01 January 2017. Accordingly, a suitable note is prescribed in the upfront tariff schedule of HDC at KOPT.
- (xvi). For the reasons brought out earlier, the note proposed by the port to the effect that the licenced agent would be entitled to 100% WPI indexation instead of 60% WPI indexation from the second year of operation on achievement of performance standards for each of the commodities notified along with the normative tariff, is replaced with the note that 'Incase of dry bulk cargo, the licensed agent would be entitled to 100% WPI indexation instead of 60% WPI indexation from the second year of operation on achievement of performance standards as prescribed in the Berthing Policy vide letter No.PD-11033/73/2013-PT (pt) dated 16 June 2016 for dry bulk cargo. For break bulk cargo, the licensed agent would be entitled to 100% WPI indexation instead of 60% WPI indexation from the second year of operation on achievement of performance standards for each of the commodities notified alongwith the normative tariff.
- (xvii). In line with the stipulation contained in Clause 3.5.4 of the Stevedoring and Shore Handling Guidelines, a note to the effect that Wharfage, storage charges and other cargo related charges shall continue to be levied by the KOPT as per its prevailing scale of rates, is prescribed in the approved upfront tariff schedule.
- (xviii). A note is also prescribed in the upfront tariff schedule approved that all taxes and duties, as may be applicable from time to time, including GST shall be paid extra.
- (xix). The KOPT has proposed a note to the effect that On board equipment services will include supply and service of suitable payloader/ equipment on board for transfer/ aggregation of cargo at hatch square on the ship by transferring from other areas inside the hatch, including slinging and un-slinging of pay loader/ equipment for lifting up of lifting down on/ from the ship. Since the proposed note gives clarity and may avoid ambiguity, the same is approved.
- (xx). Under the Section prescribing charges for the Shore handling operations of dry bulk cargo and break bulk cargo, the KOPT has proposed notes to the effect that for transfer/ delivery of cargo from Jetty direct to consignee's premises, the rate does not include supply of transport (for delivery) by the Handling Agent and that it shall be arranged by the concerned importer/ exporter/ receiver of cargo at their own cost; in case of Bagged cargo (unit bag weight upto 50kg), the shore handling charge includes supply of trucks by the Handling Agent for transportation of cargo between the jetty and the storage yard including loading & unloading on and from truck in such operation; In respect of charges prescribed for dry bulk and break bulk cargo discharged by Ship's Crane/ MHCs and transferred and stored in storage area inside port premises, includes charges for heaping/ high heaping of cargo at the storage yards; Incase of break bulk cargo viz., Steel Coils, HR Coils, WR Coils, Steel billets, Steel blooms, Steel Rails, Pipes and Tubes, All Bag cargo and Project Cargo, the shore handling charges include supply of trailers by the Handling Agents for transportation of the cargo between the jetty and the storage area including loading and unloading on and from trailers thereat. Since the proposed notes give clarity and would avoid ambiguity, they are approved.
- (xxi). The KOPT in its initial proposal had proposed norms for clearance of cargo from jetty and penalty for non-achievement of norms to the effect that the shore handling agent will be allowed 6 hours' time in case of dry bulk cargo and 2 hours' time in

case of break bulk cargo from the time of completion of vessel's discharge/loading to clear the cargo from the jetty either by way of removal to the stack yard or by way of direct delivery from the jetty. Further, it was also stated that if the agent fails to achieve the above said norms, then for every additional hour or part thereof taken by the Handling Agent to clear the cargo he will pay penalty @ two times the berth hire charges after expiry of initial 6 hours/ 2 hours' time as the case may be. Subsequently, the port has proposed to withdraw the said provisions. In view of this position, the said provisions are not incorporated in the approved upfront tariff schedule.

- (xxii). The KOPT has also proposed note to the effect that if the Shore Handling Agent fails to clear the cargo from the jetty within 6 hours / 2 hours as the case may be for 3 consecutive vessels, then Chairman may at any time suspend the license for such period as he may deem fit or cancel the license or refuse to renew the license. This note appears to flow from the preceding note. Since the preceding note itself has been withdrawn by KOPT, the subsequent note has become infructuous.
- (xxiii). The KOPT has also proposed that in case of MHC Berth, the time of the last MHC cycle/unloading of last pay loader from the vessel, as the case may be, as certified by HDC will be considered as the completion time in case of unloading of cargo. Since the proposed note is to govern the norms for clearance of cargo from jetty and penalty for non-achievement of the same, under Section 4.3 and since the said Section is withdrawn by the KOPT, prescription of the rate has become infructuous. Hence, the said provision is not prescribed.
- (xxiv). The KOPT in its proposal has stated that considering that the Stevedoring and Shore Handling Policy for Major Ports, 2016, does not prescribe any bidding process for issuance of license for stevedores and shore handling agents, the Clause 2.4 of the Stevedoring and Shore Handling Guidelines, which requires that the upfront tariff and performance standards notified by TAMP to be mentioned in the bid document and subsequently in the agreement in respect of the operator, is not at par with the Stevedoring and Shore Handling Policy. In this regard, it is to state that the Stevedoring and Shore handling Guidelines have been issued as a policy direction by the Ministry of Shipping (MOS) under Section 111 of the Major Port Trusts Act, 1963. As such, this Authority as well as all the Major Port Trusts including KOPT are bound by the stipulations contained in the said Guidelines. Therefore, as stipulated in the Guidelines, the upfront tariff and performance standards notified by TAMP is to be mentioned in the bid document, if there is a bidding process, and subsequently in the agreement in respect of the operator.
- (xxv). Clause 2.11. of the Stevedoring and Shore Handling Guidelines states that before commencement of the stevedoring and/ or the shore handling operations, the operator will approach this Authority for notification of the Scale of Rates containing the ceiling rates of the stevedoring and or the shore handling charges and performance standards as required under Section 48 of the Major Port Trust Act, 1963. Thus, the KOPT has sought clarification whether all stevedoring and shore handling agents who will be issued licences will have to individually approach this Authority for notification of the Scale of Rates containing the same ceiling rates of the stevedoring and/ or the shore handling operations for undertaking the said activities.

In this regard, reference is drawn to Clause 2.3 of the Stevedoring and Shore Handling Guidelines, which stipulates that once the upfront tariff caps are set out for stevedoring and shore handling operations of various commodities for a port, it will be applicable uniformly to the entire port where the stevedoring and shore handling operations are carried out by private agencies or firms. It is also relevant to mention here that this Authority in consultation with all the Major Port Trusts had already, with reference to regulation of rates for provision of services by person authorised under Section 42 of the Major Port Trusts Act, 1963, decided that regulation of tariff can be done for the port as a whole without reference to individual

service providers. Accordingly, this Authority had decided that ceiling tariff will be prescribed for a particular port and the port trust concerned will ensure their application to authorised service provider by making it a condition of authorisation in terms of Section 42(3) of the Major Port Trusts Act, 1963, while issuing the license. The said decision of this Authority was communicated to all the Major Ports and Ministry of Shipping (MOS) vide letter No TAMP/47/2000-MBPT dated 6 May 2002. However, in case of private (terminal) operators who provide comprehensive services at a berth or a terminal within a major port under a BOT/ BOOT arrangement, regulation of tariff will continue to be based on their proposal with reference to their operating cost and investments. In view of the above position and keeping in view Clause 2.3. of the Stevedoring and Shore Handling Guidelines, the port is advised to apply the ceiling rates to the authorised individual stevedoring and shore handling operator, by making it as a condition of authorization, while issuing licenses. It is noteworthy that such an advice was given to the port while granting adhoc approval to the stevedoring and shore handling charges vide Order dated 8 February 2017.

- (xxvi). The KOPT has stated that the Guidelines will be applicable for authorisation to undertake stevedoring and shore handling activity under section 42(3) of MPT Act. Since Section 42(3) of the MPT Act states that the Board may, with the previous sanction of the Central Government, authorise any person to perform any of the services mentioned in sub section (1) of such terms and condition as may be agreed upon, the KOPT has sought clarification whether before issuance of such licence under the Regulation to any Stevedoring and Shore Handling Agents, previous sanction of the Central Government is a pre-requisite for above authorisation as required under section 42(3). Since the sanctioning authority is Central Government, the KOPT may have to take up the matter with the Central Government only.
- (xxvii). This Authority while approving upfront tariff for Stevedoring and Shore handling operations at HDC of KOPT on adhoc basis vide Order No. TAMP/79/2016-KOPT dated 08 February 2017 has stated that the final rates to be approved by this Authority will have prospective effect. Accordingly, the final rates (to be) approved will come into effect prospectively after expiry of 30 days from the date of notification of the Order in the Gazette as per the general approach followed by this Authority. As stated in the interim Order dated 08 February 2017, the interim rates adopted in an adhoc basis will be recognized as such. There will not be any question of refund/ recovery, if any, in case of variation between the adhoc rates and final rates as held by this Authority in the interim Order dated 08 February 2017.
- (xxviii). The KOPT has not proposed rates for Anchorage discharge on the ground that monitoring of the operations of vessels at anchorages is not possible. The KOPT has also not proposed rates for Barge handling citing that it will be primarily handled at the Floating Barge Terminal to be operated through the contractor appointed by KOPT for which the charges will be directly collected by port from the customers as per its Scale of Rates and the contractors will be directly paid by the KOPT at the agreed rate. However, the port has sought clarification whether there is a requirement for fixation of upfront tariff for anchorage discharge and barge handling.

In this regard, it is to state that considering that the definition of stevedoring activity includes loading and unloading and stowage of cargo in any form on board the vessels in Port and considering that definition of shore handling includes the arranging and receiving the cargo to/ from the hook point, inter modal transport from wharf to stack yard and vice-versa and also receiving and delivering of cargo from/to wagons /trucks, and since receiving and delivering goods is covered under Section 42 (1) (d) of the Major Port Trusts Act, 1963, and considering that Section 48 mandates the Authority to frame SOR for the services performed by a Board or any other person authorized under Section 42 at or in relation to the port or port approaches, there does not appear to be any doubt that the activity of stevedoring on-board ship at Anchorage points and the shore handling operation including

loading/ unloading of cargo to/ from Barge at Wharf/ Berth, would be governed by the Stevedoring and Shore Handling Policy.

Incidentally, based on the same analogy, upfront tariff has been approved for anchorage discharge (involving on-board operations) and barge handling (involving barge unloading and shore handling) as proposed by the Kolkata Dock System of KOPT.

Hence, the HDC of KOPT is also advised to come up with a proposal for fixation of upfront tariff for the anchorage discharge and barge handling at HDC, within 3 months from the notification of the Order passed in the Gazette of India.

- (xxix). If any error apparent on the face of record or for any other justifiable reasons, the KOPT is permitted to approach this Authority for review giving adequate justification / reasoning within 30 days of notification of the Order in the Gazette of India. If port users / user association have any issue they may approach the port.

14.1. In the result, and for the reasons give above, and based on collective application of mind, the Upfront tariff schedule prescribing charges for the supply & service of equipment in hatches on-board ship for discharging cargo and Shore Handling Charges alongwith the Performance Standards, for the HDC of KOPT attached as **Annex – VI** is approved.

14.2. The ceiling rates approved may be applied to the authorised individual stevedoring and shore handling operator, by making it as a condition of authorization, while issuing licenses, for a period of 3 years. The approval accorded would automatically lapse thereafter unless specifically extended by this Authority.

14.3. The indexation of upfront Stevedoring and Shore Handling Charges as provided in Clause 2.10 of the Stevedoring and Shore Handling Guidelines is to be read with Clause 7 of the Stevedoring and Shore Handling Guidelines. If the Operator does not achieve the prescribed performance standards as per Annex-VI in previous 12 months, the operator will not be entitled for 100% WPI indexation and the operator will continue to levy the tariff with 60% indexation as prescribed in Clause 2.10 of the Stevedoring and Shore Handling Guidelines.

14.4. As stipulated in Clause 8.1. of Stevedoring and Shore Handling Guidelines, the operator shall furnish to the KOPT and this Authority, annual reports on cargo traffic, ship berth day output, per shift output within a month following the end of financial year in respect of stevedoring/ shore handling operations licensed by the port. Any other information which is required by this Authority shall also be furnished to them from time to time.

14.5. As stipulated in Clause 8.2. of Stevedoring and Shore Handling Guidelines, this Authority shall publish on its website all such information received from operators and Major Port Trusts. However, this Authority shall consider a request from any operator or KOPT about not publishing certain data/information furnished which may be 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. This Authority's decision in this regard would be final.

14.6. (a). As stipulated in Clause 9.1. of Stevedoring and Shore Handling Guidelines, the performance norms prescribed for various commodities shall be the minimum should be achieved by the Operator. These performance norms shall be incorporated in the licenses.

- (b). As stipulated in Clause 9.2. of Stevedoring and Shore Handling Guidelines, the performance actually achieved by the operator shall be monitored by both the KOPT and this Authority on a quarterly basis. In the event of any shortfall in achieving the performance prescribed, the KOPT will initiate action on the operator as per the terms contained in the agreement entered into with the operator by the Port.

14.7. As stipulated in Clause 10 of Stevedoring and Shore Handling Guidelines, in the event any user has any grievance regarding non-achievement of the Performance Standards by the operator 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 to the KOPT. The KOPT will be bound to take necessary action on the findings as per the provisions of the contract conditions of the Agreement.

(T.S. Balasubramanian)
Member (Finance)

ANNEX- I

Comparative Statement of Productivity norms as per the Guidelines vis-à-vis average productivity at HDC of KOPT for the past 3 years as furnished by the Port, productivity norms proposed by KOPT in its proposal and Productivity norms as considered by TAMP.

| Sl. No. | Commodity | As per Guidelines | | | | Average Productivity Achieved during last 3 years Using Ship's crane (in M.T./ Shift) | Productivity proposed by KOPT | | Productivity as considered by TAMP | |
|-----------|---|--|------------------------------------|------------------------|---------------------------|---|----------------------------------|----------------------------------|------------------------------------|----------------------------------|
| | | Group No. as per Guidelines (Annex-I / II) | Norms per hook per shift (in M.T.) | No. of Hooks per shift | Norms per shift (in M.T.) | | Using Ship's crane | Using 2 nos. of HMCs | Using Ship's crane | Using 2 nos. of HMCs |
| | | | | | | | Productivity per shift (in M.T.) | Productivity per shift (in M.T.) | Productivity per shift (in M.T.) | Productivity per shift (in M.T.) |
| (1) | (2) | (3) | (4) | (5) | (6)= 4 x 5 | (7) | (8) | (9) | (10) | (11) |
| I | Dry bulk cargo | | | | | | | | | |
| 1 | Coking Coal | 5 | 900 | 4 | 3600 | 1853 | 2767 | 5556 | 2767 | 6667 |
| 2 | Other Coal (Except Thermal Coal) | 5 | 900 | 4 | 3600 | 1718 | 2767 | 5556 | 2767 | 6667 |
| 3 | Met. Coke | 5 | 900 | 4 | 3600 | 1221 | 2600 | 5556 | 2600 | 6667 |
| 4 | Limestone | 10 | 1080 | 3 | 3240 | 1931 | 4567 | 5556 | 4567 | 6667 |
| 5 | Manganese Ore | 9 | 870 | 3 | 2610 | 1738 | 3267 | 5556 | 3267 | 6667 |
| 6 | Iron Ore Lumps & Fines | 6 | 1460 | 4 | 5840 | 2000 | 4333 | 5556 | 4333 | 6667 |
| 7 | Murate of Potash | 1 | 900 | 3 | 2700 | 1151 | 2667 | 5556 | 2667 | 6667 |
| 8 | Clinkers | 10 | 1080 | 3 | 3240 | 1811 | 4867 | 5556 | 4867 | 6667 |
| 9 | Gypsum | 9 | 870 | 3 | 2610 | 897 | 4867 | 5556 | 4867 | 6667 |
| 10 | Rock Phosphate | 2 | 810 | 3 | 2430 | 899 | 2667 | 5556 | 2667 | 6667 |
| 11 | Sulphur | 2 | 810 | 3 | 2430 | 1062 | 2667 | 5556 | 2667 | 6667 |
| 12 | Sugar | 3 | 660 | 3 | 1980 | 1157 | 2667 | 5556 | 2667 | 6667 |
| | | | | | | | | | | |
| II | Break bulk cargo | | | | | | | | | |
| 1 | Bagged Cargo | 2 | 300 | 2.5 | 750 | 312 | 450 | | 450 | |
| 2 | Project cargo | 10 | Not given | - | - | 120 | 300 | | 300 | |
| 3 | CR Sheets, HR Plates, Steel Sheets, Sheet | 4 | 560 | 2.5 | 1400 | 805 | 768 | | 805 | |
| 4 | Steel CR Coil, HR Coils, WR Coils | 3 | 1360 | 2.5 | 3400 | 1060 | 1500 | | 1500 | |
| 5 | Steel Billet, Steel Blooms, Steel Rails. | 4 | 560 | 2.5 | 1400 | 903 | 585 | | 903 | |

ANNEX- II A

ASSESSMENT OF CHARGES FOR ON BOARD DEPLOYMENT OF PAYLOADER TO HANDLE DRY BULK CARGO DISCHARGED BY SHIP'S CRANES**AS PER KOPT ESTIMATES**

| Sl. No. | Commodity | Ship-day Productivity As per Berthing Policy (In MT) | Assessed Average productivity per Shift as per Berthing Policy | No. of Hook per Shift | Total Payloader Shifts per Ship for Total Discharge of Cargo | Pay-Loader/ Proclain Hire Charges per Shift (5 cbm cap = 8T to 10 T) (₹) | Total Payloaders Hire Charge (Jetty+ Yard) (₹) | Labour Cost [5% of Equipment Hire Cost per shift] (₹) | Operational Overheads [20% of Equipment and Labour Cost] (₹) | Administrative Overheads [20% of Equipment and Labour Cost] (₹) | Profit Margin [20% of Total Operating cost] (₹) | Total Operating Cost + Profit Margin (₹) | Upfront Tariff Per M T (₹) | Upfront Tariff Per M T Foreign (₹) | Upfront Tariff Per M T Coastal (₹) |
|---------|----------------------------------|--|--|-----------------------|--|--|---|---|--|---|--|--|----------------------------|------------------------------------|------------------------------------|
| (A) | (B) | (D) | (E) | (E) | (F) | (G) | (H) = (G) X (F) | (I)= (H)x5% | (J)= [(H)+(I)]X20% | (K)= [(H)+(I)]X20% | (L) = [(H)+(I) + (J)+(K)] X 20% | (M) = [(H)+(I) + (J)+(K) + (L) | (N)= (M)/(D) | | |
| 1 | Coking Coal | 8300 | 2767 | 4 | 20 | 7500 | 150000 | 7500 | 31500 | 31500 | 44100 | 264600 | 10.58 | | |
| 2 | Other Coal (Except Thermal Coal) | 8300 | 2767 | 4 | 20 | 7500 | 150000 | 7500 | 31500 | 31500 | 44100 | 264600 | 10.58 | | |
| 3 | Met. Coke | 7800 | 2600 | 4 | 20 | 7500 | 150000 | 7500 | 31500 | 31500 | 44100 | 264600 | 10.58 | | |
| 4 | Lime Stone | 13700 | 4567 | 4 | 18 | 7500 | 135000 | 6750 | 28350 | 28350 | 39690 | 238140 | 9.53 | | |
| 5 | Manganese Ore | 9800 | 3267 | 4 | 18 | 7500 | 135000 | 6750 | 28350 | 28350 | 39690 | 238140 | 9.53 | | |
| 6 | Iron Ore Fines - Lumps | 13000 | 4333 | 4 | 18 | 7500 | 135000 | 6750 | 28350 | 28350 | 39690 | 238140 | 9.53 | | |
| 7 | MOP | 8000 | 2667 | 4 | 20 | 7500 | 150000 | 7500 | 31500 | 31500 | 44100 | 264600 | 10.58 | | |
| 8 | Clinker | 14600 | 4867 | 4 | 20 | 7500 | 150000 | 7500 | 31500 | 31500 | 44100 | 264600 | 10.58 | | |
| 9 | Gypsum | 14600 | 4867 | 4 | 20 | 7500 | 150000 | 7500 | 31500 | 31500 | 44100 | 264600 | 10.58 | | |
| 10 | Rock Phosphate | 8000 | 2667 | 4 | 20 | 7500 | 150000 | 7500 | 31500 | 31500 | 44100 | 264600 | 10.58 | | |
| 11 | Sulphur | 8000 | 2667 | 4 | 20 | 7500 | 150000 | 7500 | 31500 | 31500 | 44100 | 264600 | 10.58 | | |
| 12 | Sugar | 8300 | 2767 | 4 | 20 | 7500 | 150000 | 7500 | 31500 | 31500 | 44100 | 264600 | 10.58 | | |

KOPT has not proposed Foreign rate

KOPT has not proposed Coastal rate

AS PER TAMP ESTIMATES

| | | | | | | | | | | | | | | | |
|----|----------------------------------|-------|------|---|----|------|--------|----------|---|-------|-------|--------|------|------|------|
| 1 | Coking Coal | 8300 | 2767 | 4 | 20 | 7500 | 150000 | 7,500.00 | - | 31500 | 37800 | 226800 | 9.07 | 9.61 | 5.77 |
| 2 | Other Coal (Except Thermal Coal) | 8300 | 2767 | 4 | 20 | 7500 | 150000 | 7,500.00 | - | 31500 | 37800 | 226800 | 9.07 | 9.61 | 5.77 |
| 3 | Met. Coke | 7800 | 2600 | 4 | 20 | 7500 | 150000 | 7,500.00 | - | 31500 | 37800 | 226800 | 9.07 | 9.61 | 5.77 |
| 4 | Lime Stone | 13700 | 4567 | 4 | 18 | 7500 | 135000 | 6,750.00 | - | 28350 | 34020 | 204120 | 8.16 | 8.65 | 5.19 |
| 5 | Manganese Ore | 9800 | 3267 | 4 | 18 | 7500 | 135000 | 6,750.00 | - | 28350 | 34020 | 204120 | 8.16 | 8.65 | 5.19 |
| 6 | Iron Ore Fines - Lumps | 13000 | 4333 | 4 | 18 | 7500 | 135000 | 6,750.00 | - | 28350 | 34020 | 204120 | 8.16 | 8.16 | 8.16 |
| 7 | MOP | 8000 | 2667 | 4 | 20 | 7500 | 150000 | 7,500.00 | - | 31500 | 37800 | 226800 | 9.07 | 9.61 | 5.77 |
| 8 | Clinker | 14600 | 4867 | 4 | 20 | 7500 | 150000 | 7,500.00 | - | 31500 | 37800 | 226800 | 9.07 | 9.61 | 5.77 |
| 9 | Gypsum | 14600 | 4867 | 4 | 20 | 7500 | 150000 | 7,500.00 | - | 31500 | 37800 | 226800 | 9.07 | 9.61 | 5.77 |
| 10 | Rock Phosphate | 8000 | 2667 | 4 | 20 | 7500 | 150000 | 7,500.00 | - | 31500 | 37800 | 226800 | 9.07 | 9.61 | 5.77 |
| 11 | Sulphur | 8000 | 2667 | 4 | 20 | 7500 | 150000 | 7,500.00 | - | 31500 | 37800 | 226800 | 9.07 | 9.61 | 5.77 |
| 12 | Sugar | 8000 | 2667 | 4 | 20 | 7500 | 150000 | 7,500.00 | - | 31500 | 37800 | 226800 | 9.07 | 9.61 | 5.77 |

ANNEX - II B

Assessment of Onboard Equipment deployment Tariff for Break Bulk Cargo - Discharged by Ship Cranes.

| Sl. No | Cargo | Ave. Productivity per Hook per Shift | No. of Hooks per Shift | Ave. Productivity per Shift | No. of Forklift per Shift per Hatch | Hire charges per Forklift per shift (₹) | Total Equipment hire charges (₹) | Labour Charges [10% of Equipment charges] (₹) | Operational Overheads [20% of Equipment and Labour Cost] (₹) | Administrative Overheads [20% of Equipment and Labour Cost] (₹) | Total Operational cost (₹) | Profit Margin [20% of Total Operating cost] (₹) | Total Operating Cost + Profit Margin (₹) | Upfront Tariff Per M T (₹) | Upfront Tariff Per M T Foreign (₹) | Upfront Tariff Per M T Coastal (₹) |
|------------------------------|---|--------------------------------------|------------------------|-----------------------------|-------------------------------------|---|----------------------------------|---|--|---|----------------------------|---|--|----------------------------|------------------------------------|------------------------------------|
| AS PER KOPT ESTIMATES | | | | | | | | | | | | | | | | |
| 1 | Project Cargo | 150 | 2 | 300 | 1 | 4000 | 8000 | 800 | 1760 | 1760 | 12320 | 2464 | 14784 | 49.28 | KOPT has not proposed Foreign rate | KOPT has not proposed Coastal rate |
| 2 | CR Sheets, HR Plates, Steel Sheets, Steel | 256 | 3 | 768 | 1 | 7000 | 21000 | 2100 | 4620 | 4620 | 32340 | 6468 | 38808 | 50.52 | | |
| 3 | Steel Coils, HR Coils, WR coils | 597 | 3 | 1792 | 1 | 7000 | 21000 | 2100 | 4620 | 4620 | 32340 | 6468 | 38808 | 21.66 | | |
| 4 | Steel billets, Steel blooms, Steel Rails | 195 | 3 | 585 | 1 | 4000 | 12000 | 1200 | 2640 | 2640 | 18480 | 3696 | 22176 | 37.88 | | |

AS PER TAMP ESTIMATES

| | | | | | | | | | | | | | | | | |
|---|---|-----|---|------------|---|------|-------|------|---|------|-------|------|-------|---------|--------------|--------------|
| 1 | Project Cargo | 150 | 2 | + | 1 | 4000 | 8000 | 800 | 0 | 1760 | 10560 | 2112 | 12672 | #VALUE! | #VALUE! | #VALUE! |
| 2 | CR Sheets, HR Plates, Steel Sheets, Steel | 268 | 3 | 805 | 1 | 7000 | 21000 | 2100 | 0 | 4620 | 27720 | 5544 | 33264 | 41.32 | 42.51 | 25.51 |
| 3 | Steel Coils, HR Coils, WR coils | 500 | 3 | 1500 | 1 | 7000 | 21000 | 2100 | 0 | 4620 | 27720 | 5544 | 33264 | 22.18 | 22.81 | 13.69 |
| 4 | Steel billets, Steel blooms, Steel Rails | 301 | 3 | 903 | 1 | 4000 | 12000 | 1200 | 0 | 2640 | 15840 | 3168 | 19008 | 21.05 | 21.66 | 12.99 |

ANNEX-III

Comparative position of the equipment proposed to be deployed by KOPT at HDC for shore handling operations for Dry bulk and Break bulk Cargo vis-à-vis the norm prescribed in the Stevedoring and Shore handling Guidelines for the method adopted by KOPT at HDC

| Commodity / Commodity Group | Method | As per Guidelines | As per KOPT Proposal | |
|----------------------------------|--------|---|--|--|
| | | | Handling with Ship cranes | Handling with HMCs |
| A. DRY BULK CARGO | | | | |
| Coking Coal | 4 | 06 Nos.– 10T Payloaders | 04 Nos. –Payloaders | 08 Nos. –Payloaders |
| | 5 | 25 Nos. – 15T trucks 10 Nos – 10T Payloaders | 16 Nos. –Trucks 06 Nos. – Payloaders 01 No. – Poclains | 28 Nos. –Trucks 10 Nos. – Payloaders 02 No. – Poclains |
| Other coal (Except Thermal Coal) | 4 | 06 Nos.– 10T Payloaders | 04 Nos. –Payloaders | 08 Nos. –Payloaders |
| | 5 | 25 Nos. – 15T trucks 10 Nos.– 10T Payloaders | 16 Nos. –Trucks 06 Nos. – Payloaders 01 No. – Poclains | 28 Nos. –Trucks 10 Nos. – Payloaders 02 No. – Poclains |
| Met. coke | 4 | 06 Nos.– 10T Payloaders | 04 Nos. –Payloaders | 08 Nos. –Payloaders |
| | 5 | 25 Nos. – 15T trucks 10 Nos.– 10T Payloaders | 16 Nos. –Trucks 06 Nos. – Payloaders | 28 Nos. –Trucks 12 Nos. – Payloaders |
| Lime Stone | 4 | 06 Nos.– 10T Payloaders | 06 Nos. –Payloaders | 08 Nos. –Payloaders |
| | 5 | 25 Nos. – 15T trucks 10 Nos – 10T Payloaders | 24 Nos. –Trucks 10 Nos. – Payloaders 02 No. – Poclains | 28 Nos. –Trucks 10 Nos. – Payloaders 02 No. – Poclains |
| Cement Clinker | 4 | 06 Nos.– 10T Payloaders | 06 Nos. –Payloaders | 08 Nos. –Payloaders |
| | 5 | 25 Nos. – 15T trucks 10 Nos – 10T Payloaders | 24 Nos. –Trucks 10 Nos. – Payloaders | 28 Nos. –Trucks 12 Nos. – Payloaders |
| Manganese Ore | 4 | 03 Nos.– 10T Payloaders | 04 Nos. –Payloaders | 08 Nos. –Payloaders |
| | 5 | 20 Nos. – 15T trucks 5 Nos. – 10T Payloaders | 16 Nos. –Trucks 06 Nos. – Payloaders 01 No. – Poclains | 28 Nos. –Trucks 10 Nos. – Payloaders 02 No. – Poclains |
| Gypsum | 4 | 06 Nos.– 10T Payloaders | 06 Nos. –Payloaders | 08 Nos. –Payloaders |
| | 5 | 25 Nos. – 15T trucks 10 Nos. –10T Payloaders | 24 Nos. –Trucks 10 Nos. – Payloaders 02 No. – Poclains | 28 Nos. –Trucks 10 Nos. – Payloaders 02 No. – Poclains |
| Iron Ore Fines | 4 | 06 Nos – 10T Payloaders | 06 Nos. –Payloaders | 08 Nos. –Payloaders |
| | 5 | 34 Nos. – 15T trucks 10 Nos.– 10T Payloaders | 24 Nos. –Trucks 10 Nos. – Payloaders | 28 Nos. –Trucks 10 Nos. – Payloaders |

| Commodity / Commodity Group | Method | As per Guidelines | As per KOPT Proposal | |
|-----------------------------|--------|---|---|---|
| | | | Handling with Ship cranes | Handling with HMCs |
| | | | 02 No. – Poclains | 02 No. – Poclains |
| MOP | 4 | 03 Nos – 10T Payloaders | 04 Nos. –Payloaders | 08 Nos. –Payloaders |
| | 5 | 20 Nos. – 15T trucks 05 Nos.– 10T Payloaders | 16 Nos. –Trucks 06 Nos. – Payloaders | 28 Nos. –Trucks 12 Nos. – Payloaders |
| Rock Phosphate | 4 | 03 Nos. –10T Payloaders | 04 Nos. –Payloaders | 08 Nos. –Payloaders |
| | 5 | 20 Nos. – 15T trucks 05 Nos.– 10T Payloaders | 16 Nos. –Trucks 06 Nos. – Payloaders | 28 Nos. –Trucks 12 Nos. – Payloaders |
| Sulphur | 4 | 03 Nos – 10T Payloaders | 04 Nos. –Payloaders | 08 Nos. –Payloaders |
| | 5 | 20 Nos. – 15T trucks 05 Nos.– 10T Payloaders | 16 Nos. –Trucks 06 Nos. – Payloaders | 28 Nos. –Trucks 12 Nos. – Payloaders |
| Sugar | 4 | 03 Nos.– 10T Payloaders | 04 Nos. –Payloaders | 08 Nos. –Payloaders |
| | 5 | 20 Nos. – 15T trucks 05 Nos – 10T Payloaders | 16 Nos. –Trucks 06 Nos. – Payloaders | 28 Nos. –Trucks 12 Nos. – Payloaders |

B. BREAK BULK CARGO

| | | | |
|--|---|--|---|
| CR Steets, HR Plates, Steel Sheets etc. | 3 | 02 Nos. – 30T Mobile Crane 09 Nos.– 40T Tractor Trailers | 02 Nos. – 30T Mobile Crane 12 Nos. –Tractor Trailers |
| Steel Coils, HR Coils WR Coils, | 3 | 02 Nos. – 30T Mobile Crane 09 Nos. – 40T Tractor Trailers | 02 Nos. – 30T Mobile Crane 12 Nos. –Tractor Trailers |
| Steel Billets, Steel blooms, Steel Rails | 3 | 02 Nos. – 30T Mobile Crane 09 Nos. – 40T Tractor Trailers | 02 Nos.–10T Fork Lift Truck 9 no. Tractor Trailers are considered as proposed by the Master Stevedores Association and as agreed by the HDC. |
| Bagged Cargo | 4 | 9 Nos. – 10 T Trucks | 6 Nos. Trucks |

ASSESSMENT OF SHORE HANDLING TARIFF FOR DRY BULK CARGO (Method - 4 of the Guidelines)

A. DISCHARGED BY SHIP'S CRANES & DIRECT DELIVERY TO CONSIGNEE

| Sl. No. | Commodity | Average Parcel Load | Ship-day Productivity As per Berthing Policy (In MT) | Per Shift Productivity (In MT) | No. of Hook per Shift | No. of Pyloaders per Shift | Pay-Loader Shift Hire Charge per Shift (5 cbm cap = 8 T to 10 T) (₹) | Total Pyloaders Hire Charge (At Jetty) (₹) | Labour Cost[5% of Equipment Hire Cost per shift] (₹) | Operational Overheads [20% of Equipment and Labour Cost] (₹) | Administrative Overheads [20% of Equipment and Labour Cost] (₹) | Profit Margin [20% of Total Operating cost] (₹) | Total Operating Cost + Profit Margin (₹) | Upfront Tariff Per M T (₹) | Upfront Tariff Per M T Foreign (₹) | Upfront Tariff Per M T Coastal (₹) |
|------------------------------|----------------------------------|---------------------|--|--------------------------------|-----------------------|----------------------------|--|--|--|--|---|---|--|----------------------------|------------------------------------|------------------------------------|
| (A) | (B) | | (C) | (D) = (C) / 3 | (E) | (F) | (G) | (H) = (G) X (F) | (I) = (H) x 5% | (J) = [(H)+(I)] X 20% | (K) = [(H)+(I)] X 20% | (L) = [(H)+(I) + (J)+(K)] X 20% | (M) = [(H)+(I) + (J)+(K) + (L) | (N) = (M)/(D) | | |
| AS PER KOPT ESTIMATES | | | | | | | | | | | | | | | | |
| 1 | Coking Coal | 25000 | 8300 | 2767 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 35.71 | | |
| 2 | Other Coal (Except Thermal Coal) | 25000 | 8300 | 2767 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 35.71 | | |
| 3 | Met. Coke | 25000 | 7800 | 2600 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 37.99 | | |
| 4 | Lime Stone | 25000 | 13700 | 4567 | 4 | 6 | 14000 | 84000 | 4200 | 17640 | 17640 | 24696 | 148176 | 32.45 | | |
| 5 | Manganese Ore | 25000 | 9800 | 3267 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 30.24 | | |
| 6 | Iron Ore Fines - Lumps | 25000 | 13000 | 4333 | 4 | 6 | 14000 | 84000 | 4200 | 17640 | 17640 | 24696 | 148176 | 34.19 | | |
| 7 | MOP | 25000 | 8000 | 2667 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 37.04 | | |
| 8 | Clinker | 25000 | 14600 | 4867 | 4 | 6 | 14000 | 84000 | 4200 | 17640 | 17640 | 24696 | 148176 | 30.45 | | |
| 9 | Gypsum | 25000 | 14600 | 4867 | 4 | 6 | 14000 | 84000 | 4200 | 17640 | 17640 | 24696 | 148176 | 30.45 | | |
| 10 | Rock Phosphate | 25000 | 8000 | 2667 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 37.04 | | |
| 11 | Sulphur | 25000 | 8000 | 2667 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 37.04 | | |
| 12 | Sugar | 25000 | 8300 | 2767 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 35.71 | | |

KOPT has not proposed Foreign rate

KOPT has not proposed Coastal rate

| Sl. No. | Commodity | Average Parcel Load | Ship-day Productivity As per Berthing Policy (In MT) | Per Shift Productivity (In MT) | No. of Hook per Shift | No. of Pyloaders per Shift | Pay-Loader Shift Hire Charge per Shift (5 cbm cap = 8 T to 10 T) (₹) | Total Pyloaders Hire Charge (At Jetty) (₹) | Labour Cost (₹) | Operational Overheads [20% of Equipment and Labour Cost] (₹) | Administrative Overheads [20% of Equipment and Labour Cost] (₹) | Profit Margin [20% of Total Operating cost] (₹) | Total Operating Cost + Profit Margin (₹) | Cost Per Ton (₹) | Upfront Tariff Per M T Foreign (₹) | Upfront Tariff Per M T Coastal (₹) |
|------------------------------|----------------------------------|---------------------|--|--------------------------------|-----------------------|----------------------------|--|--|-----------------|--|---|---|--|------------------|------------------------------------|------------------------------------|
| (A) | (B) | | (C) | (D) = (C) / 3 | (E) | (F) | (G) | (H) = (G) X (F) | (I) = (H) x 5% | (J) = [(H)+(I)] X 20% | (K) = [(H)+(I)] X 20% | (L) = [(H)+(I) + (J)+(K)] X 20% | (M) = [(H)+(I) + (J)+(K) + (L) | (N) = (M)/(D) | | |
| AS PER TAMP ESTIMATES | | | | | | | | | | | | | | | | |
| 1 | Coking Coal | 25000 | 8300 | 2767 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 35.71 | 37.82 | 22.69 |
| 2 | Other Coal (Except Thermal Coal) | 25000 | 8300 | 2767 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 35.71 | 37.82 | 22.69 |
| 3 | Met. Coke | 25000 | 7800 | 2600 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 37.99 | 40.25 | 24.15 |
| 4 | Lime Stone | 25000 | 13700 | 4567 | 4 | 6 | 14000 | 84000 | 4200 | 17640 | 17640 | 24696 | 148176 | 32.45 | 34.37 | 20.62 |
| 5 | Manganese Ore | 25000 | 9800 | 3267 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 30.24 | 32.03 | 19.22 |
| 6 | Iron Ore Fines - Lumps | 25000 | 13000 | 4333 | 4 | 6 | 14000 | 84000 | 4200 | 17640 | 17640 | 24696 | 148176 | 34.19 | 34.19 | 34.19 |
| 7 | MOP | 25000 | 8000 | 2667 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 37.04 | 39.24 | 23.54 |
| 8 | Clinker | 25000 | 14600 | 4867 | 4 | 6 | 14000 | 84000 | 4200 | 17640 | 17640 | 24696 | 148176 | 30.45 | 32.25 | 19.35 |
| 9 | Gypsum | 25000 | 14600 | 4867 | 4 | 6 | 14000 | 84000 | 4200 | 17640 | 17640 | 24696 | 148176 | 30.45 | 32.25 | 19.35 |
| 10 | Rock Phosphate | 25000 | 8000 | 2667 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 37.04 | 39.24 | 23.54 |
| 11 | Sulphur | 25000 | 8000 | 2667 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 37.04 | 39.24 | 23.54 |
| 12 | Sugar | 25000 | 8300 | 2767 | 4 | 4 | 14000 | 56000 | 2800 | 11760 | 11760 | 16464 | 98784 | 37.04 | 39.24 | 23.54 |

B. DISCHARGED BY HARBOUR MOBILE CRANES & DIRECT DELIVERY TO CONSIGNEE

| Sl. No. | Commodity | Average Parcel Load | Ship-day Productivity As per Berthing Policy (In MT) | Assessed Average productivity per Shift as per Berthing Policy | No. of HMC'S | No. of Payloaders per Shift | Pay-Loader Shift Hire Charge per Shift (5 cbm cap = 8T to 10 T) (₹) | Total Payloaders Hire Charge (At Jetty) (₹) | Labour Cost[5% of Equipment Hire Cost per shift] (₹) | Operational Overheads [20% of Equipment and Labour Cost] (₹) | Administrative Overheads [20% of Equipment and Labour Cost] (₹) | Profit Margin [20% of Total Operating cost] (₹) | Total Operating Cost + Profit Margin (₹) | Upfront Tariff Per M T (₹) | Upfront Tariff Per M T Foreign (₹) | Upfront Tariff Per M T Coastal (₹) |
|------------------------------|----------------------------------|---------------------|--|--|--------------|-----------------------------|---|---|--|--|---|---|--|----------------------------|------------------------------------|------------------------------------|
| (A) | (B) | (C) | (D) | (E) | (E) | (F) | (G) | (H) = (G) X (F) | (I)= (H)x5% | (J)= [(H)+(I)]X20% | (K)= [(H)+(I)]X20% | (L) = [(H)+(I) + (J)+(K)] X 20% | (M) = [(H)+(I) + (J)+(K) + (L) | (N)= (M)/(D) | | |
| AS PER KOPT ESTIMATES | | | | | | | | | | | | | | | | |
| 1 | Coking Coal | 25000 | 20000 | 5556 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 35.56 | | |
| 2 | Other Coal (Except Thermal Caol) | 25000 | 20000 | 5556 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 35.56 | | |
| 3 | Met. Coke | 25000 | 20000 | 5556 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 35.56 | | |
| 4 | Lime Stone | 25000 | 20000 | 5556 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 35.56 | | |
| 5 | Manganese Ore | 25000 | 20000 | 5556 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 35.56 | | |
| 6 | Iron Ore Fines - Lumps | 25000 | 20000 | 5556 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 35.56 | | |
| 7 | MOP | 25000 | 20000 | 5556 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 35.56 | | |
| 8 | Clinker | 25000 | 20000 | 5556 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 35.56 | | |
| 9 | Gypsum | 25000 | 20000 | 5556 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 35.56 | | |
| 10 | Rock Phosphate | 25000 | 20000 | 5556 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 35.56 | | |
| 11 | Sulphur | 25000 | 20000 | 5556 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 35.56 | | |
| 12 | Sugar | 25000 | 20000 | 5556 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 35.56 | | |

KOPT has not proposed Foreign rate
KOPT has not proposed Coastal rate

| Sl. No. | Commodity | Average Parcel Load | Ship-day Productivity As per Berthing Policy (In MT) | Assessed Average productivity per Shift as per Berthing Policy | No. of HMC'S | No. of Payloaders per Shift | Pay-Loader Shift Hire Charge per Shift (5 cbm cap = 8T to 10 T) (₹) | Total Payloaders Hire Charge (At Jetty) (₹) | Labour Cost[5% of Equipment Hire Cost per shift] (₹) | Operational Overheads [20% of Equipment and Labour Cost] (₹) | Administrative Overheads [20% of Equipment and Labour Cost] (₹) | Profit Margin [20% of Total Operating cost] (₹) | Total Operating Cost + Profit Margin (₹) | Upfront Tariff Per M T (₹) | Upfront Tariff Per M T Foreign (₹) | Upfront Tariff Per M T Coastal (₹) |
|------------------------------|----------------------------------|---------------------|--|--|--------------|-----------------------------|---|---|--|--|---|---|--|----------------------------|------------------------------------|------------------------------------|
| AS PER TAMP ESTIMATES | | | | | | | | | | | | | | | | |
| 1 | Coking Coal | 25000 | 20000 | 6667 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 29.64 | 31.39 | 18.84 |
| 2 | Other Coal (Except Thermal Caol) | 25000 | 20000 | 6667 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 29.64 | 31.39 | 18.84 |
| 3 | Met. Coke | 25000 | 20000 | 6667 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 29.64 | 31.39 | 18.84 |
| 4 | Lime Stone | 25000 | 20000 | 6667 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 29.64 | 31.39 | 18.84 |
| 5 | Manganese Ore | 25000 | 20000 | 6667 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 29.64 | 31.39 | 18.84 |
| 6 | Iron Ore Fines - Lumps | 25000 | 20000 | 6667 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 29.64 | 31.39 | 18.84 |
| 7 | MOP | 25000 | 20000 | 6667 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 29.64 | 31.39 | 18.84 |
| 8 | Clinker | 25000 | 20000 | 6667 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 29.64 | 31.39 | 18.84 |
| 9 | Gypsum | 25000 | 20000 | 6667 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 29.64 | 31.39 | 18.84 |
| 10 | Rock Phosphate | 25000 | 20000 | 6667 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 29.64 | 31.39 | 18.84 |
| 11 | Sulphur | 25000 | 20000 | 6667 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 29.64 | 31.39 | 18.84 |
| 12 | Sugar | 25000 | 20000 | 6667 | 2 | 8 | 14000 | 112000 | 5600 | 23520 | 23520 | 32928 | 197568 | 29.64 | 31.39 | 18.84 |

ASSESSMENT OF SHORE HANDLING TARIFF FOR DRY BULK CARGO - (Method 5 of the Guidelines)

A. DISCHARGED BY SHIPS CRANE & STORED WITHIN PORT PREMISES

| Sl. No. | Commodity | Ship-day Productivity As per Berthing Policy (In MT) | Assessed Average productivity per Shift as per Berthing Policy | No. of Hook per Shift | No. of Payloaders per Shift at (Jetty +Yard) | No. of Dumpers per Shift | No. of Proclains per Shift | Pay-Loader/ Proclain Hire Charges per Shift (5 cbm cap = 8T to 10 T) (₹) | Dumpers Hire Charges per Shift (5 cbm cap = 8T to 10 T) (₹) | Total Payloaders Hire Charge (Jetty+ Yard) (₹) | Total Proclain Hire Charges (Yard) (₹) | Total Dumpers Hire Charges (₹) | Total Hire Charges for Equipment (₹) | Labour Cost[5% of Equipment Hire Cost per shift] (₹) | Operational Overheads [20% of Equipment and Labour Cost] (₹) | Administrative Overheads [20% of Equipment and Labour Cost] (₹) | Profit Margin [20% of Total Operating cost] (₹) | Total Operating Cost + Profit Margin (₹) | Uprfront Tariff Per M T (₹) | Uprfront Tariff Per M T Foreign (₹) | Uprfront Tariff Per M T Coastal (₹) |
|------------------------------|----------------------------------|--|--|-----------------------|--|--------------------------|----------------------------|--|---|---|--|--------------------------------|--------------------------------------|--|--|---|--|--|-----------------------------|-------------------------------------|-------------------------------------|
| (A) | (B) | (D) | (E) | (E) | (F) | | | (G) | | (H) = (G) X (F) | | | | (I) = (H)X5% | (J) = [(H)+(I)]X20% | (K) = [(H)+(I)]X20% | (L) = [(H)+(I) + (J)+(K)] X 20% | (M) = [(H)+(I) + (J)+(K) + (L) | (N) = (M)/(D) | | |
| AS PER KOPT ESTIMATES | | | | | | | | | | | | | | | | | | | | | |
| 1 | Coking Coal | 8300 | 2767 | 4 | 6 | 16 | 1 | 14000 | 4300 | 84000 | 14000 | 68800 | 166800 | 8340 | 35028 | 35028 | 49039.2 | 294235.2 | 106.35 | | |
| 2 | Other Coal (Except Thermal Caol) | 8300 | 2767 | 4 | 6 | 16 | 1 | 14000 | 4300 | 84000 | 14000 | 68800 | 166800 | 8340 | 35028 | 35028 | 49039.2 | 294235.2 | 106.35 | | |
| 3 | Met. Coke | 7800 | 2600 | 4 | 6 | 16 | 0 | 14000 | 4300 | 84000 | 0 | 68800 | 152800 | 7640 | 32088 | 32088 | 44923.2 | 269539.2 | 103.67 | | |
| 4 | Lime Stone | 13700 | 4567 | 4 | 10 | 24 | 2 | 14000 | 4300 | 140000 | 28000 | 103200 | 271200 | 13560 | 56952 | 56952 | 79732.8 | 478396.8 | 104.76 | | |
| 5 | Manganese Ore | 9800 | 3267 | 4 | 6 | 16 | 1 | 14000 | 4300 | 84000 | 14000 | 68800 | 166800 | 8340 | 35028 | 35028 | 49039.2 | 294235.2 | 90.07 | | |
| 6 | Iron Ore Fines - Lumps | 13000 | 4333 | 4 | 10 | 24 | 2 | 14000 | 4300 | 140000 | 28000 | 103200 | 271200 | 13560 | 56952 | 56952 | 79732.8 | 478396.8 | 110.40 | | |
| 7 | MOP | 8000 | 2667 | 4 | 6 | 16 | 0 | 14000 | 4300 | 84000 | 0 | 68800 | 152800 | 7640 | 32088 | 32088 | 44923.2 | 269539.2 | 101.08 | | |
| 8 | Clinker | 14600 | 4867 | 4 | 10 | 24 | 0 | 14000 | 4300 | 140000 | 0 | 103200 | 243200 | 12160 | 51072 | 51072 | 71500.8 | 429004.8 | 88.15 | | |
| 9 | Gypsum | 14600 | 4867 | 4 | 10 | 24 | 2 | 14000 | 4300 | 140000 | 28000 | 103200 | 271200 | 13560 | 56952 | 56952 | 79732.8 | 478396.8 | 98.30 | | |
| 10 | Rock Phosphate | 8000 | 2667 | 4 | 6 | 16 | 0 | 14000 | 4300 | 84000 | 0 | 68800 | 152800 | 7640 | 32088 | 32088 | 44923.2 | 269539.2 | 101.08 | | |
| 11 | Sulphur | 8000 | 2667 | 4 | 6 | 16 | 0 | 14000 | 4300 | 84000 | 0 | 68800 | 152800 | 7640 | 32088 | 32088 | 44923.2 | 269539.2 | 101.08 | | |
| 12 | Sugar | 8300 | 2767 | 4 | 6 | 16 | 0 | 14000 | 4300 | 84000 | 0 | 68800 | 152800 | 7640 | 32088 | 32088 | 44923.2 | 269539.2 | 97.42 | | |

KOPT has not proposed Foreign rate

KOPT has not proposed Coastal rate

| Sl. No. | Commodity | Ship-day Productivity As per Berthing Policy (In MT) | Assessed Average productivity per Shift as per Berthing Policy | No. of Hook per Shift | No. of Payloaders per Shift at (Jetty +Yard) | No. of Dumpers per Shift | No. of Proclains per Shift | Pay-Loader/ Proclain Hire Charges per Shift (5 cbm cap = 8T to 10 T) (₹) | Dumpers Hire Charges per Shift (5 cbm cap = 8T to 10 T) (₹) | Total Payloaders Hire Charge (Jetty+ Yard) (₹) | Total Proclain Hire Charges (Yard) (₹) | Total Dumpers Hire Charges (₹) | Total Hire Charges for Equipment (₹) | Labour Cost[5% of Equipment Hire Cost per shift] (₹) | Operational Overheads [20% of Equipment and Labour Cost] (₹) | Administrative Overheads [20% of Equipment and Labour Cost] (₹) | Profit Margin [20% of Total Operating cost] (₹) | Total Operating Cost + Profit Margin (₹) | Uprfront Tariff Per M T (₹) | Uprfront Tariff Per M T Foreign (₹) | Uprfront Tariff Per M T Coastal (₹) |
|------------------------------|----------------------------------|--|--|-----------------------|--|--------------------------|----------------------------|--|---|---|--|--------------------------------|--------------------------------------|--|--|---|--|--|-----------------------------|-------------------------------------|-------------------------------------|
| (A) | (B) | (D) | (E) | (E) | (F) | | | (G) | | (H) = (G) X (F) | | | | (I) = (H)X5% | (J) = [(H)+(I)]X20% | (K) = [(H)+(I)]X20% | (L) = [(H)+(I) + (J)+(K)] X 20% | (M) = [(H)+(I) + (J)+(K) + (L) | (N) = (M)/(D) | | |
| AS PER TAMP ESTIMATES | | | | | | | | | | | | | | | | | | | | | |
| 1 | Coking Coal | 8300 | 2767 | 4 | 6 | 16 | 1 | 14000 | 4300 | 84000 | 14000 | 68800 | 166800 | 8340 | 35028 | 35028 | 49039.2 | 294235.2 | 106.35 | 112.66 | 67.60 |
| 2 | Other Coal (Except Thermal Caol) | 8300 | 2767 | 4 | 6 | 16 | 1 | 14000 | 4300 | 84000 | 14000 | 68800 | 166800 | 8340 | 35028 | 35028 | 49039.2 | 294235.2 | 106.35 | 112.66 | 67.60 |
| 3 | Met. Coke | 7800 | 2600 | 4 | 6 | 16 | 0 | 14000 | 4300 | 84000 | 0 | 68800 | 152800 | 7640 | 32088 | 32088 | 44923.2 | 269539.2 | 103.67 | 109.82 | 65.89 |
| 4 | Lime Stone | 13700 | 4567 | 4 | 10 | 24 | 2 | 14000 | 4300 | 140000 | 28000 | 103200 | 271200 | 13560 | 56952 | 56952 | 79732.8 | 478396.8 | 104.76 | 110.97 | 66.58 |
| 5 | Manganese Ore | 9800 | 3267 | 4 | 6 | 16 | 1 | 14000 | 4300 | 84000 | 14000 | 68800 | 166800 | 8340 | 35028 | 35028 | 49039.2 | 294235.2 | 90.07 | 95.42 | 57.25 |
| 6 | Iron Ore Fines - Lumps | 13000 | 4333 | 4 | 10 | 24 | 2 | 14000 | 4300 | 140000 | 28000 | 103200 | 271200 | 13560 | 56952 | 56952 | 79732.8 | 478396.8 | 110.40 | 110.40 | 110.40 |
| 7 | MOP | 8000 | 2667 | 4 | 6 | 16 | 0 | 14000 | 4300 | 84000 | 0 | 68800 | 152800 | 7640 | 32088 | 32088 | 44923.2 | 269539.2 | 101.08 | 107.07 | 64.24 |
| 8 | Clinker | 14600 | 4867 | 4 | 10 | 24 | 0 | 14000 | 4300 | 140000 | 0 | 103200 | 243200 | 12160 | 51072 | 51072 | 71500.8 | 429004.8 | 88.15 | 93.38 | 56.03 |
| 9 | Gypsum | 14600 | 4867 | 4 | 10 | 24 | 2 | 14000 | 4300 | 140000 | 28000 | 103200 | 271200 | 13560 | 56952 | 56952 | 79732.8 | 478396.8 | 98.30 | 104.13 | 62.48 |
| 10 | Rock Phosphate | 8000 | 2667 | 4 | 6 | 16 | 0 | 14000 | 4300 | 84000 | 0 | 68800 | 152800 | 7640 | 32088 | 32088 | 44923.2 | 269539.2 | 101.08 | 107.07 | 64.24 |
| 11 | Sulphur | 8000 | 2667 | 4 | 6 | 16 | 0 | 14000 | 4300 | 84000 | 0 | 68800 | 152800 | 7640 | 32088 | 32088 | 44923.2 | 269539.2 | 101.08 | 107.07 | 64.24 |
| 12 | Sugar | 8000 | 2667 | 4 | 6 | 16 | 0 | 14000 | 4300 | 84000 | 0 | 68800 | 152800 | 7640 | 32088 | 32088 | 44923.2 | 269539.2 | 101.08 | 107.07 | 64.24 |

B. DISCHARGED BY HARBOUR MOBILE CRANES & STORED WITHIN PORT PREMISES

| Sl. No. | Commodity | Ship-day Productivity As per Berthing Policy (In MT) | Assessed Average productivity per Shift as per Berthing Policy | No. of HMC'S | No. of Payloaders per Shift at (Jetty +Yard) | No. of Dumpers per Shift | No. of Proclains per Shift | Pay-Loader/Proclain Hire Charges per Shift (5 cbm cap = 8T to 10 T) (₹) | Dumpers Hire Charges per Shift (5 cbm cap = 8T to 10 T) (₹) | Total Payloaders Hire Charge (Jetty+ Yard) (₹) | Total Procalin Hire Charges (Yard) (₹) | Total Dumpers Hire Charges (₹) | Total Hire Charges for Equipment (₹) | Labour Cost[5% of Equipment Hire Cost per shift] (₹) | Operational Overheads [20% of Equipment and Labour Cost] (₹) | Administrative Overheads [20% of Equipment and Labour Cost] (₹) | Profit Margin [20% of Total Operating cost] (₹) | Total Operating Cost + Profit Margin (₹) | Upfront Tariff Per M T (₹) | Upfront Tariff Per M T Foreign (₹) | Upfront Tariff Per M T Coastal (₹) |
|------------------------------|----------------------------------|--|--|--------------|--|--------------------------|----------------------------|---|---|---|--|--------------------------------|--------------------------------------|--|--|---|--|--|----------------------------|------------------------------------|------------------------------------|
| (A) | (B) | (D) | (E) | (E) | (F) | | | (G) | | (H) = (G) X (F) | | | | (I) = (H)X5% | (J) = [(H)+(I)]X20% | (K) = [(H)+(I)]X20% | (L) = [(H)+(I) + (J)+(K)] X 20% | (M) = [(H)+(I) + (J)+(K) + (L) | (N) = (M)/(D) | | |
| AS PER KOPT ESTIMATES | | | | | | | | | | | | | | | | | | | | | |
| 1 | Coking Coal | 20000 | 5556 | 2 | 10 | 28 | 2 | 14000 | 4300 | 140000 | 28000 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 91.57 | | |
| 2 | Other Coal (Except Thermal Caol) | 20000 | 5556 | 2 | 10 | 28 | 2 | 14000 | 4300 | 140000 | 28000 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 91.57 | | |
| 3 | Met. Coke | 20000 | 5556 | 2 | 12 | 28 | 0 | 14000 | 4300 | 168000 | 0 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 91.57 | | |
| 4 | Lime Stone | 20000 | 5556 | 2 | 10 | 28 | 2 | 14000 | 4300 | 140000 | 28000 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 91.57 | | |
| 5 | Manganese Ore | 20000 | 5556 | 2 | 10 | 28 | 2 | 14000 | 4300 | 140000 | 28000 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 91.57 | | |
| 6 | Iron Ore Fines - Lumps | 20000 | 5556 | 2 | 10 | 28 | 2 | 14000 | 4300 | 140000 | 28000 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 91.57 | | |
| 7 | MOP | 20000 | 5556 | 2 | 12 | 28 | 0 | 14000 | 4300 | 168000 | 0 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 91.57 | | |
| 8 | Clinker | 20000 | 5556 | 2 | 12 | 28 | 0 | 14000 | 4300 | 168000 | 0 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 91.57 | | |
| 9 | Gypsum | 20000 | 5556 | 2 | 10 | 28 | 2 | 14000 | 4300 | 140000 | 28000 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 91.57 | | |
| 10 | Rock Phosphate | 20000 | 5556 | 2 | 12 | 28 | 0 | 14000 | 4300 | 168000 | 0 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 91.57 | | |
| 11 | Sulphur | 20000 | 5556 | 2 | 12 | 28 | 0 | 14000 | 4300 | 168000 | 0 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 91.57 | | |
| 12 | Sugar | 20000 | 5556 | 2 | 12 | 28 | 0 | 14000 | 4300 | 168000 | 0 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 91.57 | | |

KOPT has not proposed Foreign rate

KOPT has not proposed Coastal rate

AS PER TAMP ESTIMATES

| Sl. No. | Commodity | Ship-day Productivity As per Berthing Policy (In MT) | Assessed Average productivity per Shift as per Berthing Policy | No. of HMC'S | No. of Payloaders per Shift at (Jetty +Yard) | No. of Dumpers per Shift | No. of Proclains per Shift | Pay-Loader/Proclain Hire Charges per Shift (5 cbm cap = 8T to 10 T) (₹) | Dumpers Hire Charges per Shift (5 cbm cap = 8T to 10 T) (₹) | Total Payloaders Hire Charge (Jetty+ Yard) (₹) | Total Procalin Hire Charges (Yard) (₹) | Total Dumpers Hire Charges (₹) | Total Hire Charges for Equipment (₹) | Labour Cost[5% of Equipment Hire Cost per shift] (₹) | Operational Overheads [20% of Equipment and Labour Cost] (₹) | Administrative Overheads [20% of Equipment and Labour Cost] (₹) | Profit Margin [20% of Total Operating cost] (₹) | Total Operating Cost + Profit Margin (₹) | Upfront Tariff Per M T (₹) | Upfront Tariff Per M T Foreign (₹) | Upfront Tariff Per M T Coastal (₹) |
|---------|----------------------------------|--|--|--------------|--|--------------------------|----------------------------|---|---|---|--|--------------------------------|--------------------------------------|--|--|---|--|--|----------------------------|------------------------------------|------------------------------------|
| (A) | (B) | (D) | (E) | (E) | (F) | | | (G) | | (H) = (G) X (F) | | | | (I) = (H)X5% | (J) = [(H)+(I)]X20% | (K) = [(H)+(I)]X20% | (L) = [(H)+(I) + (J)+(K)] X 20% | (M) = [(H)+(I) + (J)+(K) + (L) | (N) = (M)/(D) | | |
| 1 | Coking Coal | 20000 | 6667 | 2 | 10 | 28 | 2 | 14000 | 4300 | 140000 | 28000 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 76.31 | 80.84 | 48.50 |
| 2 | Other Coal (Except Thermal Caol) | 20000 | 6667 | 2 | 10 | 28 | 2 | 14000 | 4300 | 140000 | 28000 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 76.31 | 80.84 | 48.50 |
| 3 | Met. Coke | 20000 | 6667 | 2 | 12 | 28 | 0 | 14000 | 4300 | 168000 | 0 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 76.31 | 80.84 | 48.50 |
| 4 | Lime Stone | 20000 | 6667 | 2 | 10 | 28 | 2 | 14000 | 4300 | 140000 | 28000 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 76.31 | 80.84 | 48.50 |
| 5 | Manganese Ore | 20000 | 6667 | 2 | 10 | 28 | 2 | 14000 | 4300 | 140000 | 28000 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 76.31 | 80.84 | 48.50 |
| 6 | Iron Ore Fines - Lumps | 20000 | 6667 | 2 | 10 | 28 | 2 | 14000 | 4300 | 140000 | 28000 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 76.31 | 76.31 | 76.31 |
| 7 | MOP | 20000 | 6667 | 2 | 12 | 28 | 0 | 14000 | 4300 | 168000 | 0 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 76.31 | 80.84 | 48.50 |
| 8 | Clinker | 20000 | 6667 | 2 | 12 | 28 | 0 | 14000 | 4300 | 168000 | 0 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 76.31 | 80.84 | 48.50 |
| 9 | Gypsum | 20000 | 6667 | 2 | 10 | 28 | 2 | 14000 | 4300 | 140000 | 28000 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 76.31 | 80.84 | 48.50 |
| 10 | Rock Phosphate | 20000 | 6667 | 2 | 12 | 28 | 0 | 14000 | 4300 | 168000 | 0 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 76.31 | 80.84 | 48.50 |
| 11 | Sulphur | 20000 | 6667 | 2 | 12 | 28 | 0 | 14000 | 4300 | 168000 | 0 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 76.31 | 80.84 | 48.50 |
| 12 | Sugar | 20000 | 6667 | 2 | 12 | 28 | 0 | 14000 | 4300 | 168000 | 0 | 120400 | 288400 | 14420 | 60564 | 60564 | 84789.6 | 508737.6 | 76.31 | 80.84 | 48.50 |

ANNEX - IV C

Assessment of Shore Handling tariff for Bagged Cargo - Discharge by Ship's Crane & stored in Dock premises - Method 4 of the guidelines

| Sl. No. | Cargo | Ave. Hook per Shift | No. of Hooks per Shift | Ave. Productivity per Shift for last 3 years | Labour at Jetty (incl.on Trucks) | | Labour at Shed (Incl. on Trucks) | | | Labour cost per Shift (Considering CTC Rs. 22500 Per head per Month) | Total Labour cost per Shift | No. of Trucks per Hook | Total no. of Trucks per Shift | Charges per Transportation by Truck Rs. Per tonne | Total Equipment (Truck) hire charges | Operational Overheads [20% of Equipment and Labour Cost] (₹) | Administrative Overheads [20% of Equipment and Labour Cost] (₹) | Total Operational cost | Profit Margin [20% of Total Operating cost] (%) | Total Operating Cost + Profit Margin (₹) | Upfront Tariff Per M T (₹) | Upfront Tariff Per M T Foreign (₹) | Upfront Tariff Per M T Coastal (₹) |
|------------------------------|---|---------------------|------------------------|--|----------------------------------|-------------------------------|----------------------------------|-----------------------------------|-------------------------------|--|-----------------------------|------------------------|-------------------------------|---|--------------------------------------|--|---|------------------------|---|--|----------------------------|---|------------------------------------|
| | | | | | No. of Labour per Hook | Total No. of Labour per Shift | No. of points per shift | No. of Labour per point per shift | Total No. of Labour per Shift | | | | | | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| AS PER KOPT ESTIMATES | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | Fertilisers, Food grains, Sugar, Cement and Other Commodities | 150 | 3 | 450 | 8 | 24 | 3 | 4 | 12 | 745 | 26820 | 2 | 6 | 40 | 18000 | 8964 | 8964 | 62748 | 12549.6 | 75297.6 | 167.33 | KOPT has not proposed Foreign/ Coastal rate | |
| AS PER TAMP ESTIMATES | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | Fertilisers, Food grains, Sugar, Cement and Other Commodities | 150 | 3 | 450 | 8 | 24 | 3 | 4 | 12 | 745 | 26820 | 2 | 6 | 40 | 18000 | 8964 | 8964 | 62748 | 12549.6 | 75297.6 | 167.33 | 172.15 | 103.29 |

ANNEX - IV D

Assessment of Shore Handling tariff for Project Cargo - Discharge by Ship's Crane & Moved to Storage space inside Dock premises - Method 4 of the Guidelines

| Sl.No. | Cargo | Ave. Productivity per Hook per Shift | No. of Hooks per Shift | Ave. Productivity per Shift | No. of Trailers per Hook | No. of Forklifts per Shift (Jetty +Yard) | No. of Cranes per Shift | Hire charges per Trailer per shift | Hire charges per Forklift per shift | Hire charges per Crane per shift | Total Equipment hire charges | Labour Charges [10% of Equipment charges) | Operational Overheads [20% of Equipment and | Administrative Overheads [20% of Equipment and | Total Operational cost | Profit Margin [20% of Total Operating cost] | Total Operating Cost + Profit Margin (₹) | Upfront Tariff Per M T (₹) | Upfront Tariff Per M T Foreign (₹) | Upfront Tariff Per M T Coastal (₹) |
|------------------------------|---------------|--------------------------------------|------------------------|-----------------------------|--------------------------|--|-------------------------|------------------------------------|-------------------------------------|----------------------------------|------------------------------|---|---|--|------------------------|--|--|----------------------------|---|------------------------------------|
| AS PER KOPT ESTIMATES | | | | | | | | | | | | | | | | | | | | |
| 1 | Project Cargo | 150 | 2 | 300 | 3 | 2 | 1 | 2500 | 4000 | 5000 | 28000 | 2800 | 6160 | 6160 | 43120 | 8624 | 51744 | 172.48 | KOPT has not proposed Foreign/ Coastal rate | |

AS PER TAMP ESTIMATES

| | | | | | | | | | | | | | | | | | | | | |
|---|---------------|-----|---|-----|---|---|---|------|------|------|-------|------|------|------|-------|------|-------|--------|--------|--------|
| 1 | Project Cargo | 150 | 2 | 300 | 3 | 2 | 1 | 2500 | 4000 | 5000 | 28000 | 2800 | 6160 | 6160 | 43120 | 8624 | 51744 | 172.48 | 177.45 | 106.47 |
|---|---------------|-----|---|-----|---|---|---|------|------|------|-------|------|------|------|-------|------|-------|--------|--------|--------|

ANNEX - IV E

Assessment of Shore Handling tariff for Iron and Steel Cargo - Discharge by Ship's Crane & Stored in dock premises - Method 3 of the Guidelines

| Sl.No. | Cargo | Ave. Productivity per Hook per Shift | No. of Hooks per Shift | Ave. Productivity per Shift | No. of Trailers per Shift | No. of Forklifts per Shift (Jetty +Yard) | No. of Cranes per Shift | Hire charges per Trailer per shift | Hire charges per Forklift (10T) per shift | Hire charges per Crane (30T) per shift | Total Equipment hire charges | Labour Charges [10% of Equipment charges) | Operational Overheads [20% of Equipment and Labour Cost] (₹) | Administrative Overheads [20% of Equipment and Labour Cost] (₹) | Total Operational cost | Profit Margin [20% of Total Operating cost] (₹) | Total Operating Cost + Profit Margin (₹) | Upfront Tariff Per M T (₹) | Upfront Tariff Per M T Foreign (₹) | Upfront Tariff Per M T Coastal (₹) |
|------------------------------|---|--------------------------------------|------------------------|-----------------------------|---------------------------|--|-------------------------|------------------------------------|---|--|------------------------------|---|--|---|------------------------|---|--|----------------------------|---|------------------------------------|
| AS PER KOPT ESTIMATES | | | | | | | | | | | | | | | | | | | | |
| 1 | CR Sheets, HR Plates, Steel Sheets, Steel | 256 | 3 | 768 | 12 | 0 | 2 | 2500 | 0 | 12000 | 54000 | 5400 | 11880 | 11880 | 83160 | 16632 | 99792 | 129.91 | KOPT has not proposed Foreign/ Coastal rate | |
| 2 | Steel Coils, HR Coils, WR coils | 500 | 3 | 1500 | 12 | 0 | 2 | 2500 | 0 | 12000 | 54000 | 5400 | 11880 | 11880 | 83160 | 16632 | 99792 | 66.53 | | |
| 3 | Steel billets, Steel blooms, Steel Rails | 195 | 3 | 585 | 12 | 2 | 0 | 2500 | 7000 | 12000 | 44000 | 4400 | 9680 | 9680 | 67760 | 13552 | 81312 | 138.89 | | |
| AS PER TAMP ESTIMATES | | | | | | | | | | | | | | | | | | | | |
| 1 | CR Sheets, HR Plates, Steel Sheets, Steel | 268 | 3 | 805 | 12 | 0 | 2 | 2500 | 0 | 12000 | 54000 | 5400 | 11880 | 11880 | 83160 | 16632 | 99792 | 123.97 | 127.54 | 76.52 |
| 2 | Steel Coils, HR Coils, WR coils | 500 | 3 | 1500 | 12 | 0 | 2 | 2500 | 0 | 12000 | 54000 | 5400 | 11880 | 11880 | 83160 | 16632 | 99792 | 66.53 | 68.44 | 41.07 |
| 3 | Steel billets, Steel blooms, Steel Rails | 301 | 3 | 903 | 9 | 2 | 0 | 2500 | 7000 | 12000 | 36500 | 3650 | 8030 | 8030 | 56210 | 11242 | 67452 | 74.70 | 76.85 | 46.11 |

Assessment of Charge for Receiving of DRY BULK CARGO BY ROAD from/at Storage Spaces inside Dock Area at HDC

| Sl. No. | Commodity | Quantity of Cargo loaded /unloaded on/from road bound transport vehicles for delivery/ receiving (in MT) | Time consumed for loading/unloading the cargo for delivery/ receiving (in No. of Shifts) | No. of Payloaders engaged | Per Shift Hire Charge for each Payloader (in Rs.) | Total Payloader Hire charge per shift (in Rs.) | Labour Cost @5% of Equipment Hire Cost per shift (in Rs.) | Opeartional Overhead [@20% of Equipment + Labour Cost] per shift (in Rs.) | Adminstative Overhead [@20% of Equipment + Labour Cost] per shift (in Rs.) | Total Operation Cost per Shift (in Rs.) | Margin [@20% of Total Operating Cost Cost] per shift (in Rs.) | Total Operating Cost + margin per shift (in Rs.) | Per Ton Cost [in Rs.] |
|--------------------|-------------------------------|--|--|---------------------------|---|--|---|---|--|---|---|--|-----------------------|
| (A) | (B) | (C) | (D) | (E) | (F) | (G) = (E) X (F) | (H)=(G)*5% | (I) = {(G) + (H)]X 20% | (J) = {(G) + (H)]X 20% | (K) = (G) + (H) + (I) + (J) | (L) = (K) X 20% | (M) = (K) + (L) | (N) = (M) / (C) |
| As per KOPT | | | | | | | | | | | | | |
| 1 | Dry Bulk Cargo Road Receiving | 1400 | 1 | 2 | 14,000 | 28,000 | 1,400 | 5,880 | 5,880 | 41,160 | 8,232 | 49,392 | 35.28 |

| | | | | | | | | | | | | | |
|--------------------|-------------------------------|------|---|---|--------|---|--------|--------|--------|--------|--------|---------|--------------|
| As per TAMP | | | | | | | | | | | | | |
| 1 | Dry Bulk Cargo Road Receiving | 1400 | 1 | 0 | 14,000 | 0 | 63,000 | 12,600 | 12,600 | 88,200 | 17,640 | 105,840 | 75.60 |

Assessment of Charge for Delivery of DRY BULK CARGO BY ROAD mechanically by payloaders from Storage Spaces inside Dock Area at HDC

| Sl. No. | Commodity | Quantity of Cargo loaded /unloaded on/from road bound transport vehicles for delivery/ receiving (in MT) | Time consumed for loading/unloading the cargo for delivery/ receiving (in No. of Shifts) | No. of Payloaders engaged | Per Shift Hire Charge for each Payloader (in Rs.) | Total Payloader Hire charge per shift (in Rs.) | Labour Cost @5% of Equipment Hire Cost per shift (in Rs.) | Opeartional Overhead [@20% of Equipment + Labour Cost] per shift (in Rs.) | Adminstative Overhead [@20% of Equipment + Labour Cost] per shift (in Rs.) | Total Operation Cost per Shift (in Rs.) | Margin [@20% of Total Operating Cost Cost] per shift (in Rs.) | Total Operating Cost + margin per shift (in Rs.) | Per Ton Cost [in Rs.] |
|-------------------------------|------------------------------|--|--|---------------------------|---|--|---|---|--|---|---|--|-----------------------|
| (A) | (B) | (C) | (D) | (E) | (F) | (G) = (E) X (F) | (H)=(G)*5% | (I) = {(G) + (H)]X 20% | (J) = {(G) + (H)]X 20% | (K) = (G) + (H) + (I) + (J) | (L) = (K) X 20% | (M) = (K) + (L) | (N) = (M) / (C) |
| As per KOPT & TAMP | | | | | | | | | | | | | |
| 1 | Dry Bulk Cargo Road Delivery | 1400 | 1 | 2 | 14,000 | 28,000 | 1,400 | 5,880 | 5,880 | 41,160 | 8,232 | 49,392 | 35.28 |

ANNEX- V B

Assessment of Charge for Delivery / Receiving of DRY BULK CARGO BY RAIL from Storage Spaces inside Dock Area at HDC (by using Equipment & Labour)

| Cargo | Quantity of Cargo loaded on rake for delivery per Shift (in MT) | Time consumed for loading the cargo for delivery (in Hr.) | Time required to load rake for cargo delivery (in No. of Shifts) | No. of Payloaders engaged | Per Shift Hire Charge for each Payloader (in Rs.) | Total Payloader Hire charge per shift (in Rs.) | Labour for Cleaning of Wagon / Laying Bamboo Mat etc. | Labour for Door Closing/ Labelling etc. | Labour Cost per Shift (@ CTC of Rs. 22,500/- per head per month) | Total Labour Cost | Total Cost on P/loader & Labour | Operational Overhead [@20% of Equip + Labour Cost] (in Rs.) | Administrative Overhead [@20% of Equip + Labour Cost] (in Rs.) | Total Operational Cost (in Rs.) | Margin [@20% of Total Operating Cost Cost] per Rake (in Rs.) | Total Cost (including Margin (in Rs.) | Per Ton Cost [in Rs.] |
|-------------------------------|---|---|--|---------------------------|---|--|---|---|--|-------------------------|---------------------------------|--|---|---------------------------------|---|---------------------------------------|-----------------------|
| (A) | (B) | (C) | (D) | (E) | (F) | (G) = (E) X (F) | (H) | (I) | (J) = 22500 / 30 | (K) = [(H) + (I)] X (J) | L = (G) + (K) | (M) = (L) X 20% | (N) = (L) X 20% | (O) = (L) + (M) + (N) | (P) = (O) X 20% | (Q) = (O) + (P) | (R) = (Q) / (B) |
| As per KOPT & TAMP | | | | | | | | | | | | | | | | | |
| Dry Bulk Cargo Rail Delivery | 3,800 | 4.91 | 0.65 | 5 | 14,000 | 70,000 | 16 | 8 | 745 | 17,880 | 87,880 | 17,576 | 17,576 | 123,032 | 24,606 | 147,638 | 38.85 |

Assessment of Charge for Receiving of DRY BULK CARGO THROUGH MANUAL UNLOADING FROM RAILWAY WAGONS for storage at areas inside Dock Area at HDC

| Cargo | No. of wagon in the rake | Quantity of Cargo unloaded on rake for delivery (in MT) | Time consumed for unloading the cargo from Rake (in Hr.) | Total Labour for unloading cargo manually from one rake | Labour for Door Opening & Closing, | Labour Cost per Shift (@ 22,500/- per head per month) | Total Labour Cost | No. of Payloaders engaged for shifting cargo from wagon face to stacking area | Per Shift Hire Charge for each Payloader (in Rs.) | Total Payloader Hire charge per shift (in Rs.) | Total Cost on P/loader & Labour (in Rs.) | Operational Overhead [@20% of Equip + Labour Cost] (in Rs.) | Administrative Overhead [@20% of Equip + Labour Cost] (in Rs.) | Total Operational Cost (in Rs.) | Margin [@20% of Total Operating Cost] per Rake (in Rs.) | Total Cost (including Margin + Material Cost) (in Rs.) | Per Ton Cost [in Rs.] |
|--|--------------------------|---|--|---|------------------------------------|---|-------------------------|---|---|--|--|--|---|---------------------------------|--|--|-----------------------|
| (A) | (B) | (C) | (D) | (E) | (F) | (G) = (22500 / 30) | (H) = [(E) + (F)] X (G) | (I) | (J) | (K) = (I) X (J) | (L) = (H) + (K) | (M) = (L) X 20% | (N) = (L) X 20% | (O) = (L) + (M) + (N) | (P) = (O) X 20% | (Q) = (O) + (P) | (S) = (R) / (C) |
| As per KOPT | | | | | | | | | | | | | | | | | |
| All Dry Bulk Cargo viz Iron Ore, Iron Ore Pellets etc. | 59 | 3,800 | 7 | 120 | 3 | 745 | 91,635 | 4 | 7,500 | 30,000 | 121,635 | 24,327 | 24,327 | 170,289 | 34,058 | 204,347 | 53.78 |
| As per TAMP | | | | | | | | | | | | | | | | | |
| All Dry Bulk Cargo viz Iron Ore, Iron Ore Pellets etc. | 59 | 3,800 | 7 | | | Rs.46/- per MT | 174,800 | 4 | 7,500 | 30,000 | 204,800 | 40,960 | 40,960 | 286,720 | 57,344 | 344,064 | 90.54 |

Assessment of Upfront tariff for Delivery/Receiving of BAGGED CARGO BY ROAD :-

| Cargo | Average Delivery considered per Shift (in M.T.) | Total No. of Labour for loading cargo on truck / lorry (including on truck/ lorry) | Per head Labour Cost [considering CTC of 22350 per month] (in Rs.) | Total Labour Cost (in Rs.) | Supervisory Cost for ONE SUPERVISOR [considering CTC of 27350 per month] (in Rs.) | Total Labour + Supervisor Cost (in Rs.) | Administative Overhead [@20% of Total Labour + Supervisor Cost] (in Rs.) | Total Operating Cost (Rs.) | Margin [@20% of Total Operating Cost] per shift (in Rs.) | Total Opearting Cost + margin per shift (in Rs.) | Per Ton Cost [in Rs.] |
|--------------------------|---|--|--|----------------------------|---|---|---|----------------------------|--|--|-----------------------|
| (A) | (B) | (C) | (D) = (22500/30) | (E) = (C) X (D) | (F) = (27350 / 30) | (G) = (E) + (F) | (H) = (G) X 20% | (I) = (G) + (H) | (J) = (I) X 20% | (K) = (I) + (J) | (L) = (K)/(B) |
| Bagged Cargo (50 Kg bag) | 450 | 48 | 745 | 35,760 | 912 | 36,672 | 7,334 | 44,006 | 8,801 | 52,807 | 117.35 |

Assessment of Upfront tariff for Delivery/Receiving of BAGGED CARGO BY RAIL (including manual loading of cargo on trucks in shed, transportation of cargo from shed to wagons by trucks and subsequent loading of cargo from lorry onto wagons):-

| Group | Quantity per rake (in M.T.) | No. of Wagons in Rake | Labour Deployment | | | Per head Labour Cost [considering CTC of 22500 per month] (in Rs.) | Total Labour Cost (in Rs.) | Per Ton Lorry Hire Charge (in Rs. per Ton) | Total Lorry Hire Cost (in Rs.) | Total Cost for Labour & Lorry (in Rs.) | Operational Overhead [@20% of Truck + Labour Cost] (in Rs.) | Adminstrative Overhead [@20% of Equipment + Labour Cost] per shift (in Rs.) | Total Operating Cost (Rs.) | Margin [@20% of Total Operating Cost] per shift (in Rs.) | Total Oprating Cost + margin per shift (in Rs.) | Per Ton Cost [in Rs.] |
|-----------------------|-----------------------------|-----------------------|-----------------------|------------------------|---------------------|--|----------------------------|--|--------------------------------|--|---|--|----------------------------|---|---|-----------------------|
| | | | No. of Labour in Shed | No. of Labour on Wagon | Total No. of Labour | | | | | | | | | | | |
| (A) | (B) | (C) | (D) | (E) | (F) =(D) + (E) | (G) = (22500 / 30) | (H) = (F) X (G) | (I) | (J) = (B) X (I) | (K) = (H) + (J) | (L) = (K) X 20% | (M) = (K) X 20% | (N) = (K) + (L) + (M) | (O) = (N) X 20% | (P) = (N) + (O) | (Q) = (P) / (B) |
| Bagged Cargo (50 Kgs) | 2,400 | 42 | 168 | 168 | 336 | 745 | 250,320 | 40 | 96,000 | 346,320 | 69,264 | 69,264 | 484,848 | 96,970 | 581,818 | 242.42 |

Assessment of Upfront Tariff for Delivery / Receiving of PROJECT CARGO BY ROAD

| Cargo | Per Pkge OR Unit Weight (in MT) | Equipment used | No. of Equipment at Yard | Average Loading per Shift (No. of Pkge) | Average Loading per Shift (in MT) | Hire Charge per Equipment per shift | Total Hire Charge of Equipment (in Rs.) | No. of Labours used | Labour Cost per shift (considering CTC of Rs. 22,500 per month) | Labour Cost (in Rs.) | Operational Overhead [@20% of Equipment + Labour Cost] (in Rs.) | Administrative Overhead [@20% of Equipment + Labour Cost] (in Rs.) | Total Operating Cost (in Rs.) | Margin [@20% of Total Operating Cost] (in Rs.) | Total Operating Cost + margin (in Rs.) | Per Ton Cost [in Rs.] |
|---------------|---------------------------------|------------------------------------|--------------------------|---|-----------------------------------|-------------------------------------|---|---------------------|---|----------------------|---|--|-------------------------------|--|--|-----------------------|
| (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) = (D) X (G) | (I) | (J) | (K) = (I) X (J) | (L) = [(H) + (K)] X 20% | (M) = [(H) + (K)] X 20% | (N) = (H) + (K) + (L) + (M) | (O) = (N) X 20% | (P) = (N) + (O) | (Q) = (P) / (F) |
| Project Cargo | Less Than 5 tonne | Fork Lift Truck (Capacity - 6 Ton) | 1 | 40 Pkge. | 180 | 8,000 | 8,000 | 0 | 0 | 0 | 1,600 | 1,600 | 11,200 | 2,240 | 13,440 | 74.67 |
| | 5 tonne to less than 10 tonne | Fork Lift Truck (Capacity -15 Ton) | 1 | 40 Pkge. | 300 | 15,000 | 15,000 | 0 | 0 | 0 | 3,000 | 3,000 | 21,000 | 4,200 | 25,200 | 84.00 |
| | 10 tonne to less than 20 tonne | Mobile Crane (Capacity -25 Ton) | 1 | 15 Pkge | 200 | 10,000 | 10,000 | 4 | 745 | 2,980 | 2,596 | 2,596 | 18,172 | 3,634 | 21,806 | 109.03 |
| | 20 tonne to less than 40 tonne | Mobile Crane (Capacity -40 Ton) | 1 | 10 Pkge | 300 | 20,000 | 20,000 | 4 | 745 | 2,980 | 4,596 | 4,596 | 32,172 | 6,434 | 38,606 | 128.69 |

Assessment of Upfront tariff for Delivery/Receiving of STEEL CARGO BY ROAD

| Cargo | No of trailers unloaded/ loaded per shift by ONE Equipment | Qnty per trailer (in MT) | Qnty. Delivered/ Received by one equipment per shift Dper Shift (in M.T.) | Type of Equipment used | Hire Charge per Equipme nt per shift | Total Equipme nt Hire charge (in Rs.) | No. of Labours used | Labour Cost per shift (considering CTC of Rs. 22,350 per month) | Labour Cost (in Rs.) | Opeartional Overhead [@20% of Equipment + Labour Cost] per shift (in Rs.) | Adminstative Overhead [@20% of Equipment + Labour Cost] per shift (in Rs.) | Total Operating Cost (Rs.) | Margin [@20% of Total Operating Cost Cost] per shift (in Rs.) | Total Opearting Cost + Margin per shift (in Rs.) | Per Ton Cost [in Rs.] |
|--|--|--------------------------|---|-------------------------|--------------------------------------|---------------------------------------|---------------------|---|----------------------|---|--|-----------------------------|--|--|-----------------------|
| (A) | (B) | (C) | (D) = (B X C) | (E) | (F) | (G) = 1 X (F) | (H) | (I) | (J) = (H) X (I) | (K) = [(G) + (J)] X 20% | (L) = [(G) + (J)] X 20% | (M) = (G) + (J) + (K) + (L) | (N) = (M) X 20% | (O) = (M) + (N) | (P) = ((O) / (D) |
| CR Sheets, HR Plates, Steel Sheets, Steel Slabs | 15 | 20 | 300 | Mobile Cranes (1 X 30T) | 12,000 | 12,000 | 4 | 745 | 2,980 | 2,996 | 2,996 | 20,972 | 4,194 | 25,166 | 84 |
| CR Coils, HR Coils, GP Coils (Unit piece weight upto 10 Ton) | 20 | 25 | 500 | Forklift (1 X 15 T) | 15,000 | 15,000 | 0 | 0 | 0 | 3,000 | 3,000 | 21,000 | 4,200 | 25,200 | 50 |
| CR Coils, HR Coils, GP Coils (Unit piece weight 10 -25 Ton) | 16 | 25 | 400 | Mobile Cranes (30T) | 12,000 | 12,000 | 4 | 745 | 2,980 | 2,996 | 2,996 | 20,972 | 4,194 | 25,166 | 63 |
| Steel billets, Steel blooms, Steel Rails | 10 | 30 | 300 | Forklift (2 X 3 T) | 5000 per F/L | 10,000 | 0 | 0 | 0 | 2,000 | 2,000 | 14,000 | 2,800 | 16,800 | 56 |
| WR Coils | 20 | 15 | 300 | Hydra (1 X 5 Ton) | 6,500 | 6,500 | 2 | 745 | 1,490 | 1,598 | 1,598 | 11,186 | 2,237 | 13,423 | 45 |

Assessment of Upfront tariff for Delivery/Receiving of STEEL CARGO BY RAIL. (including manual loading of cargo on Trailers in storage area, transportation of cargo from shed to wagons by Trailers and subsequent loading of cargo from Trailers onto Wagons):-

| Cargo | Qty of cargo handled per shift (in MT) | No. of Trailers | Per Trailer Hire Charge per shift (in Rs.) | Total Trailer Hire Charge (in Rs.) | No. of Mobile Cranes (30T) Per shift at Yard | No. of Mobile Cranes (30T) at Wagon face | Hire Charge per Mobile Cranes (30T) Per shift | Total Mobile Crane Hire Charge (in Rs.) | No. of Forklift (10 T) at Yard | No. of Forklift (10 T) Per shift at Wagon face | Hire Charge per Forklift (10 T) Per shift | Total Forklift Hire Charge (in Rs.) | No. of Hydra (5 T) at Yard | Hire Charge per Hydra (5 T) Per shift | Total Hydra Hire Charge (in Rs.) | Total Equipment Hire charge at Jetty + Yard) per shift (in Rs.) | No. of Labours used at Yard | No. of Labours used at Wagon Loading/ Unloading area | Labour Cost per shift (considering CTC of Rs. 22,500 per month) | Labour Cost (in Rs.) | Operational Overhead [@20% of Equipment + Labour Cost] per shift (in Rs.) | Administrative Overhead [@20% of Equipment + Labour Cost] per shift (in Rs.) | Total Operating Cost (Rs.) | Margin [@20% of Total Operating Cost] per shift (in Rs.) | Total Operating Cost + margin per shift (in Rs.) | Per Ton Cost [in Rs.] |
|---|--|-----------------|--|------------------------------------|--|--|---|---|--------------------------------|--|---|-------------------------------------|----------------------------|---------------------------------------|----------------------------------|---|-----------------------------|--|---|-------------------------|---|--|-----------------------------|--|--|-----------------------|
| (A) | (B) | (C) | (D) | (E) = (C) X (D) | (F) | (G) | (H) | (I) = [(F) + (G)] X (H) | (J) | (K) | (L) | (M) = [(J) + (K)] X (L) | (N) | (O) | (P) | (Q) = (E) + (I) + (M) + (P) | (R) | (S) | (T) | (U) = [(R) + (S)] X (T) | (V) = [(Q) + (U)] X 20% | (W) = [(Q) + (U)] X 20% | (X) = (Q) + (U) + (V) + (W) | (Y) = (X) X 20% | (Z) = (X) + (Y) | (A1) = (Z) / (B) |
| CR Sheets, HR Plates, Steel Sheets, Steel Slabs | 2,500 | 18 | 2,500 | 45,000 | 0 | 8 | 12,000 | 96,000 | 4 | 4 | 10,000 | 80,000 | 0 | 6,500 | 0 | 221,000 | 0 | 32 | 745 | 23,840 | 48,968 | 48,968 | 342,776 | 68,555 | 411,331 | 164.53 |
| CR Coils, HR Coils, GP Sheets | 2,500 | 25 | 2,500 | 62,500 | 2 | 6 | 12,000 | 96,000 | 0 | 0 | 10,000 | 0 | 0 | 6,500 | 0 | 158,500 | 4 | 24 | 745 | 20,860 | 35,872 | 35,872 | 251,104 | 50,221 | 301,325 | 120.53 |
| Steel billets, Steel blooms, Steel Rails | 2,500 | 24 | 2,500 | 60,000 | 0 | 6 | 12,000 | 72,000 | 3 | 0 | 10,000 | 30,000 | 0 | 6,500 | 0 | 162,000 | 0 | 24 | 745 | 17,880 | 35,976 | 35,976 | 251,832 | 50,366 | 302,198 | 120.88 |
| WR Coils | 2,500 | 20 | 2,500 | 50,000 | 0 | 6 | 12,000 | 72,000 | 0 | 0 | 10,000 | 0 | 4 | 6,500 | 26,000 | 148,000 | 10 | 24 | 745 | 25,330 | 34,666 | 34,666 | 242,662 | 48,532 | 291,194 | 116.48 |

**KOLKATA PORT TRUST – HALDIA DOCK COMPLEX
UPFRONT TARIFF FOR STEVEDORING AND SHORE HANDLING SERVICES**

Part I - Definitions and General conditions

(I). Definitions:

- (i). “Coastal vessel” shall mean any vessel exclusively employed in trading between any port or place in India to any other port or place in India having a valid coastal licence issued by the Directorate General of Shipping/ Competent Authority.
- (ii). “Foreign-going vessel” shall mean any vessel other than coastal vessel.
- (iii). ‘Stevedoring’ includes loading and unloading and stowage of cargo in any form on board the vessels in Port.
- (iv). ‘Shore handling’ includes arranging and receiving the cargo to/from the hook point, inter modal transport from wharf to stack yard and vice-versa and also receiving and delivering of cargo from/to wagons /trucks.
- (v). ‘Stevedore’ is an authorized agent for loading and unloading and anchorage of cargo in any form on board the vessels in ports and to whom the licence has been given under regulations.
- (vi). ‘Shore handling agent’ is an authorized agent for arranging the receiving the cargo to/ from the hook point, intermodal transport from wharf to stock yard and vice-versa and also receiving and delivering of cargo from/ to wagons/ trucks.

(II). General conditions:

- (i). The status of the vessel, as borne out by its certification by the Customs or the Director General of Shipping, shall be the deciding factor for classifying into ‘coastal’ or ‘foreign-going’ category for the purpose of levying vessel related charges; and, the nature of cargo or its origin will not be of any relevance for this purpose.
- (ii). System of classification of vessel for levy of Vessel Related Charges (VRC)
 - (a). 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.
- (iii). Criteria for levy of Vessel Related Charges (VRC) at Concessional Coastal rate and foreign rate
 - (a). In cases of such conversion, coastal rates shall be chargeable by the load port from the time the vessel starts loading coastal goods.
 - (b). In cases of such conversion coastal rates shall be chargeable till the vessel completes discharging operations at the last call of Indian Port; immediately thereafter, foreign going rates shall be chargeable by the discharge ports.
 - (c). For dedicated Indian coastal vessels having a Coastal licence from the Director General of Shipping, no other document will be required to be entitled to coastal rates.
- (iv). 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 Licence 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.
- (v). All the charges shall be denominated in Indian Rupees.
- (vi). This tariff is not applicable for BOT/ BOOT operators or any other arrangement for private sector participation who are governed by the Tariff Guidelines of 2005, 2008 and 2013.
- (vii). This tariff is applicable uniformly to the entire port where the stevedoring and shore handling operations are carried out by private agencies or firms.
- (viii). (a). The tariff notified is ceiling level.
- (b). The rates prescribed in the Scale of Rates are ceiling levels; likewise, rebates and discounts are floor levels. The authorized agent may, if he so desires, charge lower rates and/or allow higher rebates and discounts.
- (c). The authorized agent may also, if he so desire, rationalise the prescribed conditionalities governing the application of rates prescribed in the Scale of Rates if such rationalisation gives relief to the users in rate per unit and the unit rates prescribed in the Scale of Rates do not exceed the ceiling level.
- (d). The authorized agent should, however, notify the public such lower rates and/ or rationalisation 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.
- (ix). The authorized agent shall charge only for services provided by him. No notional booking of labour and other similar notional charges would be permitted.
- (x). If any new cargo is to be handled which is not notified/ not included in the list, then the port may categorise that cargo under any one of the cargo categories based on the nature, physical characteristics and the method of handling that cargo.
- (xi). Services for other miscellaneous activities and also the handling charges for specific cargoes when Port takes custody of cargo as per Section 42 of MPT Act shall continue to be levied by Port as per TAMP notified SOR.
- (xii). Tariff caps are indexed to inflation but only to an extent of 60% of the variation in the Wholesale Price Index (WPI) occurring between 1st January and 31st December of the relevant year. Such automatic adjustment of the tariff cap will be made every year and the adjusted tariff cap will come into effect from 1st April of the relevant year till 31st March of the following year.

- (xiii). (a). From the date of Commercial Operation (CoD) till 31st March of the same financial year, the tariff would be limited to the indexed upfront tariff relevant to that year, which would be the ceiling. The aforesaid tariff shall be automatically revised every year based on an indexation as provided in para 2.10. of the normative tariff guidelines, 2016 which will be applicable for the entire License period.
- (b). The operator, however, is entitled to 100% WPI indexation instead of 60% WPI indexation, from the second year of operation on achievement of performance standards as prescribed in the Berthing Policy vide letter No.PD-11033/73/2013-PT(pt) dated 16 June 2016 for dry bulk cargo as stipulated in clause 7.1. of the guidelines issued by the Ministry of Shipping for fixation of upfront tariff for stevedoring and shore handling operations. For break bulk cargo, the Performance Standards as notified along with this Scale of Rates will be applicable.
- (c). For this purpose, the Operator shall approach the concerned Major Port Trust within 30 days of completion of financial year of operation along with details of cargo wise average Performance standard achieved for each cargo for both stevedoring and shore handling operations.
- (d). The Major Port Trust shall ascertain the achievement of performance standards claimed to have been achieved by the operator by engaging Consultant if required in one month's time.
- (e). The operator can apply 100% indexation instead of 60% on written confirmation by the Major Port Trust to the operator that it has achieved the Performance Standards notified along with the upfront tariff.
- (f). In the event the Major Port Trust confirms that the operator has not achieved the Performance Standards as notified by TAMP in previous 12 months, the operator will not be entitled for 100% WPI indexation. The operator will continue to levy the tariff with 60% indexation as prescribed at clause 2.9. of the normative tariff guidelines, 2016.
- (xiv). All the operators shall furnish to the Major Port Trust and TAMP annual reports on cargo traffic, ship berth day output, per shift output within a month following the end of financial year in respect of stevedoring/ shore handling operations licensed by the port. Any other information which may be required by TAMP shall also be furnished to them from time to time.
- (xv). TAMP shall publish on its website all such information received from operators and Major Port Trusts. However, TAMP shall consider a request from any operator or Major Port Trust about not publishing certain data/ information furnished which may be 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. TAMP's decision in this regard would be final.
- (xvi). The performance norms prescribed for various commodities shall be the minimum that should be achieved by the operator. These performance norms shall be incorporated in the bid documents.
- (xvii). The performance actually achieved by the operator shall be monitored by both the Port and the TAMP on a quarterly basis. In the event of any shortfall in achieving the performance prescribed, the Port will initiate action on the operator as per the terms contained in the agreement entered into with the operator by the Port.
- (xviii). In the event any user has any grievance regarding non-achievement by the operator of the Performance Standards as notified by the TAMP, he may prefer a representation to TAMP which, thereafter, shall conduct an inquiry into the representation and give its finding to the concerned Major Port Trust. The Major Port Trust will be bound to take necessary action on the findings as per the provisions of the contract conditions of the Agreement.

- (xix). In calculating the gross weight or measurement by volume or capacity of any individual item, fractions upto 0.50 shall be taken as 0.50 unit and fractions of 0.50 and above shall be treated as one unit, except where otherwise specified.
- (xx). Users will not be required to pay charges for delays beyond reasonable level attributable to the operator.
- (xxi). As per coastal policy direction issued by the MOS and notified by this Authority vide Order No.TAMP/4/2004-Genl. dated 7 January 2005 and 15 March 2005 –
- (a). The cargo/container related charges for all coastal cargo/containers, other than thermal coal, POL (including crude oil), iron ore and iron ore pellets, should not exceed 60% of the corresponding charges for normal cargo/container related charges.
- (b). In case of cargo related charges, the concessional rates should be levied on all the relevant handling charges for ship shore transfer and transfer from/to quay to/from storage yard including wharfage.
- (c). In case of container related charges, the concession is applicable on composite box rate. Where itemised charges are levied, 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.
- (As and when there is a change in the policy direction issued by the MOS on the coastal concession policy, the same will be communicated to the port.)*
- (xxii). Wharfage, storage charges and other cargo related charges shall continue to be levied by the KOPT port as per its prevailing scale of rates.
- (xxiii). All taxes and duties, as may be applicable from time to time, including GST shall be paid extra.

Part - II

- S.1. Stevedoring and Shore Handling Agents working at Haldia Dock Complex, who will be issued license for undertaking such work under Kolkata Port Trust (Stevedoring and Shore Handling) Regulations, 2016 shall not levy charges exceeding the following rates:
- S.2. Charges for Supply & Service of Equipment in hatches on-board ship at berth for discharging cargo by using ship's crane.**

| Sl. No. | Commodity | Foreign | Coastal |
|---|---|------------------------------------|---------|
| | | Rates per Tonne (In ₹.) | |
| (a) Charges for Supply & Service of Pay loader in hatches on-board ship at berth for discharging Dry Bulk cargo by using ship's crane. | | | |
| 1. | Coking Coal, Other Coal (except Thermal Coal), Met. Coke, MOP, Rock Phosphate, Sulphur, Clinker, Gypsum, and Sugar. | 9.61 | 5.77 |
| | Lime Stone and Manganese Ore. | 8.65 | 5.19 |
| | Iron Ore Fines & Lumps | 8.16 | 8.16 |
| (b) Charges for Supply & Service of Equipment in hatches on-board ship at berth for discharging Break Bulk cargo by using ship's crane. | | | |
| 1. | Project Cargo, Machinery, Spares | 43.46 | 26.07 |
| 2. | CR Sheets, HR Plates, Steel Sheets, Steel Slabs | 42.51 | 25.51 |
| 3. | Steel Coils, HR Coils, WR Coils | 22.81 | 13.69 |
| 4. | Steel billets, Steel blooms, Steel Rails, Pipes and Tubes | 21.66 | 12.99 |

Note :

- (i). The rates under S.2 will be applicable uniformly on the entire quantity of cargo discharged from the ship at the berth, irrespective of the actual time of use of the equipment.
- (ii). On board equipment services will include supply and service of suitable payloader/ equipment on board for transfer/ aggregation of cargo at hatch square on the ship by transferring from other areas inside the hatch, including slinging and un-slinging of pay loader/ equipment for lifting up of lifting down on/ from the ship.
- (iii). The rates under this section will also be applicable for shore handling operations in respect of export cargo shipped by MHC/ Ship's crane.

S.3 Charges for shore handling operation

(i) Charges for shore handling operation for Dry Bulk Cargo

| Sl. No. | Commodity | Discharged by ship's crane and delivered directly from Jetty to consignee premises. | | Discharged by MHC and delivered directly from Jetty to consignee premises | | Discharged by Ship's Crane and transferred & stored in storage area inside port premises | | Discharged by MHC and transferred & storage stored in area inside port premises | |
|---------|--|---|---------|---|---------|--|---------|---|---------|
| | | (3) | (4) | (5) | (6) | | | | |
| (1) | (2) | (3) | | (4) | | (5) | | (6) | |
| | | Foreign | Coastal | Foreign | Coastal | Foreign | Coastal | Foreign | Coastal |
| | | Rates per Tonne (In ₹.) | | Rates per Tonne (In ₹.) | | Rates per Tonne (In ₹.) | | Rates per Tonne (In ₹.) | |
| 1. | Coking Coal & Other Coal (except Thermal Coal) | 37.82 | 22.69 | 31.39 | 18.84 | 112.66 | 67.60 | 80.84 | 48.50 |
| 2. | Met. Coke | 40.25 | 24.15 | 31.39 | 18.84 | 109.82 | 65.89 | 80.84 | 48.50 |
| 3. | Lime Stone | 34.37 | 20.62 | 31.39 | 18.84 | 110.97 | 66.58 | 80.84 | 48.50 |
| 4. | Manganese Ore | 32.03 | 19.22 | 31.39 | 18.84 | 95.42 | 57.25 | 80.84 | 48.50 |
| 5. | Iron Ore Fines & Lumps | 34.19 | 34.19 | 29.64 | 29.64 | 110.40 | 110.40 | 76.31 | 76.31 |
| 6. | MOP, Rock Phosphate & Sulphur | 39.24 | 23.54 | 31.39 | 18.84 | 107.07 | 64.24 | 80.84 | 48.50 |
| 7. | Clinker | 32.25 | 19.35 | 31.39 | 18.84 | 93.38 | 56.03 | 80.84 | 48.50 |
| 8. | Gypsum | 32.25 | 19.35 | 31.39 | 18.84 | 104.13 | 62.48 | 80.84 | 48.50 |
| 9. | Sugar | 39.24 | 23.54 | 31.39 | 18.84 | 107.07 | 64.24 | 80.84 | 48.50 |

(ii) Charges for shore handling operation for Break Bulk cargo

| Sl. No. | Commodity | Foreign | Coastal |
|---------|---|-------------------------|---------|
| | | Rates per Tonne (In ₹.) | |
| (a) | Cargo Unloaded onto the wharf and transported to storage yard within port premises or vice versa | | |
| 1. | CR Sheets, HR Plates, Steel Sheets, Steel Slabs | 127.54 | 76.52 |
| 2. | Steel Coils, HR Coils, WR Coils | 68.44 | 41.07 |
| 3. | Steel billets, Steel blooms, Steel Rails, Pipes and Tubes | 76.85 | 46.11 |
| 4. | All Bag cargo containing Fertiliser, Food grain, Sugar, Cement and other commodities having unit weight upto 50 kg. | 172.15 | 103.29 |
| 5. | Project Cargo, Machinery, Spares | 177.45 | 106.47 |

Notes:

- (i). For transfer/ delivery of cargo from Jetty direct to consignee's premises, the above rate does not include supply of transport (for delivery) by the Handling Agent. The same shall be arranged by the concerned importer/exporter/receiver of cargo, at their own cost.

- (ii). In case of Bag cargo (unit bag weight upto 50kg), the shore handling charge includes supply of trucks by the Handling Agent for transportation of cargo between the jetty and the storage yard including loading & unloading on and from truck in such operation.
- (iii). The rate mentioned at column (5) and (6) above include charges for heaping/ high heaping of cargo at the storage yards.
- (iv). In case of break bulk cargo indicated at sl. No. 2, 3, 4 and 5, the shore handling charges include supply of trailers by the Handling Agents for transportation of the cargo between the jetty and the storage area including loading and unloading on and from trailers thereat.
- (v). The rates under this section will also be applicable for shore handling operations in respect of export cargo shipped by MHC/ Ship's crane.

S.4 Charges for Delivery and Receiving operation.

S.4.1. The Charges for Delivery and Receiving operation will include one or more of the following services to be rendered by the Handling Agent by deploying his equipment, gear, labour and materials, as may be required.

- (i). Unloading at or loading from storage area from/onto trucks, lorries, dumpers, trailers etc., as the case may be.
- (ii). Loading/ Unloading of wagons within time stipulated in extant Railway Rules prevailing from time to time and proper loading of cargo on wagons as per arrangement/ agreement between the Handling Agent and its Principal. As regards loading/ unloading of wagons, the Handling Agent will maintain close co-ordination with its Principal as well as HDC's Traffic Operations (Railways) Division;
- (iii). Stacking of cargo in the storage yard in case of receiving of cargo.
- (iv). Collection and cleaning of spillage cargo from jetty, road, rail track, stacking yard and other areas and properly stacking them at the designated areas as may be earmarked by concerned officer(s) of HDC;
- (v). Cleaning of empty wagons placed for loading & delivery of import cargo as and when required and stacking of such cleared materials at designated areas as may be earmarked by concerned officer(s) of HDC;
- (vi). Opening and closing of the doors of wagons including secured locking of the doors with wooden pegs as per requirement of Principal;
- (vii). Lime spraying on import cargo in wagons and/ or covering of wagons with tarpaulin covers as per requirement of Principal;
- (viii). Fixing of labels on wagons as per requirement of Principal;
- (ix). Laying of bamboo mats, as may be required, in the wagons.
- (x). Deployment and service of trucks, lorries, trailers, as the case may be, for transportation of Bag cargo, Project cargo and Iron & Steel cargo from/to storage spaces to/from wagon loading area, if necessary.
- (xi). Other associated works (other than those specifically mentioned above) which may be required to be done for undertaking delivery and receiving operations.
- (xiii). The materials like bamboo mat, wooden pegs, wires etc. as may be required in case of loading & delivery of dry bulk cargo by railway wagons will be supplied by the importers/exporters at their own cost.

- S.4.2** (a). Charges for Receiving of Dry Bulk cargo by road manually at the storage areas inside port premises.

| SI. No. | Commodity | Rates per Tonne (in ₹) |
|---------|--------------------|---------------------------|
| 1. | All Dry Bulk cargo | 75.60 |

- (b).Charges for Delivery of Dry Bulk cargo by road mechanically through payloaders, at the storage areas inside port premises.

| SI. No. | Commodity | Rates per Tonne (in ₹) |
|---------|--------------------|---------------------------|
| 1. | All Dry Bulk cargo | 35.28 |

- S.4.3** Charges for Delivery of Dry Bulk cargo by rail, from the storage areas inside port premises (including aggregation of cargo at wagon loading area, post loading clearance and shifting back of balance cargo & restacking of the same in storage area).

| SI. No. | Commodity | Rates per Tonne (in ₹) |
|---------|--------------------|---------------------------|
| 1. | All Dry Bulk Cargo | 38.85 |

- S.4.4** Charges for Receiving of Dry Bulk cargo by manual unloading from wagons, at the storage areas inside port premises including shifting of cargo from the wagon face to immediate back up area of the rail yard by equipment.

| SI. No. | Commodity | Rates per Tonne (in ₹.) |
|---------|--------------------|----------------------------|
| 1. | All Dry Bulk Cargo | 90.54 |

- S.4.5** Charges for Delivery / Receiving of Bagged cargo by road, from / at the storage areas inside port premises

| SI. No. | Commodity | Rates per Tonne (in ₹.) |
|---------|--|----------------------------|
| 1. | All types of Bagged cargo (of 50 kg bag) | 117.34 |

- S.4.6** Charges for Delivery / Receiving of Bagged cargo by rail, (including manual loading of cargo on trucks in shed, transportation of cargo from shed to wagons by trucks and subsequent loading of cargo from lorry onto wagons).

| SI. No. | Commodity | Rates per Tonne (in ₹.) |
|---------|--|----------------------------|
| 1. | All types of Bagged cargo (of 50 kg bag) | 242.42 |

- S.4.7** Charges for Delivery / Receiving of Project Cargo by road, from / at the storage areas inside port premises.

| SI. No. | Commodity | Rates per Tonne (in ₹.) | |
|---------|---------------|----------------------------------|--------|
| 1. | Project cargo | Less than 5 tones | 74.67 |
| 2. | | 5 tonnes to less than 10 tonnes | 84.00 |
| 3. | | 10 tonnes to less than 20 tonnes | 109.03 |
| 4. | | 20 tonnes to less than 40 tonnes | 128.69 |

Note : Project Cargo weighing more than 40 tonnes is unloaded/loaded directly on/from transport vehicles and no further loading/unloading is required at the time of delivery/receiving.

- S.4.8** Charges for Delivery / Receiving of Iron & Steel Cargo by road, from / at the storage areas inside port premises.

| Sl. No. | Commodity | Rates per Tonne (in ₹.) |
|---------|--|-------------------------|
| 1. | CR Sheets, HR Plates, Steel Sheets, Steel Slabs | 84 |
| 2. | CR Coils, HR Coils, GP Coils (Unit piece weight upto 10 Ton) | 50 |
| 3. | CR Coils, HR Coils, GP Coils (Unit piece weight 10 -25 Ton) | 63 |
| 4. | Steel billets, Steel blooms, Steel Rails | 56 |
| 5. | WR Coils | 45 |

S.4.9 Charges for Delivery / Receiving of Iron & Steel Cargo by rail (including manual loading of cargo on Trailers in storage area, transportation of cargo from shed to wagons by trailers and subsequent loading of cargo from trailers onto wagons).

| Sl. No. | Commodity | Rates per Tonne (in ₹.) |
|---------|---|-------------------------|
| 1. | CR Sheets, HR Plates, Steel Sheets, Steel Slabs | 164.53 |
| 2. | CR Coils, HR Coils, GP Coils | 120.53 |
| 3. | Steel billets, Steel blooms, Steel Rails | 120.88 |
| 4. | WR Coils | 116.48 |

S.5. Performance Standards

S.5.1 Dry Bulk Cargo

(a). For the purpose of levy of rates under this SOR, achievement of the following productivity levels will be applicable.

| Sl. No. | Cargo Group | Productivity Norms in Tonnes per Ship-Day (in terms of the Mode of Operation) | |
|---------|---|---|-----------------|
| | | By MHC [2 MHCs working simultaneously] | By Ship's Crane |
| 1. | Coking Coal, Other Coal (except Thermal Coal) | 20,000 | 8,300 |
| 2. | Met. Coke | 20,000 | 7,800 |
| 3. | Lime Stone | 20,000 | 13,700 |
| 4. | Manganese Ore | 20,000 | 9,800 |
| 5. | Iron Ore Fines & Lumps | 20,000 | 13,000 |
| 6. | MOP, Rock Phosphate, Sulphur | 20,000 | 8,000 |
| 7. | Clinker, Gypsum | 20,000 | 14,600 |
| 8. | Sugar | 20,000 | 8,000 |

Note:

- (i). In case of operation with single MHC, the productivity norm will be 10000 MT per day.
- (ii). The Shore Handling Agents will be required to match the aforesaid productivity norms of loading/unloading to ensure that there is no detention in loading/unloading operation of the vessel due to reasons attributable to the Stevedoring & Shore Handling Agent.
- (b). For the purpose of indexation of tariff to the extent of 100% of variation in WPI, the Performance Standards for dry bulk cargo will be as prescribed in the Berthing Policy vide letter No.PD-11033/73/2013-PT(pt) dated 16 June 2016 for dry bulk cargo as stipulated in clause 7.1. of the guidelines issued by the Ministry of Shipping for fixation of upfront tariff for stevedoring and shore handling operations.

S.5.2. Break Bulk Cargo handled by ship's crane

| Sl. No. | Commodity | Productivity Norms per Shift (MT) |
|---------|---|-----------------------------------|
| 1. | All Bag Cargo, | 450 |
| 2. | Project Cargo, Machinery, Spares | 300 |
| 2. | CR Sheets, HR Plates, Steel Sheets, Steel Slabs | 805 |
| 3. | Steel Coils, HR Coils, WR Coils | 1500 |
| 4. | Steel billets, Steel blooms, Steel Rails, Pipes and Tubes | 903 |

S.5.3. Norms for Receipt and Delivery operations

- (i). In case of rail borne cargo the Handling Agents are required to complete loading/unloading of cargo on/from the railway rakes within the stipulated free time as per the railway rules as may prevail from time to time. In case of failure to complete loading/unloading of the rake within the stipulated free time, demurrage as may be applicable will be payable by the handling Agent to the importer/exporter concerned.
- (ii). However, in case of road bound cargo no norms for loading/unloading of cargo for delivery/receiving can be fixed as the supply of transport depends on the importer/exporter and the handling Agents have no role in it.

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

| | |
|---------------------------------|---|
| F. No. TAMP/79/2016-KOPT | Proposal received from Kolkata Port Trust (KOPT) for determination of upfront tariff for stevedoring and shore handling operations at Haldia Dock Complex at KOPT. |
|---------------------------------|---|

A summary of the comments of users / user organisations and response of Kolkata Port Trust (KOPT) thereon is tabulated below:

| Sr. no. | Comments of the users/ user organizations/ stevedore association | Reply of KOPT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|-----------|---|------------------------|---------------------------------|-------------|---|---|--------|---|------------------------|----|---|------------------|---|--|--|--------|---------|------|------------------------|---------------------------------|---|---|-------|--------|---|---|-------|-------|---|---|-------|-------|---|-----------------------------|--|-------|--|------------------------------|--------|--------|---|
| 1. | Steel Authority of India Ltd (SAIL) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (i). | <p>The rates being charged at present for the set of operation applicable to handling dry bulk cargo and the proposed rate for same set of operation is indicated in the table below: Present rate other than at berth 2 & 8 (Governed by HDC Circular dated 31.03.2015:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">Sr. no</th> <th style="width: 70%;">Work</th> <th style="width: 25%;">Rate per MT</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Cargo Movement from Jetty to Stacking place inside port</td> <td>100.48</td> </tr> <tr> <td>2</td> <td>Heaping / High Heaping</td> <td>10</td> </tr> <tr> <td>3</td> <td>Despatch Related</td> <td>9</td> </tr> <tr> <td></td> <td>Total (inclusive of royalty of ₹. 14.77 PMT)</td> <td>119.48</td> </tr> </tbody> </table> <p>Proposed :</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">Sr. No.</th> <th style="width: 60%;">Work</th> <th style="width: 15%;">Rate per MT (with MHC)</th> <th style="width: 20%;">Rate per MT (with vessel Crane)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Cargo Movement from Jetty to Stacking place inside port (S.3.4 & S.3.3)</td> <td>91.57</td> <td>106.35</td> </tr> <tr> <td>2</td> <td>Heaping / High Heaping (as per new SOR w.e.f. 12.01.17)</td> <td>13.86</td> <td>13.86</td> </tr> <tr> <td>3</td> <td>Despatch Related (as per new SOR w.e.f. 12.01.17)</td> <td>20.44</td> <td>20.44</td> </tr> <tr> <td>4</td> <td>Equipment Cost (pay loader)</td> <td></td> <td>10.00</td> </tr> <tr> <td></td> <td>Total (No royalty mentioned)</td> <td>125.87</td> <td>150.65</td> </tr> </tbody> </table> <p>It can be seen from above there is an increase of ₹. 6.39/ PMT to ₹. 31.17/- PMT upfront in the proposed scheme. More over, Royalty @ 14.77 PMT is inbuilt in the present calculated rate but not clear in the proposed scheme. If royalty element is imposed additionally on and above the proposed rate, there will be substantial impact on the operational cost.</p> | Sr. no | Work | Rate per MT | 1 | Cargo Movement from Jetty to Stacking place inside port | 100.48 | 2 | Heaping / High Heaping | 10 | 3 | Despatch Related | 9 | | Total (inclusive of royalty of ₹. 14.77 PMT) | 119.48 | Sr. No. | Work | Rate per MT (with MHC) | Rate per MT (with vessel Crane) | 1 | Cargo Movement from Jetty to Stacking place inside port (S.3.4 & S.3.3) | 91.57 | 106.35 | 2 | Heaping / High Heaping (as per new SOR w.e.f. 12.01.17) | 13.86 | 13.86 | 3 | Despatch Related (as per new SOR w.e.f. 12.01.17) | 20.44 | 20.44 | 4 | Equipment Cost (pay loader) | | 10.00 | | Total (No royalty mentioned) | 125.87 | 150.65 | <p>In the calculation of cost per MT under proposed scenario, SAIL has erroneously clubbed the rates prescribed by TAMP for KOPT with the rate applicable for licensed shore handling agents as proposed by KOPT and presently under consideration of TAMP.</p> <p>In case of Berth No-2 & 8, KOPT is providing end to end cargo handling service and is charging rates as per scale of rates approved by TAMP.</p> <p>However, in other berths, KOPT is presently not providing the shore handling services and the licensed shore handling agents are providing the same. The instant proposal under consideration of TAMP is for notification of ceiling rates to be charged by the said handling agents at such berths.</p> <p>The present proposal deals with a part of shore handling service namely, loading at Jetty, transportation upto storage yard, unloading and stacking of cargo at storage yard (including heaping and high heaping). For this activity relating to Dry Bulk cargo to be undertaken by different handling agents at HDC, KOPT has proposed a ceiling rate of ₹. 91.57 per MT for MHC berth and ₹.106.35 per MT for non MHC Berth.</p> <p>The equipment support at storage yard has been considered while deriving the rates and accordingly, the rates include the activity of heaping and high heaping at storage yard.</p> <p>For the balance part of the shore handling service i.e loading for delivery, a separate proposal has been placed before TAMP. The rate finally approved by TAMP against the said proposal shall be the ceiling rate for the</p> |
| Sr. no | Work | Rate per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | Cargo Movement from Jetty to Stacking place inside port | 100.48 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Heaping / High Heaping | 10 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | Despatch Related | 9 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Total (inclusive of royalty of ₹. 14.77 PMT) | 119.48 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sr. No. | Work | Rate per MT (with MHC) | Rate per MT (with vessel Crane) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | Cargo Movement from Jetty to Stacking place inside port (S.3.4 & S.3.3) | 91.57 | 106.35 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Heaping / High Heaping (as per new SOR w.e.f. 12.01.17) | 13.86 | 13.86 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | Despatch Related (as per new SOR w.e.f. 12.01.17) | 20.44 | 20.44 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | Equipment Cost (pay loader) | | 10.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Total (No royalty mentioned) | 125.87 | 150.65 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | |
|--------|--|---|
| | | <p>said activity of loading for delivery and Despatch related services.</p> <p>Further, the licensed shore-handling agents shall not be authorized under law to charge any rate beyond the ceiling rates to be notified by TAMP for the concerned service and accordingly, realization of royalty by KOPT from the shore-handling agents would have no bearing on the customers.</p> |
| (ii). | <p>When the proposed rate is compared with the new SOR finalised and implemented by HDC w.e.f. 12.2.2017, it is noted that the total rate comprising similar operations of shore handling at berth no. 2 and 8 works out to ₹. 115.54 PMT as against the proposed rate of ₹. 125.57 PMT for handling/ stevedoring as indicated in the table above.</p> | <p>The applicable rate for the corresponding activities as per KOPT's SOR mentioned by SAIL is not correct.</p> <p>In respect of the Shore Handling Services rendered by KOPT presently at Berth Nos. 2 & 8, the ceiling rate applicable for transfer of cargo from Hook point to immediate back up area or vice-versa is ₹.81.24 per MT [S.6.1(6) of the SOR]. The rate applicable for despatch related services is ₹.13.86 per MT [S.6.3.1 of the SOR].</p> <p>Thus, the total charge for the services of transfer of cargo from hook point to dedicated storage yard and heaping/high heaping thereat as per KOPT's SOR is ₹.95.10 per MT.</p> <p>In case of storage of cargo at non dedicated area of a berth the applicable rate for the said services in KOPT's SOR is ₹.113.12 per MT</p> <p>On the other hand the ceiling rate proposed by KOPT for similar services to be undertaken by the Stevedoring & Shore Handling Agents at MHC berths is ₹.91.57 per MT for Coking Coal and other Coal while the same is for handling through ship's cranes has been proposed as ₹.106.35 per MT.</p> <p>From the above it may be seen that for handling of cargo through MHCs, the proposed ceiling rate proposed by KOPT for Shore Handling Services applicable for the Stevedoring & Shore Handling Agents is less than the tariff applicable for KOPT.</p> <p>Incidentally, at HDC, less than 5% of Dry Bulk Cargo is handled through ship's cranes and thus, the shore-handling rate applicable for MHCs equipped berths is more relevant for SAIL.</p> |
| (iii). | <p>Overall rates comprising similar operations at various berths may be brought down to the same level.</p> | <p>The raw materials (Coking Coal and other Coal and Lime Stone, etc.) imported by SAIL is handled either at Berth No.4A through fully mechanized system or at Berth Nos. 2, 4B, 8 & 13 where the vessels are handled through MHCs. While the proposed Shore Handling Tariff is not applicable for Berth No.4A, the Ceiling Rate at Berth Nos. 2 & 8 where Port carries out the Shore Handling Services through contractor for the Shore Handling</p> |

| | | |
|---|--|--|
| | | <p>Services is Rs.95.10 per MT (in case of storage of cargo at the dedicated storage area of the berths).</p> <p>At Berth Nos. 4B & 13, where Shore Handling Services are carried out by the licensed Stevedoring & Shore Handling Agents appointed by SAIL, the proposed ceiling rate will be Rs.91.57 per MT, which is almost similar to the ceiling rate applicable for Port. Further this rate is applicable irrespective of the location of the storage area, i.e be it dedicated area of the berth or not.</p> <p>In view of the above, the rates as per KOPT's SOR and that proposed for shore handling agents for handling dry bulk cargo is nearly at the same level.</p> |
| (iv). | <p>The rate of operations at HDC is already higher compared to neighbouring major/non major ports. Since Steel Industry is mainly located in eastern region and heavily dependent on Haldia Port, more competitive overall operational rates at HDC, may be considered.</p> | <p>The entire exercise of fixation of ceiling rate to be levied by the handling agents for various shore handling services is aimed at safeguarding the interest of the customers. In fact HDC is the pioneering Port which has taken this step first. Further, as mentioned above, the proposed rate derived as per the working guidelines notified by TAMP is near similar to the rate approved by TAMP for KOPT in respect of dry bulk cargo.</p> <p>Further, after the rates are notified by TAMP, the same will become the ceiling rate for the handling agents as per law and accordingly, customers shall not be required to pay anything more for the services concerned.</p> |
| 2. Master Stevedores Association (MSA) | | |
| (i). | <p>MSA does not have a copy of the guidelines given by TAMP. Hence MSA is unable to correlate and comment on various assumptions adopted.</p> | ---- |
| (ii). | <p>The output Norms considered for discharge / loading of various cargoes are not in line with what is achievable. The amended norms is given in the following paragraphs:</p> | <p>Before filing the proposal for fixation of the ceiling rate, KOPT had requested all concerned to share the hiring cost of different equipment's with supporting documents. However, no such information was provided formally by and neither any documents furnished by the agencies. However, it was informally gathered by the port that due to restrictive union practices prevailing at HDC, the lorry used for handling such cargo are deployed at works at rate of ₹. 40.00 per MT. This rate was considered in the calculation of the ceiling tariff proposed by KOPT.</p> <p>So far as labour cost is concerned, factoring the high cost of labour prevailing at HDC, KOPT had considered a CTC of ₹ 22500.00 per month per labour in the calculation of ceiling tariff for shore handing of bagged cargo.</p> <p>The MSA has indicated different rates of hire charge lorry and labour cost but they have not submitted any documentary evidence against the same.</p> |
| (a). | <p>The assumption of 10% of equipment cost as labour cost is totally unrealistic and not in line with the current practice. Various labour is required for, efficient handling of cargoes at Hook Point for unhooking and loading on trucks/ trailers at the wharf and unloading at the shed/ yard, are supplied by Cargo Pool whose charge is much higher than what is reckoned in the chart. The amended cost is given subsequently.</p> | |
| (b). | <p>The equipment assumed for efficient handling do not match with the actual requirement and practice. For maintaining better efficiency of vessel's operation and shore handling of cargoes. The cost assumed for hire of equipment is out of line/unrealistic. The actual number and cost of equipment is given subsequently.</p> | |

| | | |
|------|---|--|
| (c). | Project Cargo weighing upto 50/ 60 MT and a large percentage of ODC cargo are handled in the Docks with special equipment. | Without proper documentary support, no modification in the proposal can be considered. |
| (d). | It may be noted that any other or special services provided by Agents to Customers not covered by the proposed tariff will be directly negotiated, as the case may be. MSA has submitted its comments and requirements against various Annexues as follows: | |
| (e). | <p><u>Annexure 6 – Assessment of Shore Handling Tariff for Bag Cargo – Discharged by Ship’s Crane & Stored in dock premises</u></p> <ol style="list-style-type: none"> 1. Labour at jetty per hook 12 men are employed to keep pace with receiving and loading the trucks at the wharf. 2. At the shed 12 men must be employed per hook to unload the cargo and stack including high stacking. Consequently the labour cost reckoned is totally unacceptable. 3. The Cargo Pool which undertakes the labour supply, charge minimum ₹.50/- per MT for unloading and loading lorries at hook point and again ₹.50/- for unloading lorries and stacking in the shed. The cost for labour must therefore be reckoned at ₹.100/- per MT. 4. The number of trucks shown for Intraport transport as 2 per hook is totally unrealistic. To cover the distance from hook point to transit shed and in order to not allow hook to suffer, continuous supply of lorries are required. Lorry loading starts on 2 or more number of trucks at the quay at same time. Normally 10 lorries are placed per hook for bagged cargo. Again the trucks supplier for transport of this cargo charges ₹.64/- per MT for Intraport. <p>Considering the above costs both for labour and Intraport transport, the rates may please be recast.</p> | <p>In the issue raised by the MSA while assessing the Shore Handling Tariff for bag cargo, discharged by ship’s cranes and stored in the Dock premises, they have indicated that they are paying labour deployment charge @ ₹. 100 per MT and towards the hire of transport @ ₹. 64/- per MT. The have added operational overhead of 20% and admin overhead of 20% vis-a vis ₹. 167.33 per MT proposed by KOPT. While indicating the above rate, the association has not provided ant supporting documents.</p> <p>Without proper documentary support, no modification in the proposal can be considered.</p> <p>It is also seen that the Association has indicate a higher deployment of labours both at Jetty (36 labour per shift against 24 considered by KOPT) as well as shed (36 labours per shift against 12 considered by KOPT.</p> <p>In this regard, it may be stated that KOPT has considered the actual deployment pattern observed during the course of operation.</p> |
| (f). | <p><u>Annexure-7 - Assessment of Shore Handling Tariff for Project Cargo – Discharged by Ship’s Crane & moved to storage place inside Port premises.</u></p> <ol style="list-style-type: none"> 1. Average productivity per shift should be 100 MT per hook. 2. Number of trailers required per point minimum 4 to keep pace with the | <p>While assessing the Shore Handling Tariff for Project Cargo, the MSA have shown the trailer hire charges as ₹. 10,000/- per shift and the crane hire charges as ₹. 10,000/- per shift, which is significantly higher than the rate informally obtained by HDC and considered in its proposal. In the matter, it may be mentioned that before filing the proposal</p> |

| | | |
|------|---|---|
| | <p>discharge and speed of unloading at the yard.</p> <p>3. Cost of trailer ₹.2500/- is totally unrealistic and trailer will not be available.</p> <p>4. Project Cargo with varied dimension and weight – trucks cannot be used and trailers of adequate capacity will have to be placed. Hire of trailer per shift is ₹.12500/- including fuel.</p> <p>5. It would be required to have a Heavy Duty Forklift of SWL 10 to 15 Tons. The cost of such Forklift per shift is ₹.14000/-.</p> <p>6. The Mobile Crane required will have to be one 10/15 Tons another 30 Tons capacity. The charge of Mobile Crane per 10/15 Tons is ₹.15000/- per shift and for 30 Tons ₹.25000/- per shift.</p> <p>7. It is not correct that all heavy packages and/or ODC are given direct delivery. Weights upto 50 to 60 MT are handled ashore and off loaded at yard awaiting delivery. Similarly ODC which can be handled with available special equipment within the Dock are regularly handled. Only those packages which are beyond 60 MT and/ or unmanageable ODC, direct lorries are arranged by Consignees. This is the trade practice.</p> <p>8. Labour cost at 10% of equipment cost assumed is not workable.</p> <p>9. Cargo Pool supplies labour for unhooking/ loading at the wharf and again labour for unloading at yard or at any handling operation in the yard. Their charges ₹.40/- per MT at each point/ operation. This will work out ₹.80/- per MT.</p> <p>The rates will have to be recast on the basis of above revised cost for trailer, forklift and labour.</p> | <p>KOPT had requested all concerned to share the details of hire charge if different equipment's with supporting documents but nobody came forward to share such information. KOPT was therefore, compelled to reply on the information gathered informally.</p> <p>Incidentally, another handling agent namely M/s Ripley in their representation has mentioned the trailer hire charge as ₹. 2500.00 per shift in line with proposal of HDC. The Association has considered labour deployment charges ₹. 80/- per MT while KOPT has considered labour cost @ 10% of the equipment's hire cost as per the guidelines (which are ₹. 9.33 per MT.)</p> |
| (g). | <p><u>Annexure-8 - Assessment of Shore Handling Tariff for Iron & Steel Cargo – Discharged by Ship's Crane & stored in dock premises.</u></p> | <p>While assessing the Shore Handling Tariff, the Association has shown the trailer hire charges per shift as ₹. 10,000/- which is very high as the prevailing rate is ₹. 2500/- per shift only.</p> |

| | | | | | | | | | | | | | | | | | | | | |
|-------------------------|--|---|---|-----|-------------|--|--|-----------------------|---|-----|-------------|--|--|-------------------------|---|-----|-------------|--|--|--|
| | <p>The output of Steel Cargoes will be as follows:</p> <table border="0"> <tr> <td>CR sheets</td> <td>-</td> <td>200</td> </tr> <tr> <td>MT per hook</td> <td></td> <td></td> </tr> <tr> <td>Steel Coils, HR Coils</td> <td>-</td> <td>450</td> </tr> <tr> <td>MT per hook</td> <td></td> <td></td> </tr> <tr> <td>Steel Billets, WR Coils</td> <td>-</td> <td>175</td> </tr> <tr> <td>MT per hook</td> <td></td> <td></td> </tr> </table> <ol style="list-style-type: none"> The trailer cost ₹.2500/- is not workable. It will be minimum ₹.12500/- per shift towards hire of trailer per shift. Mobile Crane 30 MT will cost ₹.25000/- and 10/15 MT crane will cost ₹.15000/- per shift. So two cranes' cost will have to be reckoned. Where we are working 3 hooks we need 3 crane also to be employed at the yard for quick clearance. It will be necessary to reckon one extra crane 10/15 MT capacity. 10% labour cost on the equipment cost is not at all workable. The Cargo Pool supplies labour for unhooking and unloading at wharf as also for unloading cargo at the yard. Their charge is ₹.40/- per MT for each operation totaling to ₹.80/- per MT. <p>The above charges will have to be provided and Rates will have to be recast.</p> | CR sheets | - | 200 | MT per hook | | | Steel Coils, HR Coils | - | 450 | MT per hook | | | Steel Billets, WR Coils | - | 175 | MT per hook | | | <p>It may be stated that the trailers deployed by the Handling Agents are mostly very old and thus there is no reasons why the Association will consider the trailer hire charges at ₹. 10000/- per shift.</p> <p>In respect of Mobile Crane, the Association has indicated a hire charge of ₹. 15000.00 per shift vis-à-vis ₹. 12000.00 per shift considered by KOPT.</p> <p>Incidentally M/s Ripley, in their representation considered the hire charge of mobile crane at ₹. 12000.00 per shift in line with KOPT's calculation.</p> <p>The Association has considered labour deployment charges @ ₹. 80/- per MT while the TAMP's guidelines state in case of mechanized handling, 10% of the equipment hire cost has been considered as the labour cost.</p> <p>It is further seen from the submission that the Average per shift productivity in case of Steel Coil / HR Coil / WR coils has been indicated by the Association as 1350 MT per shift whereas KOPT had considered 1792 MT per shift.</p> <p>During the current year the hook shift productivity in respect of HR Coils / WR Coils has been recorded as 500 MT and considering 3 hooks deployment per shift the average shift productivity may be considered by TAMP as 1500 MT.</p> <p>Further, the number of trailers indicated by Association in respect of handling of CR sheet / HR Plates and Steel Sheets/ Steel Billets, blooms and rails as 9 nos per shift. It may be stated that Port has considered the number of equipment based on the actual deployment observed during the course of operations. However, since the Association has indicated that with the reduced deployment they can achieve the productivity the same may be considered by TAMP to reduce the cost of operations.</p> |
| CR sheets | - | 200 | | | | | | | | | | | | | | | | | | |
| MT per hook | | | | | | | | | | | | | | | | | | | | |
| Steel Coils, HR Coils | - | 450 | | | | | | | | | | | | | | | | | | |
| MT per hook | | | | | | | | | | | | | | | | | | | | |
| Steel Billets, WR Coils | - | 175 | | | | | | | | | | | | | | | | | | |
| MT per hook | | | | | | | | | | | | | | | | | | | | |
| (h). | <p><u>Annexure-9 - Assessment of Onboard Equipment deployment Tariff for Project Cargo - Discharged by Ship's Crane</u></p> <ol style="list-style-type: none"> Average output will be 100 MT per hook. Forklift of one Heavy Duty of 10/15 Tons to be kept per hook. Cost of Forklift to be reckoned at ₹.14000/- per shift. <p>On the above, margin has to be provided in the aforesaid Annexure.</p> | <p>In the assessment made by the association, they have indicated deployment of one Heavy Duty Fork Lift @ ₹. 15000/- per shift and one fork Lift on 5 MT hire charges of ₹. 7000/- per shift, while KOPT has proposed two Fork Lifts each hire cost @ ₹. 4000/- per shift. Since at HDC, project cargo is not regularly handled, it is difficult to verify the assessment made by MSA.</p> | | | | | | | | | | | | | | | | | | |
| (i). | <p><u>Annexure-10 - Assessment of Onboard Equipment deployment Tariff for Steel Cargo - Discharged by Ship's Crane</u></p> <p>The output of Steel Cargoes will be as follows:</p> <ol style="list-style-type: none"> CR sheets - 200 MT per hook | <p>While assessing the tariff, the Association has considered the expenditure in this regard towards the procurement of gears like wire slings, shackles etc. While Port in their</p> | | | | | | | | | | | | | | | | | | |

| | | |
|--------|--|--|
| | <p>2. Steel Coils, HR Coils - 450 MT per hook 3. Steel Billets, WR Coils - 175 MT per hook 4. One Forklift of 6/10 Tons capacity will be required per hook. Cost of 6 Tons Forklift – ₹.9000/- per shift; for 10 Tons - ₹.14000/- per shift.</p> <p>Cost will have to be reckoned on the above basis and per ton rate to be recast as per chart.</p> | <p>assessment, has not considered such expenditure. Incidentally, while assessing the tariff for steel coils, HR coils and WR coils, the Associations has considered the productively as 400 MT per shift while Port has considered the same as 597 MT per hook per shift. In this regard, it may be stated that during the current year the hook shift productivity already achieved in respect of handling of HR Coils / CR coils is around 500 MT and TAMP may consider the same.</p> |
| (j). | <p>In a nutshell – 1. The number of shore handling equipment reckoned including the cost thereof do not tally with the actual requirement/ cost. 2. The labour cost reckoned at 5% is arbitrary and not in relation to present status. 3. Equipment supplied for on board usage is not calculated exhaustively with relevant cost. 4. The proposed rate for shore handling of all bagged cargo, steel and generals does not take into account all input cost. 5. Equipment capacity reckoned are underrated and special equipment are required for cargo over 5 MT and ODC Cargoes, such additional cost may have to be borne by the Trade.</p> | ----- |
| (iii). | <p>The Normative Tariff will have to be recast taking into account the above details submitted. Any arbitrary decision in this regard will lead to inefficiency and Agents may find it difficult to execute. The operations envisaged above are undertaken for the benefit of the Importer/ Exporter and Steamer Agents who after obtaining competitive quotes and decide upon cost as per market force. Any arbitrary decision may have adverse effect on vessel's operation and cargo handling.</p> | ----- |

2. A joint hearing in this case in reference was held on 25 January 2017 at the KOPT premises in Kolkata. The KOPT has made a brief power point presentation of its proposal. At the joint hearing, the KOPT and the users have made the following submissions:

KOPT (HDC)

- (i). We undertake on-board stevedoring at Halida either by our own man power or through contractor. We collect rates for this service based on rates approved by TAMP. Therefore, upfront tariff for stevedoring activity is not required. However, handling agents provide equipment support on

board the vessels for handling cargo using ship's crane. Therefore, we propose tariff for such equipment deployment by the agents.

- (ii). Upfront tariff for shore handling operation has been proposed. Actual deployment of equipment on shore varies considerably with norms. Productivity of MHC berth and non-MHC berth also varies. No separate norms are there for MHC berth and non-MHC berth. Our proposal is based on actual deployment patterns of different equipment at MHC and non-MHC berth. We request TAMP to consider this approach.
- (iii). Our proposal for tariff for shore handling is upto stack yard. Shore handling includes receiving and delivery of cargo from wagons and trucks. Our licensing policy also regulates this activity. In the absence of norms, we are compiling the details of manpower required and equipment norms. We will file a separate proposal for receiving/delivery.
- (iv). Rates for pay loader for on-board supply to handle bulk cargo with ships crane varies from ₹. 9.53 per tonne to ₹. 10.58 per tonne. We propose uniform rates of ₹. 10 per tonnes to avoid complication in maintaining data.
- (v). Productivity norms for handling bulk cargo at MHC berth are as per contractual obligations. For handling by ship's crane, they are as per norms. For break bulk cargo, the productivity norms are based on average of actuals for the past 3 years.

SAIL

- (i). We have given our written comments. Please consider these.
- (ii). Total rates for similar operations at various berths should be same.
- (iii). The existing rates for shore handling includes Royalty element. The royalty amount in the present tariff is not disclosed.

Master's Stevedores Associations

- (i). We do not have guidelines. We are not able to comment on the various assumption made by HDC.
[Dy. Chairman, HDC: Guidelines are available in the website of the MOS/TAMP]
- (ii). Our members handle break bulk cargo at HDC. We have given output norms based on actual. Norms given by HDC for loading and discharge of cargo are not achievable.
- (iii). 10% of equipment cost as labour cost is unrealistic at HDC. Labour has to be drawn from cargo pool for handling cargo at various points of shore handling. Charges for cargo pool labor is much higher than what is

considered in the proposal. Please recast the labour cost as applicable for cargo pool.

- (iv). Actual requirement of equipment is more than what is assumed in the proposal for vessel operations and shore handling operations. Cost considered for hire of equipment is also unrealistic. There is idling cost.
- (v). Annexures relating to assessment of shore handling rates for bagged cargo, project cargo, iron and steel cargo, project cargo may be gone into detail. It can be checked with any one of us. Please arrive at realistic rates.

[TM, HDC: We have obtained details verbally for some items. We have also considered the details given by stevedores. They have added idling cost of trailers. We do not know whether we can consider idling cost. We have considered a percentage of idling cost.

HDC: 60% margin provided in the guidelines will cover minor gaps in the cost. However, it is true that labour cost is high in HDC. TAMP may consider the labour cost as proposed by Master's Stevedores Association.

TAMP: We will go by recommendation made by port in the proposal.]

Ripley & Co. Ltd

- (i). 5% of equipment as labour cost for break bulk cargo is very low. Market rate for labour at HDC is very high.
- (ii). Depreciation of equipment is high due to weather condition.
- (iii). Plot size is small. Average productivity for 3 shifts is not more than 16,000 tonnes to 17,000 tonnes. 25,000 tonnes productivity will require 5 shifts, not 3 shifts.

- (iv). Our land rent is high as compared to others.

[TAMP: Please give your comments in writing to us and port]

[Dy. Chairman, HDC: We will respond within 10 days]

[Dy. Chairman, HDC: Our rates more or less reflect existing rates]

[TAMP: KOPT to give revised proposal within 15 days.]

3. After the Joint hearing, some of the users / user organization / stevedore associations have furnished their comments which was forwarded to KOPT for its comments. The KOPT has responded. The comments received from users/ user organisations / stevedore association and the response of KOPT thereon are tabulated below:

| Sr. no. | Summary of Comments of the users / user organizations / stevedore association | Summary of KOPT reply |
|---------|---|--|
| 1. | Ripley & Co. Stevedoring & Handling Pvt Ltd (RCSHPL) dated 27.01.2017 | |
| (i). | <p>The labour cost component has been shown as 5% for bulk cargoes and 10% for break bulk cargoes of the equipment hire cost (calculated on per shift basis). It is well known to the logistic community and port official at HDC that unlike in other ports, at HDC the labour force in the dock for cargo handling is deployed from a specific pool controlled by the union. The private labours / supervisors are paid monthly wages basis and they are enjoying all fringe benefit and statutory entitlement like PF, Bonus, ESI, gratuity along with Overtime etc.</p> <p>Contrary to the perception of TAMP, there is a fixed manning pattern agreed between the registered unions as well as service providers for various kind of services being performed inside the port. Moreover, there are substantial number of surplus labours much excess than the required strength which lead to added deployment and thereby enhance the labour costs at the port considerably. Labour payment is made to the pool basis average quantity handled during the 3 years cargo wise.</p> <p>Any shortfall in quantity leads to shortfall in labour payment and has to be compensated by the private service providers in proportion to their cargo volume. This leads to higher labour cost keeping in mind dwindling cargo volume at Haldia Port with falling draft and lesser parcel size vessels calling at the port.</p> | No specific comments received from KOPT. |
| (ii). | <p>The cost of machines like pay loaders, poclains etc. whatever shown in the cost sheets are not realistic as per the existing market price.</p> <p>Moreover, RCSHPL are dependent on the pay loaders manufactured by Volvo-Caterpillar etc and not the Chinese ones which are much cheaper in costs but unreliable in performances. These cheap machines cannot be deployed for providing efficient service, so there has to be a mixed fleet of pay loaders.</p> <p>The depreciation of equipment are quite high at Haldia due to climatic conditions and hence RCSHPL normally take 3 years as economic life span of an equipment.</p> <p>Considering the above, the equipment cost will become much higher than what has been estimated, without even considering the idling time which equipment suffer at</p> | |

| | | |
|-----------|---|--|
| | jetty or at yards due to uneven flow of cargo from jetty to stack yard. | |
| (iii). | The cost of Intra-port transportation which has been shown in the Work-sheet is not realistic considering the lower productivity achieved in the shifts on an average due to poor infrastructural facilities inside HDC like heavy congestion in the roads due to road being too narrow and substantially higher percentage of cargo evacuation by trucks. Moreover, smaller plot size (which is on an average 1000-2000 sqm) also makes it quite difficult for tippers to unload the cargo at the plot and coming back to the jetty within a reasonable time and thereby leading to huge idling of the tippers. This increases the Intra-Port transportation costs and brings down the vessel's productivity without any fault of the service provider. In reality in 24 hours not more than 15000-16000 tons of bulk cargo removal from jetty can be achieved. | |
| (iv). | The equipment's cost of handling break-bulk cargoes like trailer etc. have been shown much lesser than present market rates considering all the factors of equipment idling etc. mentioned above. | |
| (v). | Further, repair and maintenance workshop inside dock have been set up by us to facilitate the operations but due to high land rent, the maintenance cost increases substantially which ultimately escalates the overall operational cost. | |
| (vi). | In view of the above, it is requested to take appropriate action in this regard to get reasonable return on investment and services and able to provide satisfactory and efficient performances to customers. | |
| 2. | A.M. Enterprises dated 06.02.2017 | |
| (i). | The labour cost taken into consideration for bulk cargo @ 5% of equipment hire cost is abnormally low and not in synchronization with the existing rates in practice. There is no Dock Labour board prevalent in HDC. The workers on pay roll like tipper, excavator, and loader operations have a fixed monthly salary and they are also paid all statutory benefits and entitlements like PF, ESI, Bonus, Gratuity, Over Time, etc. Apart from this, the worker are also deployed from a specific pool controlled by the unions. The specific pool controlled by the unions has substantial number of excess labours than actually required. As a result it increases the labour cost significantly at HDC. Incase of handling of cargo in mechanized mode, TAMP has considered only 5% of the equipment hire cost as the labour cost. However, HDC, being a labour intensive port even for | <p>On the issue of deployment of labours on-shore for handling of cargo through deployment of equipments, it may be stated that the shore handling is completely carried out by the Handling Agents through deployment of their equipments as well as labour.</p> <p>At HDC Shore Handling is carried out through deployment of private labour & equipments. M/s A M Enterprise has furnished a rate chart indicating the per MT rate that they are required to pay for booking of labours for handling various cargo, which cannot be verified at this end as they have not given any document to justify the rates. However, during discussion with them they have said that these rates have been fixed by Unions considering the volume of cargo handled at HDC and the strength of the labour force</p> |

mechanized handling of cargo substantial labour are required to be booked from the specific pool. Moreover, these labours are having fixed salary with all perquisites and statutory benefits like PF, ESI, Bonus, Gratuity, Over time etc. and thus labour cost is substantially high at Haldia. Therefore, it is requested to consider the actual deployment pattern of labours even for fully mechanical handling.

Further, at HDC, for mechanical handling of dry bulk cargo at the jetty face during loading/ unloading, the labour cost is required to be paid on per MT basis to the specific pool irrespective of the actual deployment of labours which is a unique practice being followed at HDC since long. The per MT rate of different dry bulk cargo is also different, which are as follows:

| Sr. no. | Cargo | Rate (₹.) |
|---------|--|-----------|
| 1 | C.Coal/ N.C.Coal/ Lime Stone | 11.50 |
| 2 | Despatch By Rake C.Coal/ Lime Stone/ M.Ore | 9.25 |
| 3 | Rock/ MOP/ Sulphur | 55.00 |
| 4 | M.Ore | 15.00 |
| 5 | Silica Sand/Gypsum/Soda Ash/Bauxite/Dolomite | 27.00 |
| 6 | Rpc/ Cpc | 56.00 |
| 7 | Pig Iron | 30.00 |
| 8 | Iron Ore (Import/Export) | 9.00 |

At Haldia the labour are highly unionized and curtailment in the labour strength cannot be enforced at any stage.

Labour payment made to specific pool is on the basis of the quantity handled during last 3 years cargo-wise. Any short fall in a specific cargo leads to short fall in labour payment. This short fall has to be compensated by the service providers/ handling agents in proportion to their handled cargo. As a result, this leads to higher labour costs because of low parcel load volume per ship at HDC due to draft restriction. Hence, all these factors have to be taken into consideration for determination of labour cost at HDC. Unlike other Port, there is a fixed as well as a variable component in labour rate.

It may be also noted that there is an ongoing COD discussions for the workers on payroll pending since September 2016 for which A.M. Enterprises have to pay arrears in future.

Therefore, TAMP is requested to consider the above labour costs while calculating the tariff for different commodities at HDC.

maintained by them and also considering their wages and statutory benefits.

However, KOPT has made out its proposal considering the labour cost as per guidelines.

(ii).

As service provider/ handling agent, large setup for repair and maintenance of fleet is to be maintained. This is to ensure uninterrupted service. Hence, this

While considering the hire charges of equipment, the components of cost for repair and maintenance are already included. Moreover, on the deployment of

| | | |
|-----------|--|---|
| | significantly increases establishment cost. Moreover, the mechanics, welders, repairs men etc. are on pay roll. They are paid monthly wages and other statutory benefits as per law of the land. | equipment, 20% operational overhead, 20% administrative overhead and another 20% profit margin has been provided. Thus, it is felt that all the costs for deployment of equipment have been covered through the above consideration. |
| (iii). | To ensure high productivity, purchase and maintenance of expensive equipment like pay loaders, Excavators, etc. have to be made from brands like Volvo, Caterpillar etc. The cost of the machines considered by TAMP is not realistic as per the existing market rate. The major aspect highlighted is that the economic life span of machines like tippers, pay loaders, excavators etc. is not more than 3 years, due to high corrosive environment. Hence, the equipment cost is much higher in HDC that what is considered. | The concerned Handling Agent has neither indicated any rate towards hire charges based on their claims nor have they produced any document. As per the guidelines only the applicable hire charge of the equipment can be considered. The applicable hire charge takes into account all such factors which has been mentioned by the handling agent. Incidentally HDC had sought the details of hire charges of different equipment with supporting documents from all concerned but nobody submitted any such document. Accordingly, the hire charges was informally gathered by HDC. The Rate provided by HDC is quite justified considering their investment and operation & maintenance cost for such equipment. The rate considered by HDC/KOPT is comparable to the market rate and operational as well as administrative overhead and profit margin has also been covered on equipment hire charges. |
| (iv). | The productivity norms on the basis of which entire cost calculation has made is not realistic in nature. There is immense congestion on the road leading from wharf to stack yard. Hence, it significantly reduces the evacuation from wharf. As a result, it increases the idling time of tippers & pay loaders at wharf or in transit. Moreover, the plot sizes are much smaller as a result, extra high heaping has to be executed to accommodate the cargo which increases operational cost, else there is a direct impact to evacuation of cargo from wharf. | The Productivity Norm has been fixed by HDC as per the approved norms which have been fixed on the basis of the guidelines notified by TAMP. At present, the Handling Agents are allowed 6 hrs time after completion of the vessels discharge/loading to evacuate the cargo from the jetty after which penalty is imposed for non-clearance and presently, in most of the cases, they are evacuating the cargo within the stipulated time. Therefore, their observation of A.M. Enterprise is not correct. The deployment of equipment has already been considered based on the actual deployment pattern. |
| (v). | Taking into consideration all the factors, it is requested to consider reasonable return on the investment and services. | --- |
| 3. | Master Stevedores Association (MSA) dated 7.02.2017 | |
| (i). | Because of smaller volume of break bulk cargoes including bagged cargo being handled at Haldia, equipment are not available readily at reckoned cost. Further those who have invested in equipment for use at Haldia face a lot of idle time for the equipment and men which adds to the cost. Accordingly, a fair hire cost of the equipment's which is to be considered for | Before filing the proposal for fixation if the ceiling rate, KOPT had requested all concerned to share the hiring cost of different equipment's with supporting documents. However, no such information was provided formally by and neither any documents furnished by the agencies. However, it was informally gathered by the port that due to restrictive union practices |

| | finalizing the Normative Tariff, is given subsequently. | prevailing at HDC, the lorry used for handling such cargo are deployed at works at rate of ₹. 40.00 per MT. This rate was considered in the calculation of the ceiling tariff proposed by KOPT. | | | | | | | | | | | | | | | | |
|---------|--|--|---------|--------------|-------|---|---------|-------|-----------------------------------|-------|---------|--------|-------|---|---------|--------|--------|------|
| (ii). | Additionally, the Cargo Pool Workers are employed in HDC for various handlings. Their wages and other benefits are high. There is a strong union involvement in their employment and working. Therefore, the actual rate of handling being paid to the pool on 'per ton' basis is given subsequently, which may be considered in working out the tariff. | So far as labour cost is concerned, factoring the high cost of labour prevailing at HDC, KOPT had considered a CTC of ₹ 22500.00 per month per labour in the calculation of ceiling tariff for shore handling of bagged cargo. | | | | | | | | | | | | | | | | |
| (iii). | MSA has furnished revised Working Sheets calculated on the above lines for all bagged and break bulk cargoes which is covered by Annexure 6 to Annexure 10 of the KOPT Proposal. MSA has reported to have quantified the requirement of equipment and the cost, as also labour charges payable to Cargo Pool of Five Star Shipping. | The MSA has indicated different rates of hire charge lorry and labour cost but they have not submitted any documentary evidence against the same. Without proper documentary support, no modification in the proposal can be considered. However, the contention regarding idling of labour is not acceptable. To the knowledge of KOPT, there is a common pool of labour's from deployment is done for all categories of cargo. Therefore, idling of labour for low volume of Break Bulk Cargo is not tenable. KOPT however agrees with the contention of the Association on the low volume of Break Bulk Cargo at HDC. The Volume of various Break Bulk Cargo handled at the Port operated Berths at HDC during the last three Financial Year (2013-14, 2014-15 and 2015-16) is furnished below: | | | | | | | | | | | | | | | | |
| | | <table border="1"> <thead> <tr> <th>Year</th> <th>Bag</th> <th>Steel</th> <th>Project</th> </tr> </thead> <tbody> <tr> <td>2013-14</td> <td>26596</td> <td>55664</td> <td>18271</td> </tr> <tr> <td>2014-15</td> <td>114779</td> <td>10727</td> <td>2490</td> </tr> <tr> <td>2015-16</td> <td>151582</td> <td>123841</td> <td>5134</td> </tr> </tbody> </table> | Year | Bag | Steel | Project | 2013-14 | 26596 | 55664 | 18271 | 2014-15 | 114779 | 10727 | 2490 | 2015-16 | 151582 | 123841 | 5134 |
| Year | Bag | Steel | Project | | | | | | | | | | | | | | | |
| 2013-14 | 26596 | 55664 | 18271 | | | | | | | | | | | | | | | |
| 2014-15 | 114779 | 10727 | 2490 | | | | | | | | | | | | | | | |
| 2015-16 | 151582 | 123841 | 5134 | | | | | | | | | | | | | | | |
| (iv). | The Annexures furnished by MSA are as follows : | | | | | | | | | | | | | | | | | |
| | <p>Annexure 6 - Assessment of Shore Handling Tariff for Bag Cargo - Discharged by Ship's Crane & Stored In dock premises Method 4 : Cargo Unloaded onto wharf and transported to storage yard within the port premises or vice versa Cargo : Fertiliser, Food grain, Sugar, Cement and other commodities Average hook per shift - 150 MT for 3 hooks - 450 MT per shift</p> <p><u>Hook Point</u> No. of labour per hook - 12 for 3 hooks - 36</p> <p><u>At Transit Shed</u> No. of labour per point - 12 for 3 points - 36 No. of trucks per hook - 8 for 3 shifts - 24</p> <table border="1"> <thead> <tr> <th></th> <th></th> <th>In ₹. per MT</th> </tr> </thead> <tbody> <tr> <td>(i).</td> <td>Labour charges payable to Cargo Pool of Five Star</td> <td>100</td> </tr> <tr> <td>(ii).</td> <td>Charges payable to Truck Operator</td> <td>64</td> </tr> <tr> <td></td> <td></td> <td>164</td> </tr> </tbody> </table> | | | In ₹. per MT | (i). | Labour charges payable to Cargo Pool of Five Star | 100 | (ii). | Charges payable to Truck Operator | 64 | | | 164 | <p>In the issue raised by the MSA while assessing the Shore Handling Tariff for bag cargo, discharged by ship's cranes and stored in the Dock premises, they have indicated that they are paying labour deployment charge @ ₹. 100 per MT and towards the hire of transport @ ₹. 64/- per MT. The have added operational overhead of 20% and admin overhead of 20% vis-a vis ₹. 167.33 per MT proposed by KOPT. While indicating the above rate, the association has not provided ant supporting documents. Without proper documentary support, no modification in the proposal can be considered. It is also seen that the Association has indicate a higher deployment of labours both at Jetty (36 labour per shift against 24 considered by KOPT) as well as shed (36 labours per shift against 12 considered by KOPT).</p> | | | | |
| | | In ₹. per MT | | | | | | | | | | | | | | | | |
| (i). | Labour charges payable to Cargo Pool of Five Star | 100 | | | | | | | | | | | | | | | | |
| (ii). | Charges payable to Truck Operator | 64 | | | | | | | | | | | | | | | | |
| | | 164 | | | | | | | | | | | | | | | | |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|--|-----------|--|-----------|-----------------------------|-------------|-------------------------|---------------|---|----------------|---|---|---------------------------|-----------------|---------------------------|--|------------------------------|---------------|----------------------|---------------|-------------|---------------|----------------|----------------|--|--|
| | <table border="1"> <tr><td>Operational Overhead @20%</td><td>33</td></tr> <tr><td>Administrative Overhead @20%</td><td>33</td></tr> <tr><td>Total operating cost</td><td>230</td></tr> <tr><td>Margin @20%</td><td>46</td></tr> <tr><td>Now total cost</td><td>276</td></tr> </table> | Operational Overhead @20% | 33 | Administrative Overhead @20% | 33 | Total operating cost | 230 | Margin @20% | 46 | Now total cost | 276 | | <p>In this regard, it may be stated that KOPT has considered the actual deployment pattern observed during the course of operation.</p> | | | | | | | | | | | | | | |
| Operational Overhead @20% | 33 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Administrative Overhead @20% | 33 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total operating cost | 230 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Margin @20% | 46 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Now total cost | 276 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <p>Annexure 7 Assessment of Shore Handling Tariff for Project Cargo - Discharged by Ship's Cranes & moved to storage place Inside Port premises. Method 4 : Cargo Unloaded at Wharf, loaded onto Truck and transported to storage yard within the port premises or vice versa</p> <p>Cargo : Project Cargo</p> <p>Average output per hook - 150 MT for 2 hooks – 300 MT per shift</p> <p>No. of Trailers per hook - 3</p> <table border="1"> <tr><td>Hire charges per trailer per shift @ Rs.10,000/-</td><td>₹.30000/-</td></tr> <tr><td>Cost of Forklift as per your calculation</td><td>₹.8000/-</td></tr> <tr><td>Hire of one crane per shift</td><td>₹.10000/-</td></tr> <tr><td>Total equipment cost</td><td>₹.48000/-</td></tr> <tr><td>Therefore cost per ton</td><td>₹. 160/-</td></tr> <tr><td>Labour charges payable to Cargo Pool of Five Star</td><td>₹. 80/- per MT</td></tr> <tr><td></td><td>₹. 240/- per MT</td></tr> <tr><td>Operational Overhead @20%</td><td>₹.48/- per MT</td></tr> <tr><td>Administrative Overhead @20%</td><td>₹.48/- per MT</td></tr> <tr><td>Total operating cost</td><td>₹.336- per MT</td></tr> <tr><td>Margin @20%</td><td>₹.67/- per MT</td></tr> <tr><td>Now total cost</td><td>₹.403/- per MT</td></tr> </table> | Hire charges per trailer per shift @ Rs.10,000/- | ₹.30000/- | Cost of Forklift as per your calculation | ₹.8000/- | Hire of one crane per shift | ₹.10000/- | Total equipment cost | ₹.48000/- | Therefore cost per ton | ₹. 160/- | Labour charges payable to Cargo Pool of Five Star | ₹. 80/- per MT | | ₹. 240/- per MT | Operational Overhead @20% | ₹.48/- per MT | Administrative Overhead @20% | ₹.48/- per MT | Total operating cost | ₹.336- per MT | Margin @20% | ₹.67/- per MT | Now total cost | ₹.403/- per MT | | <p>While assessing the Shore Handling Tariff for Project Cargo, the MSA have shown the trailer hire charges as ₹. 10,000/- per shift and the crane hire charges as ₹. 10,000/- per shift, which is significantly higher than the rate informally obtained by HDC and considered in its proposal. In the matter, it may be mentioned that before filing the proposal KOPT had requested all concerned to share the details of hire charge if different equipment's with supporting documents but nobody came forward to share such information. KOPT was therefore, compelled to reply on the information gathered informally. Incidentally, another handling agent namely M/s Ripley in their representation has mentioned the trailer hire charge as ₹. 2500.00 per shift in line with proposal of HDC.</p> <p>The Association has considered labour deployment charges ₹. 80/- per MT while KOPT has considered labour cost @ 10% of the equipment's hire cost as per the guidelines (which are ₹. 9.33 per MT.)</p> |
| Hire charges per trailer per shift @ Rs.10,000/- | ₹.30000/- | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cost of Forklift as per your calculation | ₹.8000/- | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Hire of one crane per shift | ₹.10000/- | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total equipment cost | ₹.48000/- | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Therefore cost per ton | ₹. 160/- | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Labour charges payable to Cargo Pool of Five Star | ₹. 80/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | ₹. 240/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Operational Overhead @20% | ₹.48/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Administrative Overhead @20% | ₹.48/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total operating cost | ₹.336- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Margin @20% | ₹.67/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Now total cost | ₹.403/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <p>Annexure 8 Assessment of Shore Handling Tariff for Iron & Steel Cargo - Discharged by Ship's Crane & Stored In dock premises Method 3 : Cargo Unloaded onto Truck and transported to storage yard within the port premises or vice versa</p> <p>(i). Cargo: CR Sheets, HR Plates, Steel Sheets, Steel</p> <p>Average output per hook - 256 MT for 3 hooks – 768 MT per shift</p> <p>No. of Trailers per shift - 9</p> <table border="1"> <tr><td>Hire charges per trailer per shift @ Rs.10,000/-</td><td>₹.90000/-</td></tr> <tr><td>Hire of 2 Mobile Cranes @ ₹. 15000/-</td><td>₹.30000/-</td></tr> <tr><td>Total equipment cost</td><td>₹. 120000/-</td></tr> <tr><td>Therefore cost per hook</td><td>₹.156/-per MT</td></tr> <tr><td>Labour charges payable to Cargo Pool of Five Star</td><td>₹. 80/- per MT</td></tr> <tr><td></td><td>₹. 236/- per MT</td></tr> <tr><td>Operational Overhead @20%</td><td>₹.47/- per MT</td></tr> </table> | Hire charges per trailer per shift @ Rs.10,000/- | ₹.90000/- | Hire of 2 Mobile Cranes @ ₹. 15000/- | ₹.30000/- | Total equipment cost | ₹. 120000/- | Therefore cost per hook | ₹.156/-per MT | Labour charges payable to Cargo Pool of Five Star | ₹. 80/- per MT | | ₹. 236/- per MT | Operational Overhead @20% | ₹.47/- per MT | | <p>While assessing the Shore Handling Tariff, the Association has shown the trailer hire charges per shift as ₹. 10,000/- which is very high as the prevailing rate is ₹. 2500/- per shift only.</p> <p>It may be stated that the trailers deployed by the Handling Agents are mostly very old and thus there is no reasons why the Association will consider the trailer hire charges at ₹. 10000/- per shift.</p> <p>In respect of Mobile Crane, the Association has indicated a hire charge of ₹. 15000.00 per shift vis-à-vis ₹. 12000.00 per shift considered by KOPT.</p> <p>Incidentally M/s Ripley, in their representation considered the hire charge of mobile crane at ₹. 12000.00 per shift in line with KOPT's calculation.</p> <p>The Association has considered labour deployment charges @ ₹. 80/- per MT while the TAMP's guidelines state in case of mechanized handling, 10% of the</p> | | | | | | | | | | |
| Hire charges per trailer per shift @ Rs.10,000/- | ₹.90000/- | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Hire of 2 Mobile Cranes @ ₹. 15000/- | ₹.30000/- | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total equipment cost | ₹. 120000/- | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Therefore cost per hook | ₹.156/-per MT | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Labour charges payable to Cargo Pool of Five Star | ₹. 80/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | ₹. 236/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Operational Overhead @20% | ₹.47/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | |
|------------------------------|----------------|
| Administrative Overhead @20% | ₹.47/- per MT |
| Total operating cost | ₹.330/- per MT |
| Margin @20% | ₹.66/- per MT |
| Now total cost | ₹.396/- per MT |

(ii). Cargo: Steel Coils, HR Coils, WR Coils

Average output per hook - 450 MT for 3 hooks – 1350 MT per shift
No. of Trailers per shift - 12

| | |
|---|-----------------|
| Hire charges per trailer per shift @ Rs.10,000/- | ₹.120000/- |
| Hire of 3 Mobile Cranes @ ₹. 15000/- | ₹.45000/- |
| Total equipment cost | ₹. 165000/- |
| Therefore cost per hook | ₹.122/-per MT |
| Labour charges payable to Cargo Pool of Five Star | ₹. 80/- per MT |
| | ₹. 202/- per MT |
| Operational Overhead @20% | ₹.40/- per MT |
| Administrative Overhead @20% | ₹.40/- per MT |
| Total operating cost | ₹.282- per MT |
| Margin @20% | ₹.56/- per MT |
| Now total cost | ₹.338/- per MT |

(iii). Cargo: Steel Billets, Steel Blooms, Steel Rails

Average output per hook - 195 MT for 3 hooks – 585 MT per shift
No. of Trailers per shift - 9

| | |
|---|-----------------|
| Hire charges per trailer per shift @ Rs.10,000/- | ₹.90000/- |
| Hire of 1 Mobile Cranes | ₹.15000/- |
| Total equipment cost | ₹.105000/- |
| Therefore cost per hook | ₹.179/-per MT |
| Labour charges payable to Cargo Pool of Five Star | ₹. 80/- per MT |
| | ₹. 259/- per MT |
| Operational Overhead @20% | ₹.52/- per MT |
| Administrative Overhead @20% | ₹.52/- per MT |
| Total operating cost | ₹.363- per MT |
| Margin @20% | ₹.72/- per MT |
| Now total cost | ₹.435/- per MT |

equipment hire cost has been considered as the labour cost.

It is further seen from the submission that the Average per shift productivity in case of Steel Coil / HR Coil / WR coils has been indicated by the Association as 1350 MT per shift whereas KOPT had considered 1792 MT per shift.

During the current year the hook shift productivity in respect of HR Coils / WR Coils has been recorded as 500 MT and considering 3 hooks deployment per shift the average shift productivity may be considered by TAMP as 1500 MT.

Further, the number of trailers indicated by Association in respect of handling of CR sheet / HR Plates and Steel Sheets/ Steel Billets, blooms and rails as 9 nos per shift. It may be stated that Port has considered the number of equipment based on the actual deployment observed during the course of operations. However, since the Association has indicated that with the reduced deployment they can achieve the productivity the same may be considered by TAMP to reduce the cost of operations.

Annexure 9 Assessment of Onboard Equipment deployment Tariff for Project Cargo – Discharged by Ships Crane

Cargo: Project Cargo

Average output per hook - 150 MT for 2 hooks – 300 MT per shift

| | |
|---------------------------------|----------------|
| Hire of one Heavy Duty Forklift | ₹.15000/- |
| Hire of one Forklift SWL 5 MT | ₹.7000/- |
| Total equipment cost | ₹. 22000/- |
| Therefore cost per ton | ₹.73/- |
| Operational Overhead @20% | ₹.15/- per MT |
| Administrative Overhead @20% | ₹.15/- per MT |
| Total operating cost | ₹.103- per MT |
| Margin @20% | ₹.21/- per MT |
| Now total cost | ₹.124/- per MT |

In the assessment made by the association, they have indicated deployment of one Heavy Duty Fork Lift @ ₹. 15000/- per shift and one fork Lift on 5 MT hire charges of ₹. 7000/- per shift. While KOPT has proposed two Fork Lifts each hire cost @ ₹. 4000/- per shift. Since at HDC, project cargo is not regularly handled, it is difficult to verify the assessment made by MSA.

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|------------|-------------------------|---------------|--|---------------|----------------------|----------------|---------------------------|---------------|------------------------------|---------------|----------------------|----------------|-------------|----------------|----------------|----------------|--|------------|-------------------------|---------------|--|----------------|----------------------|----------------|---------------------------|---------------|------------------------------|----------------|----------------------|----------------|-------------|----------------|----------------|----------------|--------------------------------|------------|-------------------------|---------------|--|----------------|----------------------|----------------|---------------------------|---------------|------------------------------|----------------|----------------------|----------------|-------------|----------------|----------------|----------------|---|
| <p>Annexure 10 Assessment of Onboard equipment deployment Tariff for Steel cargo- Discharged by Ships Crane</p> <p>(i).Cargo: CR Sheets, HR Plates, Steel Sheets, Steel Slabs</p> <p>Average output per hook - 256 MT for 3 hooks – 768 MT per shift</p> <table border="1" data-bbox="304 499 807 761"> <tr><td>Hire of 3 Forklifts @ ₹.7000/-</td><td>₹. 21000/-</td></tr> <tr><td>Therefore cost per hook</td><td>₹.27/- per MT</td></tr> <tr><td>Other gears like Wire Slings, Tape Slings, Shackles etc.</td><td>₹.15/- per MT</td></tr> <tr><td>Total equipment cost</td><td>₹. 42/- per MT</td></tr> <tr><td>Operational Overhead @20%</td><td>₹. 8/- per MT</td></tr> <tr><td>Administrative Overhead @20%</td><td>₹. 8/- per MT</td></tr> <tr><td>Total operating cost</td><td>₹. 58/- per MT</td></tr> <tr><td>Margin @20%</td><td>₹. 12/- per MT</td></tr> <tr><td>Now total cost</td><td>₹. 70/- per MT</td></tr> </table> <p>(ii).Cargo: Steel Coils, HR Coils, WR Coils</p> <p>Average output per hook - 450 MT for 3 hooks – 1350 MT per shift</p> <table border="1" data-bbox="304 943 807 1227"> <tr><td>Hire of 3 Heavy Duty Forklifts @ ₹.15000/-</td><td>₹. 45000/-</td></tr> <tr><td>Therefore cost per hook</td><td>₹.33/- per MT</td></tr> <tr><td>Other gears like Wire Slings, Tape Slings, Shackles etc.</td><td>₹. 20/- per MT</td></tr> <tr><td>Total equipment cost</td><td>₹. 53/- per MT</td></tr> <tr><td>Operational Overhead @20%</td><td>₹.11/- per MT</td></tr> <tr><td>Administrative Overhead @20%</td><td>₹. 11/- per MT</td></tr> <tr><td>Total operating cost</td><td>₹. 75/- per MT</td></tr> <tr><td>Margin @20%</td><td>₹. 15/- per MT</td></tr> <tr><td>Now total cost</td><td>₹. 90/- per MT</td></tr> </table> <p>(iii). Cargo: Steel Billets, Steel Blooms, Steel</p> <p>Average output per hook - 195 MT for 3 hooks – 585 MT per shift</p> <table border="1" data-bbox="304 1442 807 1704"> <tr><td>Hire of 3 Forklifts @ ₹.7000/-</td><td>₹. 21000/-</td></tr> <tr><td>Therefore cost per hook</td><td>₹.36/- per MT</td></tr> <tr><td>Other gears like Wire Slings, Tape Slings, Shackles etc.</td><td>₹. 15/- per MT</td></tr> <tr><td>Total equipment cost</td><td>₹. 51/- per MT</td></tr> <tr><td>Operational Overhead @20%</td><td>₹.10/- per MT</td></tr> <tr><td>Administrative Overhead @20%</td><td>₹. 10/- per MT</td></tr> <tr><td>Total operating cost</td><td>₹. 71/- per MT</td></tr> <tr><td>Margin @20%</td><td>₹. 14/- per MT</td></tr> <tr><td>Now total cost</td><td>₹. 85/- per MT</td></tr> </table> | Hire of 3 Forklifts @ ₹.7000/- | ₹. 21000/- | Therefore cost per hook | ₹.27/- per MT | Other gears like Wire Slings, Tape Slings, Shackles etc. | ₹.15/- per MT | Total equipment cost | ₹. 42/- per MT | Operational Overhead @20% | ₹. 8/- per MT | Administrative Overhead @20% | ₹. 8/- per MT | Total operating cost | ₹. 58/- per MT | Margin @20% | ₹. 12/- per MT | Now total cost | ₹. 70/- per MT | Hire of 3 Heavy Duty Forklifts @ ₹.15000/- | ₹. 45000/- | Therefore cost per hook | ₹.33/- per MT | Other gears like Wire Slings, Tape Slings, Shackles etc. | ₹. 20/- per MT | Total equipment cost | ₹. 53/- per MT | Operational Overhead @20% | ₹.11/- per MT | Administrative Overhead @20% | ₹. 11/- per MT | Total operating cost | ₹. 75/- per MT | Margin @20% | ₹. 15/- per MT | Now total cost | ₹. 90/- per MT | Hire of 3 Forklifts @ ₹.7000/- | ₹. 21000/- | Therefore cost per hook | ₹.36/- per MT | Other gears like Wire Slings, Tape Slings, Shackles etc. | ₹. 15/- per MT | Total equipment cost | ₹. 51/- per MT | Operational Overhead @20% | ₹.10/- per MT | Administrative Overhead @20% | ₹. 10/- per MT | Total operating cost | ₹. 71/- per MT | Margin @20% | ₹. 14/- per MT | Now total cost | ₹. 85/- per MT | <p>While assessing the tariff, the Association has considered the expenditure in this regard towards the procurement of gears like wire slings, shackles etc. While Port in their assessment, has not considered such expenditure.</p> <p>Incidentally, while assessing the tariff for steel coils, HR coils and WR coils, the Associations has considered the productively as 400 MT per shift while Port has considered the same as 597 MT per hook per shift.</p> <p>In this regard, it may be stated that during the current year the hook shift productivity already achieved in respect of handling of HR Coils / CR coils is around 500 MT and TAMP may consider the same.</p> |
| Hire of 3 Forklifts @ ₹.7000/- | ₹. 21000/- | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Therefore cost per hook | ₹.27/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other gears like Wire Slings, Tape Slings, Shackles etc. | ₹.15/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total equipment cost | ₹. 42/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Operational Overhead @20% | ₹. 8/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Administrative Overhead @20% | ₹. 8/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total operating cost | ₹. 58/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Margin @20% | ₹. 12/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Now total cost | ₹. 70/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Hire of 3 Heavy Duty Forklifts @ ₹.15000/- | ₹. 45000/- | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Therefore cost per hook | ₹.33/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other gears like Wire Slings, Tape Slings, Shackles etc. | ₹. 20/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total equipment cost | ₹. 53/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Operational Overhead @20% | ₹.11/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Administrative Overhead @20% | ₹. 11/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total operating cost | ₹. 75/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Margin @20% | ₹. 15/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Now total cost | ₹. 90/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Hire of 3 Forklifts @ ₹.7000/- | ₹. 21000/- | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Therefore cost per hook | ₹.36/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other gears like Wire Slings, Tape Slings, Shackles etc. | ₹. 15/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total equipment cost | ₹. 51/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Operational Overhead @20% | ₹.10/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Administrative Overhead @20% | ₹. 10/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total operating cost | ₹. 71/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Margin @20% | ₹. 14/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Now total cost | ₹. 85/- per MT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>4. Additional Comments from Ripley & Co. stevedoring & Handling Pvt Ltd (RCSHPL) dated 18.02.2017</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>(i). For dry Bulk Cargo For handling all dry bulk cargo, TAMP has considered labour cost @ 5% of the equipment cost. Haldia is a labour intensive port and the labours are all on permanent pay-roll being paid all fringe benefits like PF,</p> | <p>The comments of KOPT has already been furnished against the similar issues raised by M/s A. M. Enterprises vide their letter dated 6 February, 2017. Although, the said Handling Agent has claimed that ₹.15.00 per MT is payable as the labour</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

ESI, Gratuity, Bonus, Uniforms, and Overtimes etc.

Hence considering the volume RCSHPL handles annually at Haldia Port, RCSHPL's labour cost comes not less than ₹.15/- per MT for Dry Bulk Cargoes.

The Ship-Day productivity of various Dry-Bulk cargoes in the port based on data available pertaining to the past few years in the port, is as follows:

| No. | Commodity | Ship day productivity as per Berthing Policy (in MT) | Per Shift productivity (in MT) |
|-----|----------------------------------|--|--------------------------------|
| 1 | Coking Coal | 8300 | 2767 |
| 2 | Other coal (except Thermal coal) | 8300 | 2767 |
| 3 | Met, Coke | 5500 | 1833 |
| 4 | Limestone | 7500 | 2500 |
| 5 | Manganese Ore | 9800 | 3267 |
| 6 | Iron Or Fines & lumps | 13000 | 4333 |
| 7 | MOP | 7500 | 2500 |
| 8 | Clinker | 9000 | 3000 |
| 9 | Gypsum | 9000 | 3000 |
| 10 | Rock Phosphate | 7500 | 2500 |
| 11 | Sulphur | 5000 | 1667 |
| 12 | Sugar | 8300 | 2767 |

The ship day output has been indicated considering the average age of vessels handled in the port, working hooks available, average distance between wharf and the port, the plot sizes (average plot size is not more than 2000 sqm), the conditions in the road inside port and also the small parcel size of the cargo of individual exporter/ importer having separate plots in vessels calling at Haldia port comparisons of as many as 10 to 12 cargo receivers.

cost for Dry Bulk Cargo, they have not produced any document to substantiate their claim.

However, HDC has made out its proposal considering the labour cost as per guidelines.

It may be stated that the Ship-Day Productivity for Dry Bulk Cargo handled at conventional berths has been fixed by KOPT as per the guidelines issued by the Ministry. Moreover, at HDC, more than 95% of the Dry Bulk Cargo is handled either at fully mechanized Berths or at MHC equipped Berths and thus, the productivity at conventional Berths has not much significance in the overall scenario.

(ii). **For other cargoes like Break-Bulk (Bag cargoes, Steel Cargo Etc.) and Project cargoes**

For handling above mentioned cargoes, revised cost sheet based on the volumes handled, equipment and labour deployment as per existing practice in the port and also the higher charges equipment hire prevalent in the market, is furnished.

The parameters proposed by the port and the changes as proposed by RCSHPL are given below:

1. Annexure – 6 – Method 4 – Cargo unloaded onto wharf & transported to storage yard within port premises or vice versa - for fertiliser & food grain
 - a. Average hook shift productivity

In respect of bag cargo, for assessment of Shore Handling Tariff – discharged by ship's cranes and stored in Dock premises (**Annexure-6**), the cost sheet provided by Ripley & Co. Stevedoring & Handling Pvt. Ltd. is not acceptable, since the average Ship-Day Productivity which has been considered by them is substantially low while Port's assessment is based on the actual performance. Moreover, they have considered the labour deployment on a higher side while the Port has considered the same on the basis of actual deployment pattern of labour. Thus, the cost arrived by the concerned Handling Agent is substantially high compared to the assessment by the Port and as such, their assessment is not acceptable.

| | |
|--|--|
| <p>- KOPT – 150 MT - RCSHPL – 100 MT</p> <p>b. Labour at shed (incl. at truck)</p> <p>i. No. of points per shift - KOPT – 3 - RCSHPL – 6</p> <p>ii. No. of labour per point per shift - KOPT – 4 - RCSHPL – 5</p> <p>c. No. of truck per hook - KOPT – 2 - RCSHPL – 3</p> <p>d. No. of lorry per shift - KOPT – 6 - RCSHPL – 9</p> <p>e. Transportation charge per tonne for truck - KOPT – ₹ 40/- - RCSHPL – ₹ 65/-</p> <p>In view of the above changes, the RCSHPL has proposed a rate of ₹ 441/- per MT instead of ₹ 167.33 per MT proposed by KOPT.</p> <p>2. Annexure – 7 – Method 4 – Cargo unloaded at wharf & loaded onto truck & transported to storage yard within port premises or vice versa - for Project cargo</p> <p>a. No. of forklift per shift at jetty - KOPT – 1 - RCSHPL – 2</p> <p>b. No. of forklift per shift at yard - KOPT – 1 - RCSHPL – 0</p> <p>c. Hire charge per forklift per shift - KOPT – ₹ 4000/- - RCSHPL – ₹ 8000/-</p> <p>d. No. of lower capacity cranes per shift at yard - KOPT – 1 - RCSHPL – 2</p> <p>e. Hire charge per crane per shift - KOPT – ₹ 5000/- - RCSHPL – ₹ 10000/-</p> <p>f. Labour cost - KOPT – 10% of equipment hire - RCSHPL – ₹ 100/- per MT per shift</p> <p>In view of the above changes, the RCSHPL has proposed a rate of ₹ 453.60 per MT</p> | <p>Further M/s Ripley in their calculation for bagged cargo has considered a truck hire charge of ₹.65.00 per MT vis-à-vis ₹.40.00 per MT considered by KOPT. In the matter, it may be mentioned that before filing the proposal KOPT had requested all concerned to share the details of hire charge of different equipment with supporting documents but nobody came forward to share such information. KOPT was therefore compelled to reply on the information gathered informally.</p> <p>In case of assessment of Shore Handling Tariff for project cargo – discharged by ship’s crane and moved to storage yard inside the Port (Annexure-7), the Handling Agent has considered the same hire charge of trailer considered by HDC but indicated the forklift hire charge of ₹.8000.00 per shift as against ₹.4000.00 per shift considered by HDC. They also considered a crane hire charge of ₹.10000.00 per shift as against ₹.5000.00 per shift considered by HDC. [M/s Ripley has not submitted documentary evidence in respect to their claim of such higher rate of equipment hire charge required by KOPT.]</p> <p>M/s Ripley & Co. Stevedoring & Handling Pvt. Ltd. also considered a high labour cost of ₹.100.00 per MT but did not submit any documentary evidence against the same. In the matter, it may be mentioned that HDC has considered labour cost @10% of the equipment hire charge as per guideline. Shown deployment pattern of equipment as well as their hire charges on higher side and also they have shown the labour cost as ₹.30,000/- per shift @ ₹.100 per MT instead of 10% of equipment hire cost as the labour cost as proposed by TAMP. Such consideration has made the total operational cost very high. Since, they have not substantiated their claims through any document, so, it is difficult to comment on their representation. However, the Port has assessed the operational costs as per</p> |
|--|--|

| | <p>instead of ₹ 172.48 per MT proposed by KOPT.</p> | <p>the guideline fixed by the TAMP as well as on the basis of the actual deployment pattern of equipment and their hire charges, which has been informally gathered from the local representatives of various Handling Agents. TAMP is requested to take appropriate justification from the concerned Handling Agent for assessment of their proposed tariff.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|---|------|--------|---|-----|-----|---------------------------------|-----|-----|--|-----|-----|-------|------|--------|---|----|----|---------------------------------|----|----|--|----|----|-------|------|--------|---|---|---|---------------------------------|---|---|--|---|---|--|
| | <p>3. Annexure – 8 – Method 3 – Cargo unloaded onto truck & transported to storage yard within port premises or vice versa.</p> <p>a. Average hook shift productivity</p> <table border="1" data-bbox="304 685 815 965"> <thead> <tr> <th>Cargo</th> <th>KOPT</th> <th>RCSHPL</th> </tr> </thead> <tbody> <tr> <td>CR sheets, HR plates, steel sheets, steel</td> <td>256</td> <td>150</td> </tr> <tr> <td>Steel coils, HR coils, WR coils</td> <td>597</td> <td>350</td> </tr> <tr> <td>Steel billets, steel blooms, steel rails</td> <td>195</td> <td>195</td> </tr> </tbody> </table> <p>b. No. of trailers per shift at jetty</p> <table border="1" data-bbox="304 1025 815 1305"> <thead> <tr> <th>Cargo</th> <th>KOPT</th> <th>RCSHPL</th> </tr> </thead> <tbody> <tr> <td>CR sheets, HR plates, steel sheets, steel</td> <td>12</td> <td>15</td> </tr> <tr> <td>Steel coils, HR coils, WR coils</td> <td>12</td> <td>18</td> </tr> <tr> <td>Steel billets, steel blooms, steel rails</td> <td>12</td> <td>15</td> </tr> </tbody> </table> <p>c. No. of mobile cranes per shift at yard</p> <table border="1" data-bbox="304 1366 815 1646"> <thead> <tr> <th>Cargo</th> <th>KOPT</th> <th>RCSHPL</th> </tr> </thead> <tbody> <tr> <td>CR sheets, HR plates, steel sheets, steel</td> <td>2</td> <td>2</td> </tr> <tr> <td>Steel coils, HR coils, WR coils</td> <td>2</td> <td>3</td> </tr> <tr> <td>Steel billets, steel blooms, steel rails</td> <td>0</td> <td>0</td> </tr> </tbody> </table> <p>d. Hire charge per 10T forklift per shift - KOPT – ₹ 7000/- - RCSHPL – ₹ 10000/-</p> <p>e. Labour cost - KOPT – 10% of equipment hire - RCSHPL – ₹ 57/- per MT per shift</p> <p>In view of the above changes, the following is the change in the rates proposed by</p> | Cargo | KOPT | RCSHPL | CR sheets, HR plates, steel sheets, steel | 256 | 150 | Steel coils, HR coils, WR coils | 597 | 350 | Steel billets, steel blooms, steel rails | 195 | 195 | Cargo | KOPT | RCSHPL | CR sheets, HR plates, steel sheets, steel | 12 | 15 | Steel coils, HR coils, WR coils | 12 | 18 | Steel billets, steel blooms, steel rails | 12 | 15 | Cargo | KOPT | RCSHPL | CR sheets, HR plates, steel sheets, steel | 2 | 2 | Steel coils, HR coils, WR coils | 2 | 3 | Steel billets, steel blooms, steel rails | 0 | 0 | <p>In case of assessment of Ship Handling Tariff for Iron Ore, Steel cargo – discharged by ship’s cranes and stored in the Dock premises (Annexure-8), the concerned Handling Agent has considered very low productivity as well as hired deployment of trailer in respect of the commodities. Further, they have considered labour cost as ₹.57/- per MT against the TAMP’s guidelines of 10% of the equipment cost to be considered as labour cost. The above consideration has escalated the per MT cost calculated by them. However, they have not produced any supportive document to substantiate their claim. While assessing the tariff, Port has considered the actual productivity as well as the deployment pattern of the trailers and as such, Port is unable to accept the views expressed by the Handling Agent in this account.</p> <p>[It is inferred from submission of KOPT that the company has not furnished documentary evidence in support of its claim of high labour cost required by KOPT.]</p> |
| Cargo | KOPT | RCSHPL | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CR sheets, HR plates, steel sheets, steel | 256 | 150 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Steel coils, HR coils, WR coils | 597 | 350 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Steel billets, steel blooms, steel rails | 195 | 195 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cargo | KOPT | RCSHPL | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CR sheets, HR plates, steel sheets, steel | 12 | 15 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Steel coils, HR coils, WR coils | 12 | 18 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Steel billets, steel blooms, steel rails | 12 | 15 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cargo | KOPT | RCSHPL | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CR sheets, HR plates, steel sheets, steel | 2 | 2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Steel coils, HR coils, WR coils | 2 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Steel billets, steel blooms, steel rails | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | <p>KOPT vis-à-vis rates proposed by RCSHPL:</p> <p style="text-align: center;">(Rate in ₹ per MT)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Cargo</th> <th style="text-align: center;">KOPT</th> <th style="text-align: center;">RCSHPL</th> </tr> </thead> <tbody> <tr> <td>CR sheets, HR plates, steel sheets, steel</td> <td style="text-align: center;">129.91</td> <td style="text-align: center;">325.36</td> </tr> <tr> <td>Steel coils, HR coils, WR coils</td> <td style="text-align: center;">55.70</td> <td style="text-align: center;">225.36</td> </tr> <tr> <td>Steel billets, steel blooms, steel rails</td> <td style="text-align: center;">138.89</td> <td style="text-align: center;">260.89</td> </tr> </tbody> </table> | Cargo | KOPT | RCSHPL | CR sheets, HR plates, steel sheets, steel | 129.91 | 325.36 | Steel coils, HR coils, WR coils | 55.70 | 225.36 | Steel billets, steel blooms, steel rails | 138.89 | 260.89 | | | | | | | |
|---|--|--|------|--------|---|--------|--------|---------------------------------|-------|--------|--|--------|--------|-------|------|--------|--|--|--|--|
| Cargo | KOPT | RCSHPL | | | | | | | | | | | | | | | | | | |
| CR sheets, HR plates, steel sheets, steel | 129.91 | 325.36 | | | | | | | | | | | | | | | | | | |
| Steel coils, HR coils, WR coils | 55.70 | 225.36 | | | | | | | | | | | | | | | | | | |
| Steel billets, steel blooms, steel rails | 138.89 | 260.89 | | | | | | | | | | | | | | | | | | |
| | <p>4. Annexure – 9 – Assessment of on board equipment deployment tariff for Project cargo – discharged by Ship’s cranes</p> <p>a. Hire charge per forklift per shift</p> <ul style="list-style-type: none"> - KOPT – ₹ 4000/- - RCSHPL – ₹ 10000/- <p>b. Labour cost</p> <ul style="list-style-type: none"> - KOPT – 10% of equipment hire - RCSHPL – ₹ 36/- per MT per shift <p>In view of the above changes, the RCSHPL has proposed a rate of ₹ 172.48 per MT instead of ₹ 49.28 per MT proposed by KOPT.</p> | <p>In case of assessment of charges for on-board deployment of equipment during handling of project cargo by ship’s crane (Annexure-9), the Handling Agent has considered hire charges of Fork Lift as ₹.10,000/- per Fork Lift per shift, which is very high compared to the prevailing rate at HDC.</p> <p>M/s Ripley may therefore provide proper supporting documents against their claim of higher rates of forklift hire charge Without proper documentary support, no modification in the proposal can be considered.</p> <p>Moreover, the Handling Agent has considered the labour cost as ₹.36/- per MT instead of TAMP’s guidelines for consideration of labour cost as 10% of the equipment hire cost. KOPT has considered labour charge as per guidelines.</p> <p>[It is observed from comments of KOPT that the Handling Agent has not submitted documentary evidence in support of its claim required by KOPT.]</p> | | | | | | | | | | | | | | | | | | |
| | <p>5. Annexure – 10 – Assessment of on board equipment deployment tariff for Steel cargo – discharged by Ship’s cranes</p> <p>a. Average hook shift productivity</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Cargo</th> <th style="text-align: center;">KOPT</th> <th style="text-align: center;">RCSHPL</th> </tr> </thead> <tbody> <tr> <td>CR sheets, HR plates, steel sheets, steel</td> <td style="text-align: center;">256</td> <td style="text-align: center;">150</td> </tr> <tr> <td>Steel coils, HR coils, WR coils</td> <td style="text-align: center;">597</td> <td style="text-align: center;">350</td> </tr> <tr> <td>Steel billets, steel blooms, steel rails</td> <td style="text-align: center;">195</td> <td style="text-align: center;">195</td> </tr> </tbody> </table> <p>b. Hire charge per 10T forklift per shift</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Cargo</th> <th style="text-align: center;">KOPT</th> <th style="text-align: center;">RCSHPL</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> | Cargo | KOPT | RCSHPL | CR sheets, HR plates, steel sheets, steel | 256 | 150 | Steel coils, HR coils, WR coils | 597 | 350 | Steel billets, steel blooms, steel rails | 195 | 195 | Cargo | KOPT | RCSHPL | | | | <p>In respect of assessment of charges for on-board deployment of equipment for handling various steel cargo by ship’s cranes (Annexure-10), the Handling Agent has considered lower productivity as well as very high hire charges for equipment compared to the prevailing rate at HDC. The Port has assessed the tariff based on the prevailing Hook Ship Productivity as well as the existing hire rate of the equipment.</p> <p>[It is observed from comments of KOPT that the company has not furnished documentary evidence as required by KOPT.]</p> <p>M/s Ripley & Co. Stevedoring & Handling Pvt. Ltd have also considered a labour cost as ₹.57/- per MT per shift against the TAMP’s guidelines of labour cost @ 10%</p> |
| Cargo | KOPT | RCSHPL | | | | | | | | | | | | | | | | | | |
| CR sheets, HR plates, steel sheets, steel | 256 | 150 | | | | | | | | | | | | | | | | | | |
| Steel coils, HR coils, WR coils | 597 | 350 | | | | | | | | | | | | | | | | | | |
| Steel billets, steel blooms, steel rails | 195 | 195 | | | | | | | | | | | | | | | | | | |
| Cargo | KOPT | RCSHPL | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |

| CR sheets, HR plates, steel sheets, steel | 7000/- | 10000/- | of the equipment hire cost considered by KOPT. M/s Ripley & Co. Stevedoring & Handling Pvt. Ltd may submit appropriate documentary evidence against their claim of high labour cost to TAMP for appropriate consideration. [It is inferred from reply of KOPT that the company has not submitted appropriate documentary evidence in support of its claim of high labour cost required by KOPT.] | | | | | | | | | | | | |
|--|--------|---------|---|------|--------|---|-------|--------|---------------------------------|-------|--------|--|-------|--------|--|
| Steel coils, HR coils, WR coils | 7000/- | 20000/- | | | | | | | | | | | | | |
| Steel billets, steel blooms, steel rails | 7000/- | 10000/- | | | | | | | | | | | | | |
| <p>c. Labour cost</p> <ul style="list-style-type: none"> - KOPT – 10% of equipment hire - RCSHPL – ₹ 57/- per MT per shift <p>In view of the above changes, the following is the change in the rates proposed by KOPT vis-à-vis rates proposed by RCSHPL:</p> <p style="text-align: center;">(Rate in ₹ per MT)</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Cargo</th> <th>KOPT</th> <th>RCSHPL</th> </tr> </thead> <tbody> <tr> <td>CR sheets, HR plates, steel sheets, steel</td> <td>50.52</td> <td>161.39</td> </tr> <tr> <td>Steel coils, HR coils, WR coils</td> <td>21.66</td> <td>152.01</td> </tr> <tr> <td>Steel billets, steel blooms, steel rails</td> <td>37.88</td> <td>181.91</td> </tr> </tbody> </table> | | | Cargo | KOPT | RCSHPL | CR sheets, HR plates, steel sheets, steel | 50.52 | 161.39 | Steel coils, HR coils, WR coils | 21.66 | 152.01 | Steel billets, steel blooms, steel rails | 37.88 | 181.91 | |
| Cargo | KOPT | RCSHPL | | | | | | | | | | | | | |
| CR sheets, HR plates, steel sheets, steel | 50.52 | 161.39 | | | | | | | | | | | | | |
| Steel coils, HR coils, WR coils | 21.66 | 152.01 | | | | | | | | | | | | | |
| Steel billets, steel blooms, steel rails | 37.88 | 181.91 | | | | | | | | | | | | | |

4. The summary of comments received from users / user organisations / stevedore association on the KOPT proposal dated 14 February 2017 (relating to fixation of upfront tariff / ceiling rates for receiving and delivery operations at HDC and the response of KOPT thereon is tabulated below:

| Sr. no. | Comments of the users / user organizations / stevedore association | Reply of KOPT |
|---------|---|---|
| 1. | T.P. Roy Chowdhury & Company Pvt Ltd dated 2.3.2017 | |
| 2. | Master Stevedores Association (MSA) dated 2.3.2017 | |
| (i). | In Annexure D, HDC has assumed for loading / receiving of bagged cargo 48 men for handling an average of 450 MT. if this is the base for handling as proposed by the port an arithmetic mistake has been found in Annexure – E where it has been shown a requirement of 168 men for shed and in wagons for handling of quantity of 2400 MT. This should be corrected to 256 men each at shed and at wagons point. Accordingly, the Master Stevedores Association and T.P. Roy Chowdhury & Co. Pvt Ltd have reworked Annexure – E and amended the proposal for implementation. | The Master Stevedores Association and T.P. Roy Chowdhury & Co. Pvt Ltd has considered the same manning pattern for loading / unloading of bagged cargo for Delivery / Receiving by road as well as rail. However, in practice the manning pattern are different in both the cases as the type/ make of lorries /trucks use in case of road delivery vis-à-vis wagon loading are different and thus the manning pattern of one type of loading operation cannot be linked with the other. The manning pattern indicated by KOPT in its calculations is based on the actual deployment of labour on shore for receiving / delivery operation. |

| | | |
|-----------|---|--|
| | | [It is inferred from KOPT submission that the Association as well as T.P. Roy Chowdhury & Co. Pvt Ltd have not provided proper documents in support of the manning pattern furnished by them as required by KOPT.] |
| (ii). | <p>In Annexure F, G and H it is found that the strength of labour shown is not in accordance with requirement and the current prevailing practice. This cannot be reduced the suo moto as this will invite not only loss of productivity but labour agitation leading to disruption. Again in the aforesaid annexures KOPT's proposal of equipment supply at certain areas needs to be corrected including the cost of such equipment in accordance with the prevailing cost and practice to achieve efficiency.</p> <p>For sake of convenience and easy understanding, Master Stevedores Association and T.P. Roy Chowdhury & Co. Pvt Ltd have incorporated the correct equipment and cost along with the labour manning in the Annexures D,E,F,G and H.</p> | <p>The deployment pattern of labour for various operations related to Receiving / Delivery of cargo as shown by KOPT in the calculation sheets are based on actual number of heads deployed. However, in some cases like handling of projects & steel cargo the information in respect of deployment of labour and equipment was sought from the handling Agent which they did not furnish officially and the said information has been gathered from them informally. [It is inferred from the submission of KOPT that the Master Stevedores Association and T.P. Roy Chowdhury & Co. Pvt Ltd have not furnished documentary proof in support of their claim required by KOPT.]</p> <p>While assessing the Shore handling tariff, Master Stevedores Association and T.P. Roy Chowdhury & Co. Pvt Ltd has shown the trailer hire charge per shift as ₹. 10000/- which is very high as the prevailing rate is ₹. 2500/- per shift only.</p> <p>It may be stated that the trailers deployed by the handling agents are mostly very old and thus there is no reason why the Associations and T.P. Roy Chowdhury & Co. Pvt Ltd will consider the trailer hire charge at ₹. 10000/- per shift. In respect of Mobile crane, the Association and T.P. Roy Chowdhury & Co. Pvt Ltd has indicated a hire charge of ₹. 15000 per shift vis-à-vis ₹. 12000 per shift considered by KOPT.</p> <p>Incidentally, Ripley & Co. Stevedoring & Handling Pvt Ltd., in their representation vide letter dated 17 February 2017 in connection with determination of upfront tariff for stevedoring and shore handling operation has considered the hire charge of mobile crane at ₹. 12000 per shift which is in line with KOPT's calculation.</p> |
| 3. | Ripley & Co. Stevedoring & Handling Pvt Ltd (RCSHPL) dated 4.03.2017 | |
| (i). | <p>Annexure A: Assessment of charge for delivery/ receiving of Dry Bulk Cargo by Road from / at storage spaces inside Dock area at HDC</p> <p>Here the labour cost has to be considered @ ₹. 58.75 per MT + Service Tax extra instead of what has been mentioned in the sheet in case of truck unloading since this is the rate approved by Union, RCSHPL have to deploy manual labour even if equipment is used for truck unloading.</p> | <p>The KOPT has calculated the per MT rate at ₹. 35.28/- considering the actual deployment pattern and also the existing hire charges of payloaders. The labour cost has been considered as 5% of the equipment hire cost as per the guidelines of TAMP. There is no scope for considering hire labour cost if loading / unloading of cargo on / from trucks / lorries is done mechanically. However, during discussions, the handling agents has stated that at HDC although loading of dry-bulk cargo on trucks / lorries is done mechanically, but the unloading of dry bulk cargo from</p> |

| | | |
|--------|---|---|
| | | trucks has to be done manually through deployment of labours. Since deployment of labour is to be done through the Unionised pool the rate fixed by the Unions for unloading of dry bulk cargo from trucks / lorries which is at present ₹. 58.75 per MT is required to be paid by the handling agent. Thus, they have requested to consider the said rate for unloading of dry bulk cargo from the trucks. [It is inferred from the submission of KOPT that the concerned handling agent has not submitted documentary evidence in support of their claim required by KOPT.] |
| (ii). | Annexure B: Assessment of charge for delivery/ receiving of Dry Bulk Cargo by rail from storage spaces inside Dock Area at HDC by using equipment & labour As above the labour cost has to be considered @ ₹. 58.75 per MT + Service Tax extra instead of what has been mentioned in the sheet since this is the rate to be paid to labours even in case RCSHPL use equipment for unloading. | The KOPT has calculated the per MT rate as ₹. 38.85/- considering the actual deployment patters and also the existing hire charges of payloaders. The labour cost has been considered as 5% of the equipment hire cost as per the guidelines of TAMP. There is no scope for considering hire labour cost of loading/ unloading of cargo on/ from railway wagons is done mechanically, but the unloading of dry bulk cargo on wagons is done mechanically, but the unloading of dry bulk cargo from wagons has to be done manually through deployment of labours. Since deployment of labour is to be done through the unionized pool the rate fixed by the unions for unloading of dry cargo from wagons which is at present ₹. 58.75 per MT is required to be paid by the handling agent. Thus they have requested to consider the said rate for unloading of dry bulk cargo from the wagons. [It is inferred from the submission of KOPT that the concerned handling agent has not submitted documentary evidence in support of their claim required by KOPT.] |
| (iii). | Annexure C: Assessment of charge for receiving of Dry Bulk Cargo through manual unloading from railway wagons for storage at areas inside Dock area at HDC. Here the labour cost has to be considered @ ₹. 58.75 per MT + Service Tax extra instead of what has been mentioned in the sheet since this is the rate approved by Union, in case of receiving of cargo through manual unloading from railway wagons for storage at areas inside dock area at HDC. | The KOPT has determined the rate for manual unloading of dry bulk cargo from wagons as ₹. 53.78/- per MT considering the actual deployment of labours and equipment. However, the handling agent has stated that while fixing the same rate the cost of labour has to be considered as ₹. 58.75 per MT which has been fixed by the labour unions. [It is seen from the comments of KOPT that The concerned handling agent has not furnished documentary evidence in support of their claim required by KOPT.] |
| (iv). | Annexure E: Assessment of upfront tariff for delivery / receiving of bag cargo by rail (including manual loading of cargo trucks in shed, transportations of cargo from shed to wagons by truck and subsequent loading of cargo from lorry onto wagons). Here the labour cost has to be considered @ ₹. 184.00 per MT+ Service Tax extra instead of what has been mentioned in the | HDC has determined the tariff based on the actual deployment pattern and actual salary, wages and other fringe benefits of the labours. However, the handling agent has claimed that the unions have fixed the labour cost at ₹. 184/- per MT + Service Tax extra [It is seen from the comment of KOPT that the concerned handling agent ha not furnished documentary evidence in support of their claim required by the KOPT.] |

| | sheet as per agreements with the labour union. | | | | | | | | | | | | | | | | | | | | | | | | | |
|---------|---|--|--|----------------------------|-------------------------|----|---|-----|---------|----|---|-----|-------|----|--|-----|---------|---|--|-----|--|---|----------|-----|---------|--|
| (v). | <p>Annexure F: Assessment of upfront tariff for Delivery / Receiving of project cargo by road:</p> <p>(a). The hire cost of 25 MT of crane should be ₹. 15000/- per shift and ₹. 25000/- per shift respectively instead of what has been mentioned in the sheet. (Service Tax extra as applicable) considering the present cost of operators-fuels, lubes, equipment and spares etc.</p> <p>(b). The labours required for handling the cargo on the Fork-lift or cranes should be paid @ ₹. 33/- per MT per operations in case where delivery / receiving of cargo from the plot or @ ₹. 57 PMT where delivery / receiving of cargo takes place from the jetty only + Service Tax instead of what has been mentioned in the worksheet.</p> | <p>While determining the upfront tariff for delivery / receiving of project cargo by road, the KOPT has considered the actual hire cost of 25MT crane to be ₹. 10000/- per shift and for 40 MT crane to be ₹. 20000/- MT. However, the concerned handling agent may furnish documentary evidence in support of their claim.</p> <p>HDC has determined the tariff based on the actual deployment pattern and actual salary, wages and other fringe benefits of the labours. However, the concerned agent has claimed that for handling the cargo on the Forklifts of cranes should be paid @ ₹. 33/- per MT per operations in case where delivery / receiving of cargo from the plot or @ ₹. 57/- per MT where delivery / receiving of cargo takes place from the jetty only + service tax for which are concerned handling agent may furnish documentary evidence in support of their claim.</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| (vi). | <p>Annexure G: Assessment of upfront tariff for delivery / receiving of Steel cargo by Road</p> <p>(i). The output quantity delivered / received by one equipment per shift will be as follows instead of what has been mentioned in the sheet:</p> <table border="1"> <thead> <tr> <th>Sr. no.</th> <th>Cargo</th> <th>MT/ Shift by one equipment</th> <th>Cranes/FLT's to be used</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>CR sheets, HR Plates, Steel Sheets, Steel Slabs</td> <td>150</td> <td>1 Crane</td> </tr> <tr> <td>2.</td> <td>CR Coils, HR Coils, GP Coils(unit piece weight upto 10 Ton)</td> <td>400</td> <td>1-FLT</td> </tr> <tr> <td>3.</td> <td>CR Coils, HR Coils, GP coils (Unit piece weight 10-25 ton)</td> <td>400</td> <td>1 Crane</td> </tr> <tr> <td>4</td> <td>Steel Billets, Steel Blooms, steel Rails</td> <td>200</td> <td>2-FLT (in case of 12 Meters long. Billet, 2-FLT's required for each Billet. Hence for 200 MT productivity of 12 Mtrs. Long Billets, require 4 FLT's.</td> </tr> <tr> <td>5</td> <td>WR Coils</td> <td>100</td> <td>1-Hydra</td> </tr> </tbody> </table> | Sr. no. | Cargo | MT/ Shift by one equipment | Cranes/FLT's to be used | 1. | CR sheets, HR Plates, Steel Sheets, Steel Slabs | 150 | 1 Crane | 2. | CR Coils, HR Coils, GP Coils(unit piece weight upto 10 Ton) | 400 | 1-FLT | 3. | CR Coils, HR Coils, GP coils (Unit piece weight 10-25 ton) | 400 | 1 Crane | 4 | Steel Billets, Steel Blooms, steel Rails | 200 | 2-FLT (in case of 12 Meters long. Billet, 2-FLT's required for each Billet. Hence for 200 MT productivity of 12 Mtrs. Long Billets, require 4 FLT's. | 5 | WR Coils | 100 | 1-Hydra | <p>While determining the upfront tariff for delivery / receiving of steel cargo by road the actual productivity and the actual deployment of labour and equipment has been considered by HDC.</p> <p>[It is seen from the comments of KOPT that the concerned handling agent has not furnished documentary evidence in support of their claim required by KOPT.]</p> |
| Sr. no. | Cargo | MT/ Shift by one equipment | Cranes/FLT's to be used | | | | | | | | | | | | | | | | | | | | | | | |
| 1. | CR sheets, HR Plates, Steel Sheets, Steel Slabs | 150 | 1 Crane | | | | | | | | | | | | | | | | | | | | | | | |
| 2. | CR Coils, HR Coils, GP Coils(unit piece weight upto 10 Ton) | 400 | 1-FLT | | | | | | | | | | | | | | | | | | | | | | | |
| 3. | CR Coils, HR Coils, GP coils (Unit piece weight 10-25 ton) | 400 | 1 Crane | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | Steel Billets, Steel Blooms, steel Rails | 200 | 2-FLT (in case of 12 Meters long. Billet, 2-FLT's required for each Billet. Hence for 200 MT productivity of 12 Mtrs. Long Billets, require 4 FLT's. | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | WR Coils | 100 | 1-Hydra | | | | | | | | | | | | | | | | | | | | | | | |

| (vii). | <p>Annexure H: Assessment of upfront tariff for delivery / receiving of Steel Cargo by Rail (including manual loading of cargo Trailers in storage area, transportation of cargo from shed to wagons by Trailers and subsequent loading of cargo from Trailers onto wagons:</p> <p>(a). The hire cost of 30 MT of crane should be ₹. 25000/- per shift + Service Tax extra as applicable.</p> <p>(b). Per operations labour cost has to be considered @ ₹. 33/- per MT per operations in case where delivery / receiving of cargo from the plot or, @ ₹. 57 PMT where delivery / receiving of cargo takes place from the jetty only + Service Tax instead of what has been mentioned in the work-sheet.</p> | <p>It seen from the comments of KOPT that the concerned handling agent has not furnished documentary evidence in support of their claim required by KOPT.]</p> | | | | | | | | | | | | | | | | | | | | | | | | | |
|-----------|--|--|--------------------------------|--|--------------------------------|---------------------------------------|---|---|--------|--|--|---|------------------------|----|-------|----------|---|---|---|-------|-----------|-------|--|--------|--------|----------|--|
| 4. | Steel Authority of India Limited (SAIL) dated 06.03.2017 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (i). | <p>In relation to the proposed tariff for receiving and delivery operations under the shore handling scheme, a comparison of present and proposed rates is as under:</p> <table border="1" data-bbox="300 898 821 1357"> <thead> <tr> <th>Sr. no.</th> <th>Scope of work</th> <th>Present rates as per HDC circular dated 31.03.15 (in ₹/ pmt)</th> <th>Proposed Rates by HDC with MHC</th> <th>Variation (+) increase / (-) decrease</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Cargo Movement from Jetty to Stacking Place inside Port</td> <td>100.48</td> <td></td> <td></td> </tr> <tr> <td>2</td> <td>Heaping / High Heaping</td> <td>10</td> <td>91.57</td> <td>(-)17.1%</td> </tr> <tr> <td>3</td> <td>Dispatch Related Service (for Rail bound Cargo)</td> <td>9</td> <td>38.85</td> <td>(+)331.6%</td> </tr> <tr> <td colspan="2">Total</td> <td>119.48</td> <td>130.42</td> <td>(+) 9.1%</td> </tr> </tbody> </table> <p>Note: It is understood that Heaping and high heaping operation at Sl No. (2) has been included under operation at sl No. (1) above.</p> <p>Shore handling is a composite work including cargo movement from jetty to stacking area and dispatch related services. Therefore, as per analysis shown above, the elemental increase is abnormally high with overall effect on cost escalating to the tune of 9%. This would impact users like SAIL considering high volume of handling. Further, as it appears from the proposed scheme, profit margin of 20% has been consider which also appears to be on the higher side. Keeping in view the total volume of cargo to be handled, the overall cost/margin may be revised downward.</p> | Sr. no. | Scope of work | Present rates as per HDC circular dated 31.03.15 (in ₹/ pmt) | Proposed Rates by HDC with MHC | Variation (+) increase / (-) decrease | 1 | Cargo Movement from Jetty to Stacking Place inside Port | 100.48 | | | 2 | Heaping / High Heaping | 10 | 91.57 | (-)17.1% | 3 | Dispatch Related Service (for Rail bound Cargo) | 9 | 38.85 | (+)331.6% | Total | | 119.48 | 130.42 | (+) 9.1% | <p>SAIL has considered the shore handling charge applicable for the licensed handling agents at HDC in respect of handling of dry bulk cargo which is effective since 1.4.2015 for a period of two years. The proposed tariff will be applicable after introduction of the new regulation.</p> <p>Considering the present inflation rate the proposed tariff is quite justified as the same is only 9.1% higher compared to the previous rate.</p> |
| Sr. no. | Scope of work | Present rates as per HDC circular dated 31.03.15 (in ₹/ pmt) | Proposed Rates by HDC with MHC | Variation (+) increase / (-) decrease | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | Cargo Movement from Jetty to Stacking Place inside Port | 100.48 | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Heaping / High Heaping | 10 | 91.57 | (-)17.1% | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | Dispatch Related Service (for Rail bound Cargo) | 9 | 38.85 | (+)331.6% | | | | | | | | | | | | | | | | | | | | | | | |
| Total | | 119.48 | 130.42 | (+) 9.1% | | | | | | | | | | | | | | | | | | | | | | | |
| (ii). | <p>The present scheme of arrangement as per HDC circular dated 31.03.2015 provides for payment of Royalty as an integral part of the rates; whereas in the proposed scheme,</p> | <p>While charging the customers for rendering shore handling services the handling agents are not allowed to add the royalty payable by them to HDC with the tariff.</p> | | | | | | | | | | | | | | | | | | | | | | | | | |

| | Royalty element shall impact the overall transaction cost leading to rate escalation. | | | | | | | | | | | | | |
|--|---|--|--|----------------------|---------------------------------------|---|-------|-------|--|-------|-------|--|-------|-------|
| (iii). | Fixation of tariff for a composite job like handling operation needs to be worked out in totality rather than in piece-meal manner. The proposed rate, if compared with new SOR of HDC. Effective from 12.01.2017, it may be observed that total rate comprising same functions of shore handling at Berth 2 & 3 works out to ₹. 115.54/- pmt as against proposed rate of ₹. 130.42/- pmt indicated above at other berths. | As per the port tariff effective from 12.01.2017 the composite shore handling charges for dry bulk cargo is ₹. 157.05/- per MT for dispatch by rail and ₹. 144.93 per MT for dispatch by road while the proposed tariff for the handling agents is ₹. 130.42/- per MT incase of dispatch by road. Thus the proposed tariff for handling agents is lower than the rate applicable for HDC effective from 12.01.2017. | | | | | | | | | | | | |
| (iv). | Therefore, it is requested that the following may be considered: (a). Overall rates comprising same operations at various berths may be brought down to the same level. The royalty component may also communicated along with fixation of tariff. (b). The rate of operations at HDC is already higher compared to neighboring major/ non major ports. Since Steel industry is mainly located in eastern region and heavily dependent on Haldia Port, TAMP may consider more competitive operational rates at HDC. | | | | | | | | | | | | | |
| 5. | A.M. Enterprises dated 06.03.2017 | | | | | | | | | | | | | |
| (i). | In reference to Annexure-A (Assessment of charge for delivery / receiving of dry bulk cargo by road from / at storage spaces inside dock area at HDC. In case of delivery / receiving of dry bulk cargo by trucks, TAMP should consider delivery by machines and manual unloading separately. The quantity of cargo considered per shift its variable in nature. Labour cost which is taken @ 5% of equipment hire cost is abnormally low. For unloading of dry bulk cargo like iron ore from truck, there is a fixed pool of labourers which are controlled by recognized union and they are paid all statutory benefits and entitlements like PF, ESI Bonus, Gratuity, Over time, etc. and they are on company's payroll. As per the agreement with the union in presence of Regional Labour Commissioner, they have to be paid per day wages with incentives. Apart from this, they have to be provided with safety gears, PF, ESI Bonus, Gratuity, Over time, etc. an increments on yearly basis has also agreed. In case of unloading, each labour has to be allotted minimum 10 MT of cargo. Hence the rate of unloading of cargo from truck considered is not realistic in nature. | A comparative statement showing the tariff proposed by the port vis-à-vis the tariff calculated by the concerned handling agent based on the issues raised by them is furnished below: <p style="text-align: right;">Figures in ₹. per MT</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Mode of operation</th> <th>Proposed rate of HDC</th> <th>Rate calculated by the handling agent</th> </tr> </thead> <tbody> <tr> <td>Receiving of dry bulk cargo by road at storage yard manually inside the dock (Annexure A)</td> <td>35.28</td> <td>75.60</td> </tr> <tr> <td>Delivery of dry bulk cargo by road mechanically (using payloaders) from storage yard inside the dock</td> <td>35.28</td> <td>37.80</td> </tr> <tr> <td>Receiving / delivery of dry bulk cargo by rail from storage area inside dock using equipment and labour (Annexure – B)</td> <td>38.85</td> <td>48.70</td> </tr> </tbody> </table> | Mode of operation | Proposed rate of HDC | Rate calculated by the handling agent | Receiving of dry bulk cargo by road at storage yard manually inside the dock (Annexure A) | 35.28 | 75.60 | Delivery of dry bulk cargo by road mechanically (using payloaders) from storage yard inside the dock | 35.28 | 37.80 | Receiving / delivery of dry bulk cargo by rail from storage area inside dock using equipment and labour (Annexure – B) | 38.85 | 48.70 |
| Mode of operation | Proposed rate of HDC | Rate calculated by the handling agent | | | | | | | | | | | | |
| Receiving of dry bulk cargo by road at storage yard manually inside the dock (Annexure A) | 35.28 | 75.60 | | | | | | | | | | | | |
| Delivery of dry bulk cargo by road mechanically (using payloaders) from storage yard inside the dock | 35.28 | 37.80 | | | | | | | | | | | | |
| Receiving / delivery of dry bulk cargo by rail from storage area inside dock using equipment and labour (Annexure – B) | 38.85 | 48.70 | | | | | | | | | | | | |
| (ii). | In reference to Annexure – B (Assessment of charge for delivery/ receiving of dry bulk cargo by rail from storage spaces inside dock area at HDC by using equipment and labour) | <table border="1" style="margin-left: auto; margin-right: auto;"> <tbody> <tr> <td>Receiving of dry bulk cargo through manual</td> <td>53.78</td> <td>91.43</td> </tr> </tbody> </table> | Receiving of dry bulk cargo through manual | 53.78 | 91.43 | | | | | | | | | |
| Receiving of dry bulk cargo through manual | 53.78 | 91.43 | | | | | | | | | | | | |

| | | | | |
|--------|--|---|--|--|
| | <p>In reference to the receiving / delivery of dry bulk cargo by rail, they have to keep and maintain expensive equipment's like Pay Loaders, Excavators, etc. from brand like Volvo, Caterpillar etc. for loading of wagon. The depreciation of such expensive machines is very high due to high pressure / heavy duty job. Hence, the maintenance cost is high. Therefore, the cost of hire charges is much more that what has considered. The minimum cost that should be taken into consideration for 5 T Loader is ₹. 15000/- per shift.</p> <p>The Manning pattern considered for wagon loading is immaterial in nature because they have to pay per MT basis (example @ ₹. 9.25 per MT for coal) to a specific pool controlled by the union. Hence the rate of wagon loading considered is low.</p> | <p>unloading from railway wagons for storage inside the dock premises (Annexure – C)</p> | | |
| (iii). | <p>In reference to Annexure – C (Assessment of charge for receiving of dry bulk cargo through manual unloading from railway wagons for storage at areas inside dock area at HDC)</p> <p>In case of manual unloading of dry cargo from wagons at HDC, the worker pool is same as that of manual unloading from trucks. The workers are on company's pay roll with all statutory benefits and entitlements with fixed wages as per the agreement with the union in presence of Regional Labour Commissioner.</p> <p>In reference to manual unloading of dry bulk cargo from wagon, the manning pattern considered by TAMP is not as per what is agreed with the workers union.</p> <p>Minimum 360 workers are required for unloading from one rake. Apart from this, minimum 30 workers are required for sweeping, cleaning, door opening and closing etc. Hence, the expense on labour head is not realistic.</p> <p>Apart from this, the PPEs like safety shoe, helmet etc. has to be provided as per RLC agreement. During unloading, they are provide gears, water tanker, ambulance and other ancillary services. TAMP should take into consideration these factors.</p> <p>Machine cost is very high because rake unloading, stacking etc. are a very high pressure / heavy duty job and the depreciation of machine is very high. Bare minimum TAMP should consider ₹. 15000/- per shift for 5 T Loader, ₹. 8000/- per shifts for 3 T Loader and ₹. 15000/- per shift for Excavator.</p> | <p>The concerned handling agent in support of their claim has provided the copy of the bilateral agreement signed in present of Asst. Labour commissioner as well as the calculation sheets based on the labour wages.</p> <p>TAMP may appropriately consider their claim for determination of upfront tariff. The tariff claimed by the concerned handling agent is much higher compared to the tariff proposed by port because of the high cost of labour component which according to the handling agent is due to the existing bilateral agreement signed in presence of the Asst. Labour commissioner.</p> | | |

| |
|---|
| Hence all these factors should be considered for determination of manual unloading charges. |
|---|

5. The KOPT vide its letter No. MTO/G/115-M/Pt.II/GMT-96 dated 3 March 2017 has sought some clarification with regard to determination of upfront tariff for Stevedoring and Shore handling operation at HDC. We have vide our letter dated 20 March 2017 has furnished our reply to KOPT. The clarification sought by KOPT and reply of TAMP thereon are tabulated below:

| Sr. no. | Clarification sought by KOPT | Reply of TAMP |
|---------|--|--|
| (i). | TAMP has notified the upfront tariff/ ceiling rate in respect of stevedoring and Shore handling operation on adhoc basis. While notifying the said tariff, it has been clarified by TAMP that as per Clause 2.11 of the Stevedoring and Shore Handling Guidelines before commencement of Stevedoring and or Shore handling operations, the operator will approach TAMP for notification of the SOR containing the ceiling rates of the Stevedoring and or Shore handling charges and performance standards as required under Section 48 of the Major Port Trust Act, 1963. As per Clause 2.3 of the Stevedoring and or shore handling operations of various commodities for a Port, it will be applicable uniformly to the entire port where the stevedoring and shore handling operations are carried out by private agencies or firms. | While notifying the upfront tariff in respect of Stevedoring and Shore handling operations at Haldia Dock Complex (HDC) of KOPT on adhoc basis vide Order dated 8 February 2017, Clause 2.11 and Clause 2.3 of the Stevedoring and Shore Handling Guidelines have just been reproduced at Para No. 6.2 of the Order and no clarification relating to the above referred Clauses has been given in the Order. Para 6.3. of the Order dated 08 February 2017 advises the KOPT to apply the ceiling rates to the authorised individual stevedoring and shore handling operator, by making it as a condition of authorization, while issuing licenses for the reasons stated in the Order dated 8 February 2017. In terms of Para 6.3., the firms who will be issued with the Stevedoring and shore Handling License will not be required to individually approach TAMP for notification of their individual Scale of Rates (SOR) containing the ceiling rates and the performance standards. |
| (ii). | In view of the above clarifications of TAMP, the firms who will be issued with the Stevedoring and shore Handling License will be required to approach TAMP for notification of their individual Scale of Rates (SOR) containing the ceiling rates and the performance standard. In this regard, TAMP may clarify whether, the Licensee's ceiling rates and the performance standards will be same as what have already been notified by TAMP on ad hoc basis or it will be different and vary from Licensee to Licensee. | Since the authorized individual stevedoring and shore handling operator would be entitled to levy stevedoring and shore handling tariff which is common for the HDC as whole, the situation of rates and the performance standards varying between Licensee to Licensee at HDC and thereby vitiating Clause 2.3 of the Guidelines will not arise. |
| (iii). | Further, in the event the licensee are free to approach TAMP with their own ceiling rates, then what will be the criterion for fixation of such rate. It may also be stated that in the event the Licensees are allowed to fix their individual rates, the spirit of Clause 2.3 of the Guidelines will be vitiated. | Section 42(3) of the Major Port Trusts Act, 1963, requires the Major Port Trust to authorise any person to perform any of the services mentioned in sub-section (1) on such terms and conditions as may be agreed upon, with the previous sanction of the Central Government. Section 42(3) is a statutory provision. Therefore, whether separate approval of Central Government will be required prior to issuance of Stevedoring and Shore Handling License to each Operator may have to be examined at the Port level. |
| (iv). | Further, as per Clause 1.3. of the Stevedoring and Shore Handling Operation Policy Upfront Tariff applicable for carrying out all stevedoring and shore handling operation by agencies or firms who are | |

| | | |
|--|--|--|
| | <p>authorized by the Major Ports under the provision of the Section 42(3) of the Major Ports Trust Act 1963. As per Section 42(3) of the Act previous sanction of the Central Government is essential for such authorization. In this regard, TAMP may clarify whether, prior to issuance of Stevedoring and Shore Handling License separate approval of Central Government will be required or not.</p> | |
|--|--|--|

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

G.No. 246

New Delhi,

11 July 2019

NOTIFICATION

In exercise of the powers conferred by Section 48 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby disposes of the proposal received from Kolkata Port Trust for fixation of upfront tariff for Stevedoring operations for anchorage discharge and barge handling at Haldia Dock Complex (HDC), as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports

Case No. TAMP/8/2019-KOPT

Kolkata Port Trust

Applicant

QUORUM:

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

O R D E R

(Passed on this 14th day of June 2019)

This case relates to a proposal received from Kolkata Port Trust (KOPT) for fixation of upfront tariff for Stevedoring operations for anchorage discharge and barge handling at Haldia Dock Complex (HDC).

2.1. Based on the proposal filed by KOPT, this Authority vide its Order no. TAMP/79/2016-KOPT dated 19 February 2018 notified on 26 February 2018 has prescribed the upfront tariff for stevedoring and shore handling operations at Haldia Dock Complex. This Order was notified in the Gazette of India on 26 February 2018 vide Gazette No. 76. Vide the said Order, the KOPT was advised to file a proposal for fixation of upfront tariff for Stevedoring operations for anchorage discharge and barge handling at HDC, within 3 months from the notification of the Order in the Gazette of India.

2.2. In this backdrop, the KOPT vide its letter no. MTO/G/115-M/GMT-556 dated 8 January 2019 has filed a proposal for fixation of upfront tariff for Stevedoring operations for anchorage discharge and barge handling at Haldia Dock Complex (HDC). The submissions made by KOPT are summarized below:

- (i). The upfront tariff for Stevedoring on board ship at anchorage in case of Kolkata Dock System (KDS) by KOPT has already been approved by TAMP vide its Order no. TAMP/80/2016-KOPT dated 19 January 2018.
- (ii). The anchorage points of KDS and HDC are common. The cargo levy of related charges for lighterage operation at the said anchorage points (other than the cargo destined for Haldia Floating Terminal) is under jurisdiction of KDS. Therefore, the upfront tariff as approved for KDS by TAMP can be made applicable for HDC of KOPT also for lighterage operations. [The rates approved by TAMP under KDS are furnished by KOPT.]
- (iii). The upfront tariff for loading / unloading of cargo to / from barges inside the dock by engagement of Shore Crane / Excavator, as well as Payloaders / Forklifts on board (in hatches), has been assessed by KOPT in line with the guideline issued by the Ministry of Shipping. [The detailed calculation is furnished by KOPT.]
- (iv). The methodology of cargo operation for barges is identical with that of cargo loaded / unloaded from vessel. Hence, the charges for Shore Handling Operation for HDC of KOPT, as approved by TAMP vide Order no. TAMP/79/2016-KOPT in the under Section S.3 (i) column 5 for Dry Bulk Cargo and Section S.3 (ii) for Break Bulk cargo has been adopted by KOPT for fixing tariff for shore handling operations of barges.
- (v). The charges for Receiving and Delivery of cargo under Section S.4 of the TAMP Order has also been adopted by HDC of KOPT for fixing tariff for identical operation of cargo handling on account of barges inside the dock.

2.3. Based on the above submission, the KOPT has sought the approval for the following:

- (a). Charges for loading/unloading operations on/from vessels including deployment of equipment and manpower at anchorage/ lighterage / top up points are as follows:

(as adopted from Notified TAMP Order no. TAMP/80/2016-KOPT for tariff of KDS of KOPT).

(i). **Dry Bulk Cargo**

| Sl. No. | Cargo Group | Rate per Tonne (In. ₹.) | |
|---------|------------------------------|-------------------------|---------|
| | | Foreign | Coastal |
| 1a | Thermal Coal | 26.90 | 26.90 |
| 1b | Coal other than Thermal Coal | 27.67 | 16.60 |
| 2 | Food Grains | 27.82 | 16.69 |
| 3 | Sugar | 28.84 | 17.30 |
| 4 | Other Bulk Cargo | 27.88 | 16.73 |

(ii). **Break Bulk Cargo**

| Sl. No. | Cargo Group | Rate per Tonne (In. ₹.) | |
|---------|--|-------------------------|---------|
| | | Foreign | Coastal |
| 1 | Bagged Cargo | 53.44 | 32.06 |
| 2 | Log | 36.81 | 22.09 |
| 3 | Container (Laden / Empty) Rate per TEU | 406.81 | 244.09 |

- (b). Charges for loading/unloading operations on /from Barges inside the impounded Dock of HDC of KOPT are as follows:

| Charges for stevedoring operation including Supply & Service of Equipment in hatches for loading / unloading of Cargo by using shore crane / excavator | | | |
|---|--|----------------------|---------|
| Sl. No. | Commodity | Foreign | Coastal |
| | | Rates per Tonne (in) | |
| 1 | Iron Ore & Iron Ore Pallets | 35.28 | 35.28 |
| 2 | Thermal Coal | 56.70 | 56.70 |
| 3 | All types of coal (except Thermal Coal) | 56.70 | 34.02 |
| 4 | Lime Stone | 49.61 | 29.76 |
| 5 | Manganese Ore, | 51.55 | 30.92 |
| 6 | Met Coke | 79.38 | 47.62 |
| 7 | Rock Phosphate and Sulphur | 79.38 | 47.62 |
| 8 | Cement Clinker | 59.54 | 35.72 |
| 9 | Gypsum | 49.61 | 29.71 |
| 10 | Sugar & all other dry bulk cargo | 61.06 | 36.63 |
| 11 | Bag Cargo (containing Fertilizer, Foodgrain, Sugar , Cement etc. having unit weight upto 50kg) | 110.88 | 66.52 |
| 12 | Iron and Steel products, project cargo, machinery and spare parts (with equipment support inside hatch) | 114.99 | 68.99 |
| 13 | Iron and Steel Products, project cargo, machinery and spare parts (without equipment support inside hatch) | 73.92 | 44.35 |

- (c). Charges for shore handling operation in respect of cargo loaded/discharge on/from Barges inside the impounded dock (as adopted from the TAMP Notified for upfront tariff of HDC of KOPT).

- (i). Charges for shore handling operation for Dry Bulk Cargo are as follows:

| Sl. No | Commodity | Discharged by shore crane/excavator and delivered directly from jetty to consignee premises | | Discharged by shore crane/excavator and transferred & stored in storage area inside port premises | |
|--------|---|---|---------|---|---------|
| | | (1) | (2) | (3) | (4) |
| | | Foreign | Coastal | Foreign | Coastal |
| | | Rates per Tonne (in ₹.) | | Rates per Tonne (In ₹.) | |
| 1 | All types of Coking Coal (except Thermal Coal) | 37.82 | 22.69 | 112.66 | 67.60 |
| 2 | Thermal Coal | 37.82 | 37.82 | 112.66 | 112.66 |
| 3 | Met Coke | 40.25 | 24.15 | 109.82 | 65.89 |
| 4 | Lime Stone | 37.37 | 20.62 | 110.97 | 66.58 |
| 5 | Manganese Ore | 32.03 | 19.22 | 95.42 | 57.25 |
| 6 | Iron Ore Fines & Lumps. | 34.19 | 34.19 | 110.40 | 110.40 |
| 7 | MOP, Rock Phosphate, & Sulphur | 39.24 | 23.54 | 107.07 | 64.24 |
| 8 | Cement Clinker | 32.25 | 19.35 | 93.38 | 56.03 |
| 9 | Gypsum | 32.25 | 19.35 | 104.13 | 62.48 |
| 10 | Sugar and all other dry bulk cargo | 39.24 | 23.54 | 107.07 | 64.24 |

(ii). Charges for shore handling operation for Break Bulk Cargo are as follows:

| Sl. No. | Commodity | Foreign | Coastal |
|---------------|--|-------------------------|---------|
| | | Rates per Tonne (In ₹.) | |
| (a) | Cargo Unloaded onto the wharf and transported to storage yard within port premises or vice versa | | |
| 1. | CR Sheets, HR Plates, Steel Sheets, Steel Slabs | 127.54 | 76.52 |
| 2. | Steel Coils, HR Coils WR Coils | 68.44 | 41.07 |
| 3. | Steel billets, Steel blooms, Steel Rails, Pipes and Tubes | 76.85 | 46.11 |
| 4. | All Bag Cargo containing Fertilizer, Food grain, Sugar, Cement and other commodities having unit weight up to 50 kg. | 172.15 | 103.29 |
| 5. | Project Cargo, Machinery, Spares | 177.45 | 106.47 |
| Notes: | | | |
| (i) | For transfer / delivery of cargo from direct to consignee's premises, the above rate does not include supply of transport (for delivery) by the Handling Agent. The same shall be arranged by the concerned importer / exporter / receiver of cargo at their own cost. | | |
| (ii) | In case of Bag Cargo (Unit bag weight up to 50 kg), the shore handling charged includes supply of trucks by the Handling Agent for transportation of cargo between the jetty and the storage yard including loading and unloading on and from truck in such operation. | | |
| (iii) | The rate mentioned at column (4) above includes charges for heaping / high heaping of dry bulk cargo at the storage yards. | | |

| | |
|------|---|
| (iv) | In case of break bulk cargo, the shore handling charges include supply of trailers by the Handling Agents for transportation of the cargo between the jetty and the storage area including loading & unloading on and from trailers there at. |
| (v) | 60% of the above charges shall be levied for the coastal cargo other than Thermal Coal, Iron Ore & Iron Ore Pellets. |

- (d). Charges and modalities for delivery / receiving operations of cargo loaded / unloaded from / to Barges will be same as stated against S.4.1 to S.4.9 of the Notified TAMP Order no. TAMP/79/2016-KOPT dated 26.02.2018.
- (e). Performance Standards for loading/unloading of dry bulk cargo on/from Barge inside the impounded dock are as follows:

For the purpose of levy of rates for cargo handling operations in respect of Barges, achievement of the following productivity levels will be applicable.

| Sl. No. | Commodity | Productivity Norms in tonnes per Ship Day |
|---------|--|---|
| 1 | Iron Ore & Iron Ore Pellets | 3000 |
| 2 | Thermal Coal | 2100 |
| 3 | All types of coal (except Thermal Coal) | 2100 |
| 4 | Lime Stone | 2400 |
| 5 | Manganese Ore | 2310 |
| 6 | Met Coke | 2310 |
| 7 | Rock Phosphate and Sulphur | 1500 |
| 8 | Cement Clinker | 2000 |
| 9 | Gypsum | 2400 |
| 10 | Sugar & all other dry bulk cargo | 1950 |
| 11 | Bag Cargo (containing Fertilizer, Food grains, Sugar, Cement etc. having unit weight upto 50 kg) | 600 |
| 12 | Iron and Steel products, project cargo, machinery and spare parts (with equipment support inside hatch) | 900 |
| 13 | Iron & Steel products, project cargo, machinery and spare parts (without equipment support inside hatch) | 900 |

- Note: (i) The performance standard has been considered for operation with Single Shore Crane/Excavator.
- (ii) The Shore handling agents will be required to match the aforesaid productivity norms of loading/unloading to ensure that there is no detention in loading / unloading operation of the Barge due to reasons attributable to the stevedoring and shore handling agent.

- (f). Norms for Receipt and Delivery operations in respect of cargo handled through Barges.
- (i). In case of Rail Borne cargo the handling agents are required to complete loading/unloading of cargo on/from the railway rakes within the stipulated time as per the railway rules as may prevail from time to time. In case of failure to complete loading/unloading of the rake within stipulated free time, demurrage as may be applicable will be payable by the handling Agent to the importer / exporter concerned.
- (ii). However, in case of road bound cargo no norms for loading/ unloading of cargo for delivery / receiving can be fixed as the supply of transport depends on the importer/exporter and the handling Agents have no role in it.

2.4 The KOPT has furnished the copy of the Board Resolution approving the proposal in reference vide its resolution no. R/215/HDC/Sh&CH/3/12/2018 dated 27 December 2018.

3. In accordance with the consultative procedure prescribed, a copy of the KOPT proposal dated 08 January 2019 was forwarded to the concerned users/ user organizations vide our letters dated 11 January 2019 seeking their comments. Only one of the users / user organizations i.e. Steel Authority of India Ltd (SAIL) has furnished its comments. The said comments was forwarded to KOPT as feedback information. The KOPT has responded vide its letter dated 8 March 2019.

4. A joint hearing on the case in reference was held on 19 February 2019 at the KOPT premises. At the joint hearing, the KOPT made a brief Power Point presentation of the proposal. During the joint hearing, the KOPT and other users/ user organizations have made their submissions.

5. Based on preliminary scrutiny of the proposal, some clarification was sought from KOPT vide our letter dated 11 March 2019. After our reminder dated 8 April 2019, the KOPT has responded vide its letter dated 18 April 2019. The information/ clarification sought by us and response of KOPT thereon are tabulated below:

| Sr. no. | Information/ clarification sought by us | Reply of KOPT |
|---------|--|--|
| 2.1. | The KOPT to confirm that all the cargo that would be discharged at the anchorage are covered by the various subsequent operations as listed, to avoid mismatch of cargo items listed for each operations. | So far as HDC is concerned, whatever, cargo is discharged at Anchorages is brought to Haldia Dock by barge for subsequent discharge at the jetty. The cargo thereafter gets transferred to the storage are inside dock and delivered by road/rail. |
| 2.2. | The KOPT to confirm forwarding a copy of its proposal to Ripley & Co. Stevedoring & Handling Pvt. Ltd., as agreed by KOPT during the joint hearing. | The same has been complied with. |
| (A). | <u>Charges for loading/unloading operations on/from vessels including deployment of equipment and manpower at anchorage/lighterage/top up points</u> | |
| 1. | <p>Considering that the anchorage points of Kolkata Dock System (KDS) and Haldia Dock Complex (HDC) are common and they are under the jurisdiction of KDS, the HDC in KOPT has reported to have adopted the tariff in respect of “Stevedoring on-board ship at Anchorage” as approved by the Authority vide Order dated 19 January 2018 while fixing the upfront tariff for stevedoring and shore handling operations at KDS of KOPT, as “Charges for loading/unloading operations on/from vessels including deployment of equipment and manpower at anchorage/lighterage/top up points” in the subject proposal in reference. In this connection, the HDC to clarify / furnish the following:-</p> <p>(i). The charges at KDS were fixed taking into account, the average hook shift output ranging from 240 tonnes to 690 tonnes for various cargo items, hire cost of the crane operator at ₹. 700 per shift, labour cost</p> | <p>Since similar rates have been proposed for HDC and KDC, the cost element is also same.</p> |

| | | |
|----|---|---|
| | <p>ranging from ₹.15/- per tonne to ₹. 28 per tonne for various cargo items. The HDC to confirm that the said cost elements as considered in respect of KDS, would be applicable for HDC as well.</p> <p>(ii). Further, the Foreign and Coastal tariff for the Stevedoring on-board ship at Anchorage for KDS has been prescribed based on the percentage share of foreign (93%) and coastal (7%) cargo handled by the KDS. However, in respect of HDC, the percentage share of foreign and coastal cargo was considered at 84% and 16% respectively. In this backdrop, the KOPT to justify adoption of tariff of KDS in subject proposal.</p> | <p>The share of costal cargo in lighterage operation by ship's crane on account HDC is negligible. In fact, during the F.Y. 2018-19, no vessel account HDC with coastal cargo had been handled at the anchorage point. In case of KDS, the share of coastal cargo in the lighterage operation has been only 7% which is also negligible. As the percentage share coastal cargo for both the dock are similar, so KOPT has proposed for adoption of the upfront tariff for Stevedoring at the anchorage points as approved for KDS.</p> |
| | <p>(iii) The KOPT to furnish the present tariff arrangement for discharge of cargo at anchorage points at KOPT in respect to vessel destined for HDC.</p> <p>(iv). The tariff schedule for Stevedoring on-board ship at Anchorage for KDS in the Order approved by the Authority, is accompanied by following notes: <i>Note:</i> <i>(a).Stevedoring for the purpose of (A) & (B) above, includes loading and unloading and stowage of cargo in any form on-board the vessels in port.</i> <i>(b). For container exceeding 20 ft., rates shall be levied at 1.5 times of TEU rate.</i> <i>(c).Stevedoring activities cover discharging cargo from ships in to barge or vice versa.</i></p> <p>However, no such notes to the stevedoring tariff for the vessels of HDC handled at Anchorage points at KOPT are seen to have been prescribed in the proposal in reference. The KOPT is requested to examine and propose the relevant notes, governing levy of proposed charges.</p> | <p>For undertaking lighterage operation at the anchorage, 90% of the wharfage charges, as approved in the SOR, are collected. For cargo brought by barge at Haldia Dock after lighterage at anchorage points, the following rates are collected as wharfage: (i). Iron Ore ₹. 6.73 per MT (ii). Other than Iron Ore: ₹. 26.95 per MT.</p> <p>The foot note made by KDS is also applicable for HDC except Note (A).</p> <p>Note (a) should be read as: <i>Stevedoring at anchorage includes loading and unloading and stowage of cargo in any form on board the vessel.</i> Note (b) to be retained unchanged. Note (c) to be retained unchanged</p> |
| 2. | <p>The KOPT has not proposed performance standards for cargo operations at anchorage points. In this regard, it is relevant to mention here that as per clause 7.1 of the guidelines for determination of upfront tariff for Stevedoring and Shore Handling operations, 2016, the Stevedoring and Shore handling operators would be entitled to 100% WPI indexation instead of 60% WPI indexation, from the second year of operation on achievement</p> | <p>At the anchorage points, the working of the vessel gets detained due to rolling/ pitching of vessel, high winds, high waves, bad weather, non-availability of Barges, tidal rise and fall of river water etc. A stevedore has no control over these factors. Therefore, it is difficult for KOPT to propose any productivity norms for cargo handling at the Anchorage points, the same has not been proposed.</p> |

| | | |
|--------|---|--|
| | of performance standards prescribed as per Berthing Policy issued by the Ministry of Shipping vide letter no. PD-11033/73/2013-PT (pt) dated 16.06.2016 for dry bulk and for other cargo, the performance norms as prescribed by the Major Port. Accordingly, the KOPT to propose performance standards for cargo handling at the Anchorage Point of KOPT. In the absence of Performance Standard, it will not be possible for KOPT to index the tariff on achievement of Performance Standard. | |
| B. | <u>Charges for loaded/ unloading on/from Barges inside the impounded dock.</u> | |
| (i). | The KOPT to furnish the reason for considering deployment of one shore crane per day. | Only one crane can be operated at a time for handling barges as the barges are small in size. Therefore, only one crane is deployed on account of one barge. |
| (ii). | The KOPT to provide the documentary evidence for ₹. 60,000 per day towards hire charges of shore crane and ₹. 7500/ towards hire charges of a pay Loader < 3 MT, proposed to be deployed for handling Dry Bulk Cargo. | KOPT has obtained the information of hire charges of shore crane and payloader from the Stevedores/shore handling agents working in HDC, who charge the importers / exporters for providing the equipment on per tonne basis. The information so obtained has been gathered verbally as Stevedores/ shore handling agents avoided providing written information. Upon converting the per productivity standers, the rates of ₹. 60000 per day towards hire charge of shore crane and ₹. 7500 towards hire charge of a payloader has been proposed. |
| (iii). | The KOPT to furnish documentary evidence in support of hire charges of Shore Crane at ₹. 36000/- per day and forklift of 10 -15 MT at ₹. 10,000/- per day, proposed to be deployed for handling break bulk cargo. | The KOPT has obtained the information of hire charges of shore crane and forklift from the Stevedores/ shore handling agents working in HDC, who charge the importers/ exporters for providing the equipment on per tonne basis. The information so obtained has been gathered verbally for Stevedores/ shore handling agents. Upon converting the per tonne rate into per day rate, as per productivity standers, the rates of ₹. 36000 per day towards hire charge of shore crane and ₹. 10000 towards hire charge of a forklift has been proposed. |
| (iv). | It is observed that the Port has not taken the impact of percentage share of foreign and coastal cargo while prescribing the proposed charges for foreign/ coastal cargo, for stevedoring operations including Supply & Service of Equipment in hatches for loading/unloading of cargo using shore/excavator. The Share of foreign and costal cargo may be considered and the rates may be reworked. | The upfront tariff proposed by KOPT has been calculated as per Govt. Guidelines, based on productivity standards. The equipment cost proposed by KOPT has been linked with the rate realized by the Shore Handling Agents from the importers/exports, where the foreign and coastal cargo share has been taken into consideration. The other cost elements such as such as Labour Cost, Operational Overheads and Administrative Overheads have been calculated at fixed % over equipment and labour cost, as the case may be, as the volume of coastal cargo is negligible, it's impact on the charges that has |

| | | |
|------|--|--|
| | | been proposed following the Govt. Guidelines for stevedoring operations including supply and service of equipment in hatch for loading / unloading of cargo using shore/ excavator is also negligible. Therefore, reworking of the rates considering the cargo share of foreign and coastal cargo is not found necessary. |
| C. | <u>Charges for shore handling operations in respect of cargo loaded/ discharged on/from Barges inside the impounded dock</u> | |
| (i). | The charges as approved by the Authority in January 2018 for Shore Handling Operations for Dry Bulk cargo/ Break Bulk Cargo for the cargo handed at HDC based on the proposal then filed by the KOPT, has been adopted now by HDC for the shore handling operation in respect of the cargo loaded/discharged on/from Barges inside the impounded dock, on the ground that methodology of cargo operations in respect of barges is identical with that of cargo loaded / unloaded from vessels. In this regard, KOPT may note that shore handling tariff as prescribed for Shore Handling Operations for Dry Bulk cargo/ Break Bulk Cargo for the cargo handed at HDC is linked with the performance norm for that commodity/ operations. In the instant case, the performance norms proposed for shore operations for barge cargo is at vast difference with the performance norms as considered for shore handling operation of Dry Bulk cargo/ Break bulk cargo vessels, as given below. | |
| (a). | The reason for prescribing very lower productivity i.e. lower productivity norms in respect of the dry bulk & break bulk cargo items now, as compared to the HDC's earlier proposal for fixing stevedoring and shore handling charges which was disposed by the Authority in January 2018, may be justified. | The earlier proposal for fixing stevedoring and shore handling charges are for cargo vessels where cargo are discharged by multiple hatches simultaneously. As a result, the productivity has been considered at a higher level. Whereas, the instant proposal is for Barge handling where only one shore crane is deployed. Therefore, the productivity considered is much lower. |
| (b). | Considering the productivity proposed by the Port for cargo handling in respect of the barges, the Port may have to assess the requirement of equipment viz. payloader/proclain/dumpers per shift to achieve the lower level of productivity and revisit the upfront tariff proposed now for shore handling operations for barges. | The KOPT had proposed tariff for shore handling operation for dry bulk cargo/break bulk cargo loaded / discharged on / from Barges inside the impounded Dock to be identical with that has already been approved by TAMP for shore handling operation of cargo loaded/ discharged from vessel irrespective of the quantity and productivity. The same has been proposed because the series of operations involved, the manpower and equipment engaged, the area of operation in both the cases are identical. However, as the volume of cargo handled in Barges is much less in respect of vessels, the number of equipment involved |

| | | |
|------|---|--|
| | | in shore handling operation is also less and therefore the cost of handling per ton is high which makes it similar to the charges approved for shore handling operation of vessels. So the need of revisiting the charges proposed for shore handling operation of cargo of Barges is not found necessary. Later on, the HDC vide its letter dated 23 May 2019 has furnished an illustrative working for coal cargo justifying the shore handling cost per tonne of barges is similar to the charges of cargo received from vessels. |
| (c). | The note relating to applicability for shore handling operations in respect of export cargo shipped by MHC/ Ship's crane prescribed underneath of charges for shore handling in the Tariff Order dated 19 January 2018 passed by the Authority for determination of upfront tariff for stevedoring and shore handling operations at Haldia Dock Complex (HDC) of KOPT is seen to have not been prescribed in the present in case in reference. The KOPT to propose relevant notes to govern levy of the proposed rates. | The head note mentioned in Section C of Annexure-IV of the proposal in respect of Shore Handling Operation clearly indicates that the charges proposed are in respect of cargo loaded / discharged on/from Barges inside the impounded Dock which itself construed that the proposed rate are in respect of Import/ Export cargo. Therefore, no separate note for shore handling of export cargo has been proposal. |
| (d). | The KOPT to explain the reason for proposing Note no. (v). to the effect that 60% of the above charges shall be levied for the coastal cargo other than Thermal coal, Iron Ore & Iron Ore pellets, when separate concessional rates for each of the coastal cargo considering 40% concession has already been proposed. | The said point has been included erroneously and needs to be deleted. |
| D. | <u>Norms for Receipt and Delivery operations in respect of cargo handled through Barges.</u> | |
| | The KOPT has proposed a note to the effect that "Charges and modalities for delivery / receiving operations of cargo loaded / unloaded from / to Barges will be same as stated against S.4.1 to S.4.9 of TAMP notified upfront tariff of HDC bearing no. TAMP/79/2016-KOPT dated 26.2.2018." The reason for proposing the said note, drawing reference to upfront tariff order may be explained, considering that said provisions are already prescribed vide above referred Order. | The KOPT has proposed that the upfront tariff for delivery / receiving operations of cargo loaded / unloaded from/to vessels at HDC which has been approved by TAMP vide Order no. TAMP/79/2016-KOPT dated 26.02.2018, may be adopted for the delivery / receiving operations of cargo handled in Barges as the series of operations involved, the manpower and equipment engaged, the area of operation in both cases are almost identical. |

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

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

- (i). Based on the proposal filed by KOPT, this Authority vide its Order no. TAMP/79/2016-KOPT dated 26 February 2018 has prescribed upfront tariff for stevedoring and shore handling operations at Haldia Dock Complex, which was notified in the Gazette of India on 26 February 2018 vide Gazette No. 76. In the said Order, the KOPT was advised to file a proposal for fixation of upfront tariff for Stevedoring operations for anchorage discharge and barge handling at HDC, within 3 months from the notification of the Order in the Gazette of India.
- (ii). Accordingly, the KOPT has come up with a proposal for fixation of upfront tariff for Stevedoring operations for anchorage discharge and barge handling at Haldia Dock Complex (HDC) in January 2019. The proposal of KOPT has the approval of its Board of Trustees.
- (iii). The KOPT in the proposal in reference has sought the approval for the following charges relating to stevedoring and shore handling of cargo discharged at anchorage and brought by barges to HDC.
 - (a). Charges for loading/unloading operations on/from vessels including deployment of equipment and manpower at anchorage/lighterarge/top up points.
 - (b). Charges for loading/unloading operations on /from Barges inside the impounded Dock of HDC of KOPT.
 - (c). Charges for shore handling operation in respect of cargo loaded/discharge on/from Barges inside the impounded dock.
 - (d). Charges and modalities for delivery / receiving operations of cargo loaded / unloaded from / to Barges.
- (iv). The submissions made by KOPT in its proposal dated 08 January 2019 alongwith the information/ clarification furnished by KOPT during the processing of the case in reference, are considered in this analysis.
- (v). In the Stevedoring and Shore Handling Guidelines 2016, no norm for anchorage discharge and barge handling has been provided. In absence of such norms, the KOPT has adopted each of different methodology for arriving the tariff for each of the items of anchorage discharge and barge operations at HDC. The analysis on the each of the tariff items of anchorage discharge and barge operations at HDC is given in the following paragraphs:

(a). **Charges for loading/unloading operations on/from vessels including deployment of equipment and manpower at anchorage/lighterarge/top up points.**

- (i). The anchorage points of KDS and HDC are common. Therefore, the port has proposed the upfront tariff of stevedoring on-board ship at Anchorage as approved for KDS by this Authority vide order TAMP/80/2016-KOPT dated 19 January 2018 to be made applicable to loading/unloading operations on/from vessels including deployment of equipment and manpower at anchorage/lighterarge/top up points for the cargo destined to HDC.

Given that the anchorage points of KDS and HDC are common and are under jurisdiction of KDS and relying upon the clarification furnished by KOPT that the cost elements for vessels handled on account of KDS and HDC are same, this Authority is inclined to approve upfront tariff of stevedoring on-board ship at Anchorage as approved for KDS to be made applicable to loading/unloading

operations on/from vessels including deployment of equipment and manpower at anchorage/lighterage/top up points.

- (ii). The KOPT has not proposed the notes for levy of the charges of loading/unloading operations on/from vessels including deployment of equipment and manpower at anchorage/lighterage/top up points as prescribed for the upfront tariff for stevedoring on-board ship at Anchorage approved for KDS of KOPT by this Authority. On being pointed out, the port has requested us to consider to incorporate respective notes and make applicable to the charges leviable at anchorage/lighterage/top up points also. Acceding to the request of HDC, the respective notes governing the charges for loading/unloading operations on/from vessels including deployment of equipment and manpower at anchorage/lighterage/top up points, are incorporated as proposed by KOPT.
- (iii). The KOPT has not proposed performance standards for cargo operations at anchorage points. In this regard, it is relevant to mention here that as per clause 7.1 of the guidelines for determination of upfront tariff for Stevedoring and Shore Handling operations, 2016, the Stevedoring and Shore handling operators would be entitled to 100% WPI indexation instead of 60% WPI indexation, from the second year of operation on achievement of performance standards prescribed as per Berthing Policy issued by the Ministry of Shipping vide letter no. PD-11033/73/2013-PT (pt) dated 16.06.2016 for dry bulk and for other cargo, the performance norms as prescribed by the Major Port. In this regard, KOPT has stated that it has not proposed the performance standards for cargo operations at anchorage points in view of the difficulties faced by the working of the vessel which gets detained due to factors like rolling/ pitching of vessel, high winds, high waves, bad weather, non-availability of Barges, tidal rise and fall of river water etc, on which stevedore has no control. The justification given by the KOPT has been relied upon. Since the KOPT has not prescribed performance standards to be achieved in respect of stevedoring on-board ship at Anchorage, the charges to be approved in this regard will be automatically indexed to 60% of the WPI indexation and no performance linked indexation upto 100% WPI will be available to the operators.

(b). Charges for loading/unloading operations on /from Barges inside the impounded Dock of HDC of KOPT.

- (i). The KOPT has arrived at the charges for loading/unloading operations on /from Barges inside the impounded Dock of HDC of KOPT, as per the stipulation contained at Clause 3.5.2 of the Stevedoring and Shore Handling Guidelines. As per clause 3.5.2, the Operating cost for the Stevedoring Operations are grouped under following major heads; viz. Equipment hire cost, Labour cost, Operational overheads and Administration Overheads and prescribed profit margin thereon.
- (ii). The KOPT has considered deployment of one shore crane and one pay loader for loading/unloading operations on /from Barges from/to dock as against 3 shore cranes and 3 Dozers prescribed in the Stevedoring and Shore Handling guidelines. The KOPT has clarified that only one crane/ one dozer can be operated at a time for handling barges.

- (iii). In view of the submissions made by KOPT and since Clause 1.8 of the Stevedoring and Shore handling Guidelines allows this Authority to accept necessary adjustment in norms based on the justification furnished by the port keeping in view of the port specific conditions i.e. barge being smaller than the vessel, having impact on the norms prescribed in the guidelines, this Authority is inclined to consider the equipment profile as proposed by the port for dry bulk and break bulk category.
- (iv). As per Stevedoring and Shore Handling Guidelines, the hire charges towards deployment of equipment is to be estimated based on the equipment hire cost prevailing at the relevant port locations or prevailing market based hire cost. The KOPT has expressed its inability to furnish documentary evidence in support of equipment hire charges. It has reported to have gathered the hire charges of equipment informally from other sources. Therefore, in view of the submission made by the KOPT, the equipment hire charges as considered by KOPT is relied upon.
- (v). As per clause 3.5.7 of the Guidelines, labour deployment shall be as per the norms prescribed by the National Tribunal Award (NTA) as provided in the Annex-VIII to the Guidelines and the unit rate will be the prevailing actual cost of labour for the quantum of the labour as per prescribed norms. The Guidelines also state that the prescribed norms and any other norms specifically given for the port shall be followed for calculation of Labour cost. Since the Stevedore is not involved in the supply of the labour for the stevedoring operation, the KOPT has rightfully excluded the said component in the rate to be collected by the Stevedores from the users. Thus, the labour cost as per clause 3.5.7 of the guidelines has not been considered by KOPT.
- (vi). The KOPT has considered the labour cost component at 5% and 10% of equipment hire charges for dry bulk cargo and break bulk cargo respectively. In this connection, it is relevant here to mention that based on the proposal filed by KOPT for fixation of upfront tariff for stevedoring and shore handling operations at Haldia Dock Complex (HDC) at KOPT, this Authority has approved the charges for upfront tariff for charges for supply & service of equipment in hatches on-board ship for discharging dry bulk cargo and break bulk cargo at HDC at 5% and 10% of equipment hire charges for dry bulk cargo and break bulk cargo respectively towards slinging/ unslinging, incidental to the deployment of equipment. Since the loading/unloading operations on /from Barges inside the impounded Dock of HDC of KOPT is akin to supply & service of equipment in hatches on-board ship for discharging dry bulk cargo and break bulk cargo at HDC, the labour cost component at 5% and 10% of equipment hire charges as considered by the KOPT for dry bulk cargo and break bulk cargo respectively, is considered in the analysis.
- (vii). Each of the Operational Overheads and Administrative Overheads has been estimated at 20% of the equipment hire cost and labour cost, which is as per the stipulation contained in Clause 3.5.8 and 3.5.9 of the Stevedoring and Shore handling guidelines.
- (viii). As stipulated in Clause 5 of the Stevedoring and Shore Handling Guidelines, margin at 20% on the total operating cost has been considered by KOPT to arrive at the upfront stevedoring tariff.

- (ix). The KOPT has not taken the impact of percentage share of foreign and coastal cargo while prescribing the proposed charges for foreign/ coastal cargo for supply & service of equipment in hatches on-board ship for discharging cargo for dry bulk cargo and break bulk cargo at HDC on the ground that share of coastal cargo handled at lighterage on account of HDC is negligible. The submission made by the KOPT in this regard is relied upon.
 - (x). The cost statement for the determination of the upfront tariff for on-board ship for discharging dry bulk cargo and break bulk cargo at HDC as furnished by KOPT, based on the various parameters as discussed above is attached at **Annex**.
- (c). **Charges for shore handling operation in respect of cargo loaded/discharged on/from Barges inside the impounded dock of HDC of KOPT.**
- (i). The KOPT has proposed that the upfront tariff for shore handling operation for Dry Bulk Cargo in respect of two particular method of operations viz. Discharged by ship's crane and delivered directly from Jetty to consignee premises and discharged by Ship's Crane and transferred & stored in storage area inside port premises, as approved for HDC by this Authority vide Order TAMP/79/2016-KOPT dated 19 January 2018 be made applicable for shore handling operation in respect of cargo loaded/discharged on/from Barges inside the impounded dock of HDC of KOPT for the said two method of operations. The KOPT has submitted that the shore handling for the two methods of operation for handling dry bulk and break bulk vessels are identical to shore handling of barges at HDC.
 - (ii). Though the KOPT has adopted the tariff relating to shore handling operation for vessel cargo to the shore handling operations of barge cargo stating the identical operations, the Port has adopted lower productivity norms for shore handling for barge cargo than the productivity norms of shore handling operations for vessel cargo approved by this Authority. On a specific query, the port has replied that though the series of operations involved, the manpower and equipment engaged and the area of operation in both the cases are identical, the volume of cargo handled in Barges is much less in respect of vessels. The Port has also stated that the number of equipment involved in shore handling operation of Barge cargo is less than the equipment involved for shore handling operation for vessel cargo. However, the cost of handling per ton will be similar to the charges approved for shore handling operation of vessels. Accordingly, it has proposed to adopt the tariff relating to shore handling operation for vessel cargo to the shore handling operations for barge cargo. The KOPT has also submitted an illustrative working for coal cargo justifying that the shore handling cost per tonne of barges is similar to the charges of cargo received from vessels.
 - (iii). Given that the shore handling operations for vessel cargo and barge cargo are identical as reported by KOPT and relying on the submission made by the KOPT and also considering that the Board of Trustees have approved the proposal, this Authority is inclined to approve the charges for shore handling operation in respect of cargo loaded/ discharged on/from Barges inside the impounded dock for the two method of operations viz. Discharged by ship's crane and delivered directly from Jetty to consignee premises and

Discharged by Ship's Crane and transferred & stored in storage area inside port premises as approved for HDC for shore handling operations vessel cargo of respective methods.

- (iv). The KOPT is seen to have rightfully adopted the relevant notes governing the levy of charges for shore handling operation as per the upfront tariff order for stevedoring and Shore handling operations at HDC approved by this Authority vide its Order dated 19 January 2018 to the Charges for shore handling operation in respect of cargo loaded/discharge on/from Barges inside the impounded dock of HDC of KOPT. Hence, notes prescribed for the shore handling charges for barge cargo handling at HDC are approved.

(d). Charges, modalities and norms for delivery and receiving operation of cargo loaded/ unloaded from/ to Barges.

The Charges and modalities and norms as applicable to cargo loaded/unloaded from/to vessels at HDC as per the upfront tariff order for stevedoring and Shore handling operations at HDC approved by this Authority vide its order dated 19 January 2018 being made applicable to the cargo loaded/ unloaded from/ to vessel at HDC on the ground of similar operation and to cover the activity under the ambit of Stevedoring and Shore handling policy is found to be appropriate. This Authority is inclined to approve to incorporate the Charges, modalities and norms for delivery and receiving operation of cargo loaded/ unloaded from/ to Barges as proposed by KOPT.

(e). Performance Standards for loading/ unloading of dry bulk on/from Barges inside the impounded dock.

The Port has adopted lower productive norms for shore handling for barge cargo as compared to the productivity norms of shore handling operations for vessel cargo approved by this Authority. As regards the productivity of vessels, cargo is discharged simultaneously from multiple hatches by cranes. This would result in higher productivity as compared to discharge of cargo from a barge by one crane. Considering this position and also considering that the Board of Trustees have approved the proposal, this Authority is inclined to approve the Performance Standards for loading/unloading of dry bulk on/from Barges inside the impounded dock.

8.1. In the result, and for the reasons give above, and based on collective application of mind, incorporation of the Upfront tariff schedule prescribing charges for the (i). Loading/unloading operations on/from vessels including deployment of equipment and manpower at anchorage/lighterage/top up points, (ii). Loading/unloading operations on /from Barges inside the impounded Dock of HDC of KOPT, (iii). Shore handling operation in respect of cargo loaded/discharge on/from Barges inside the impounded dock and (iv). Charges, modalities and norms for delivery / receiving operations of cargo loaded / unloaded from / to Barges alongwith the Performance Standards, as new section as **Part III – Upfront tariff for Stevedoring and Shore Handling operations at Anchorage/Lighterage/Top up Points and Barge handling at Haldia Dock Complex (HDC) of Kolkata Port Trust (KOPT), in the existing Scale of Rates of Upfront Tariff for Stevedoring and Shore Handling Services at HDC of KOPT, is approved:**

Part - III

Upfront tariff for Stevedoring and Shore Handling operations at Anchorage /Lighterage/Top up Points and Barge handling at Haldia Dock Complex (HDC) of Kolkata Port Trust (KOPT)

S.1 Charges for loading/unloading operations on/from vessels including deployment of equipment and manpower at anchorage/lighterage/top up points:

- (i). Dry Bulk Cargo**

| Sl. No. | Cargo Group | Rate per Tonne (In. ₹.) | |
|---------|------------------------------|-------------------------|---------|
| | | Foreign | Coastal |
| 1a | Thermal Coal | 26.90 | 26.90 |
| 1b | Coal other than Thermal Coal | 27.67 | 16.60 |
| 2 | Food Grains | 27.82 | 16.69 |
| 3 | Sugar | 28.84 | 17.30 |
| 4 | Other Bulk Cargo | 27.88 | 16.73 |

(ii). **Break Bulk Cargo**

| Sl. No. | Cargo Group | Rate per Tonne (In. ₹.) | |
|---------|--|-------------------------|---------|
| | | Foreign | Coastal |
| 1 | Bagged Cargo | 53.44 | 32.06 |
| 2 | Log | 36.81 | 22.09 |
| 3 | Container (Laden / Empty) Rate per TEU | 406.81 | 244.09 |

- Note:** (a). Stevedoring at anchorage includes loading and unloading and stowage of cargo in any form on board the vessel.
(b). For container exceeding 20 ft, rates shall be levied at 1.5 times of TEU rate.
(c). Stevedoring activities cover discharging cargo from ships in to barge or vice versa.

S.2. Charges for loading/unloading operations on /from Barges inside the impounded Dock of HDC of KOPT:

| Charges for stevedoring operation including Supply & Service of Equipment in hatches for loading / unloading of Cargo by using shore crane / excavator | | | |
|---|--|-----------------------------|---------|
| Sl. No. | Commodity | Foreign | Coastal |
| | | Rates per Tonne (in) | |
| 1 | Iron Ore & Iron Ore Pallets | 35.28 | 35.28 |
| 2 | Thermal Coal | 56.70 | 56.70 |
| 3 | All types of coal (except Thermal Coal) | 56.70 | 34.02 |
| 4 | Lime Stone | 49.61 | 29.76 |
| 5 | Manganese Ore, | 51.55 | 30.92 |
| 6 | Met Coke | 79.38 | 47.62 |
| 7 | Rock Phosphate and Sulphur | 79.38 | 47.62 |
| 8 | Cement Clinker | 59.54 | 35.72 |
| 9 | Gypsum | 49.61 | 29.76 |
| 10 | Sugar & all other dry bulk cargo | 61.06 | 36.63 |
| 11 | Bag Cargo (containing Fertilizer, Food grain, Sugar , Cement etc. having unit weight upto 50kg) | 110.88 | 66.52 |
| 12 | Iron and Steel products, project cargo, machinery and spare parts (with equipment support inside hatch) | 114.99 | 68.99 |
| 13 | Iron and Steel Products, project cargo, machinery and spare parts (without equipment support inside hatch) | 73.92 | 44.35 |

S.3 Charges for shore handling operation in respect of cargo loaded/discharge on/from Barges inside the impounded dock

(i). **Charges for shore handling operation for Dry Bulk Cargo:**

| Sl. No | Commodity | Discharged by shore crane/excavator and delivered directly from jetty to consignee premises | | Discharged by shore crane/excavator and transferred & stored in storage area inside port premises | |
|--------|---|---|---------|---|---------|
| | | Foreign | Coastal | Foreign | Coastal |
| (1) | (2) | (3) | | (4) | |
| | | Rates per Tonne (In ₹.) | | Rates per Tonne (In ₹.) | |
| 1 | All types of Coking Coal (except Thermal Coal) | 37.82 | 22.69 | 112.66 | 67.60 |
| 2 | Thermal Coal | 37.82 | 37.82 | 112.66 | 112.66 |
| 3 | Met Coke | 40.25 | 24.15 | 109.82 | 65.89 |
| 4 | Lime Stone | 37.37 | 20.62 | 110.97 | 66.58 |
| 5 | Manganese Ore | 32.03 | 19.22 | 95.42 | 57.25 |
| 6 | Iron Ore Fines & Lumps. | 34.19 | 34.19 | 110.40 | 110.40 |
| 7 | MOP, Rock Phosphate, & Sulphur | 39.24 | 23.54 | 107.07 | 64.24 |
| 8 | Cement Clinker | 32.25 | 19.35 | 93.38 | 56.03 |
| 9 | Gypsum | 32.25 | 19.35 | 104.13 | 62.48 |
| 10 | Sugar and all other dry bulk cargo | 39.24 | 23.54 | 107.07 | 64.24 |

(ii). **Charges for shore handling operation for Break Bulk Cargo:**

| Sl. No. | Commodity | Foreign | Coastal |
|---------------|--|-------------------------|---------|
| | | Rates per Tonne (In ₹.) | |
| (a) | Cargo Unloaded onto the wharf and transported to storage yard within port premises or vice versa | | |
| 1. | CR Sheets, HR Plates, Steel Sheets, Still Slabs | 127.54 | 76.52 |
| 2. | Steel Coils, HR Coils WR Coils | 68.44 | 41.07 |
| 3. | Steel billets, Steel blooms, Steel Rails, Pipes and Tubes | 76.85 | 46.11 |
| 4. | All Bag Cargo containing Fertilizer, Food grain, Sugar, Cement and other commodities having unit weight up to 50 kg. | 172.15 | 103.29 |
| 5. | Project Cargo, Machinery, Spares | 177.45 | 106.47 |
| Notes: | | | |
| (i) | For transfer / delivery of cargo from direct to consignee's premises, the above rate does not include supply of transport (for delivery) by the Handling Agent. The same shall be arranged by the concerned importer / exporter / receiver of cargo at their own cost. | | |
| (ii) | In case of Bag Cargo (Unit bag weight up to 50 kg), the shore handling charge includes supply of trucks by the Handling Agent for transportation of cargo between the jetty and the storage yard including loading and unloading on and from truck in such operation. | | |
| (iii) | The rate mentioned at column (4) above includes charges for heaping / high heaping of dry bulk cargo at the storage yards. | | |
| (iv) | In case of break bulk cargo, the shore handling charges include supply of trailers by the Handling Agents for transportation of the cargo between | | |

| | |
|--|---|
| | the jetty and the storage area including loading & unloading on and from trailers there at. |
|--|---|

S.4 Charges and modalities for delivery / receiving operations of cargo loaded / unloaded from / to Barges will be same as stated against S.4.1 to S.4.9 of Part-II above.

S.5 Performance Standards for loading/unloading of dry bulk cargo on/from Barge inside the impounded dock is as follows:

For the purpose of levy of rates for cargo handling operations in respect of Barges, achievement of the following productivity levels will be applicable.

| Sl. No. | Commodity | Productivity Norms in tones per Ship Day |
|---------|--|--|
| 1 | Iron Ore & Iron Ore Pellets | 3000 |
| 2 | Thermal Coal | 2100 |
| 3 | All types of coal (except Thermal Coal) | 2100 |
| 4 | Lime Stone | 2400 |
| 5 | Manganese Ore | 2310 |
| 6 | Met Coke | 2310 |
| 7 | Rock Phosphate and Sulphur | 1500 |
| 8 | Cement Clinker | 2000 |
| 9 | Gypsum | 2400 |
| 10 | Sugar & all other dry bulk cargo | 1950 |
| 11 | Bag Cargo (containing Fertilizer, Food grains, Sugar, Cement etc. having unit weight upto 50 kg) | 600 |
| 12 | Iron and Steel products, project cargo, machinery and spare parts (with equipment support inside hatch) | 900 |
| 13 | Iron & Steel products, project cargo, machinery and spare parts (without equipment support inside hatch) | 900 |

Note: (i) The performance standard has been considered for operation with Single Shore Crane/Excavator.

(ii) The Shore handling agents will be required to match the aforesaid productivity norms of loading/unloading to ensure that there is no detention in loading / unloading operation of the Barge due to reasons attributable to the stevedoring and shore handling agent.

S.6 Norms for Receipt and Delivery operations in respect of cargo handled through Barges.

- (i). In case of Rail Borne cargo the handling agents are required to complete loading/unloading of cargo on/from the railway rakes within the stipulated time as per the railway rules as may prevail from time to time. In case of failure to complete loading/unloading of the rake within stipulated free time, demurrage as may be applicable will be payable by the handling Agent to the importer / exporter concerned.
- (ii). However, in case of road bound cargo no norms for loading/ unloading of cargo for delivery / receiving can be fixed as the supply of transport depends on the importer/exporter and the handling Agents have no role in it.

8.2. The KOPT is directed to suitably incorporate the above provisions in its existing Scale of Rates of Upfront Tariff for Stevedoring and Shore Handling Services at HDC of KOPT notified vide Order no. TAMP/79/2016-KOPT dated 26 February 2018 as Part – III.

8.3. The said charges shall come into effect after expiry of 15 days from the date of notification of the Order in the Gazette of India and its validity shall remain co-terminus with the validity of the existing charges for the stevedoring and shore handling operations as approved for HDC of KOPT, vide Order of February 2018 i.e. upto 27 March 2021.

(T.S. Balasubramanian)
Member (Finance)

Calculation of charges for on Board operation of Dry Bulk Cargo in Barges including supply of paylodgers on board

| Sl. No. | Commodity | Average Productivity per Day | No of Shore Crane deployed | Hire Charge Shore Crane per Day | No of Payloader deployed | Hire Charge of each paylodgers (< 3MT) | Total Equipment Hire Charge per day | Labour Cost (5% of equipment hire charge) | Operational Overhead (20% of Equipment hire & Labour cost) | Administrative Overhead (20% of Equipment hire & Labour cost) | Total Operating Cost | Margin (20% of total Operating Cost) | Total | Cost per ton as per Productivity standards |
|---------|-----------------------------|------------------------------|----------------------------|---------------------------------|--------------------------|--|-------------------------------------|---|--|---|----------------------|--------------------------------------|--------|--|
| 1 | Iron Ore & Iron Ore Pallets | 3000 | 1 | 60000 | 0 | 0 | 60000 | 3000 | 12600 | 12600 | 88200 | 17640 | 105840 | 35.28 |
| 2 | All types of Coal | 2100 | 1 | 60000 | 1 | 7500 | 67500 | 3375 | 14175 | 14175 | 99225 | 19845 | 119070 | 56.70 |
| 3 | Lime Stone | 2400 | 1 | 60000 | 1 | 7500 | 67500 | 3375 | 14175 | 14175 | 99225 | 19845 | 119070 | 49.61 |
| 4 | Manganese Ore | 2310 | 1 | 60000 | 1 | 7500 | 67500 | 3375 | 14175 | 14175 | 99225 | 19845 | 119070 | 51.55 |
| 5 | Met Coke | 1500 | 1 | 60000 | 1 | 7500 | 67500 | 3375 | 14175 | 14175 | 99225 | 19845 | 119070 | 79.38 |
| 6 | Rock Phosphate & Sulphur | 1500 | 1 | 60000 | 1 | 7500 | 67500 | 3375 | 14175 | 14175 | 99225 | 19845 | 119070 | 79.38 |
| 7 | Cement Clinker | 2000 | 1 | 60000 | 1 | 7500 | 67500 | 3375 | 14175 | 14175 | 99225 | 19845 | 119070 | 59.54 |
| 8 | Gypsum | 2400 | 1 | 60000 | 1 | 7500 | 67500 | 3375 | 14175 | 14175 | 99225 | 19845 | 119070 | 49.61 |
| 9 | All other Dry Bulk Cargo | 1950 | 1 | 60000 | 1 | 7500 | 67500 | 3375 | 14175 | 14175 | 99225 | 19845 | 119070 | 61.06 |

Calculation of charges for on Board operation of Break Bulk Cargo in Barge

| Sl. No. | Commodity | Average Productivity per Day | No of Shore Crane deployed | Hire Charge Shore Crane per Day | No of Forklift deployed per day | Hire Charge of each Forklift per Day (10<15MT) | total Equipment Hire Charge per day | Labour Cost (10% of equipment hire charge) | Operational Overhead (20% of Equipment hire & Labour cost) | Administrative Overhead (20% of Equipment hire & Labour cost) | Total Operating Cost | Margin (20% of total Operating Cost) | Total | Cost per ton as per Productivity standards |
|---------|--|------------------------------|----------------------------|---------------------------------|---------------------------------|--|-------------------------------------|--|--|---|----------------------|--------------------------------------|--------|--|
| 1 | Bar Cargo (Containing Fertilizer, Food Grains, Sugar Cement etc. having unit weight up to 50kg) | 600 | 1 | 36000 | 0 | 0 | 36000 | 3600 | 7920 | 7920 | 55440 | 11088 | 66528 | 110.88 |
| 2 | Iron and Steel Products, Project Cargo, Machinery and Spare, Jumbo Bags (with equipment support inside hatch) | 900 | 1 | 36000 | 2 | 10000 | 56000 | 5600 | 12320 | 12320 | 86240 | 17248 | 103488 | 114.99 |
| 3 | Iron and Steel Products, Project Cargo, Machinery and Spare, Jumbo Bags (without equipment support inside hatch) | 900 | 1 | 36000 | 0 | 0 | 36000 | 3600 | 7920 | 7920 | 55440 | 11088 | 66528 | 73.92 |

Note: 60% of the above charges shall be levied for the coastal cargo other than Thermal Coal, Iron Ore & Iron Ore Pallets.

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

| | |
|--------------------------------|--|
| F. No. TAMP/8/2019-KOPT | Proposal received from Kolkata Port Trust for fixation of upfront tariff for stevedoring operation for anchorage discharge and barge handling at Haldia Dock Complex (HDC). |
|--------------------------------|--|

A summary of comments received from the Steel authority of India (SAIL) and the response of PPT thereon is tabulated below:

| Sr. no. | Comments of Steel Authority of India Ltd | Reply of KOPT | | | | | | | | | | | | | | | | | | |
|---------|---|---|-----------|----------------------------|---|-----------------------------------|-------|---|--------------------------|-------|---|------------------|----------|---|---------------------------------|-------|-------|--|--------|--|
| (i). | <p>The proposal includes stevedoring charges based on TAMP approved rate for stevedoring on board ship at anchorage vide TAMP G.No 76 of 26.02.2018 of Kolkata Dock System (KDS), on board operation of barges inside Dock and subsequent shore handling and dispatch related service based on the TAMP approved rate for similar services at HDC vide TAMP G.no 76 of 26.2.2018. For handling coking coal, the proposed scale of rates comes to as follows:</p> <p>For Bulk cargo:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">Sl. no</th> <th style="width: 40%;">Parameter</th> <th style="width: 55%;">Rate (₹./-pmt) as proposed</th> </tr> </thead> <tbody> <tr> <td align="center">1</td> <td>Stevedoring on board at Anchorage</td> <td align="center">27.67</td> </tr> <tr> <td align="center">2</td> <td>Onboard on barges at HDC</td> <td align="center">56.70</td> </tr> <tr> <td align="center">3</td> <td>Shore Handling *</td> <td align="center">112.66 *</td> </tr> <tr> <td align="center">4</td> <td>Despatch related (through Rail)</td> <td align="center">38.85</td> </tr> <tr> <td align="center" colspan="2">Total</td> <td align="center">235.88</td> </tr> </tbody> </table> <p>Note :</p> <p>i) The proposed Shore handling rate of 112.66 * is not as per the finally approved TAMP rate for same service as per referred G.No 76 of 26.02.2018 which is ₹.80.84/-PMT (coking coal discharged by MHC and transferred to storage area inside port). So when an approved TAMP rate at S.3 (i) exists for this operation, a higher proposed rate may not be agreed and be reconsidered as the cost of handling through HDC is already on higher side.</p> | Sl. no | Parameter | Rate (₹./-pmt) as proposed | 1 | Stevedoring on board at Anchorage | 27.67 | 2 | Onboard on barges at HDC | 56.70 | 3 | Shore Handling * | 112.66 * | 4 | Despatch related (through Rail) | 38.85 | Total | | 235.88 | <p>The contention of SAIL that the proposed shore handling rate of ₹.112.66 is not as per the finally approved TAMP rate is not true. The aforesaid approved rate was adopted considering that the small barges would be handled by Shore Cranes fitted with small Grabs. It may be stated that the Grabs fitted with MHCs installed at various Berths at HDC are too large for handling cargo carried by small barges. Therefore, small material handling cranes fitted with grabs are deployed for handling cargo from Barges.</p> <p>In this context, TAMP has already approved and notified the rate of ₹.112.66 per MT as shore handling charges (Considering foreign coking coal being the predominant cargo carried by barges at HDC) for cargo discharged by Ship's Crane (Ref: Column 5 of section S.3. (i) of Upfront Tariff for shore handling operation at HDC). The same has been proposed because there is a similarity in the productivity in respect of handling cargo carried by Barges by the Shore cranes fitted with small grabs and handling cargo carried by vessels with ship's cranes. The productivity achieved in both the cases are lower in comparison to the rate of handling of cargo by Mobile Harbour Cranes. Considering the similar productivity, shore handling charges in respect of cargo carried by barges, KoPT has proposed to adopt the same rate for shore handling of cargo discharged by Ship's Crane and not by MHC. Therefore, the proposed shore handling of KOPT is felt to be proper and justified.</p> |
| Sl. no | Parameter | Rate (₹./-pmt) as proposed | | | | | | | | | | | | | | | | | | |
| 1 | Stevedoring on board at Anchorage | 27.67 | | | | | | | | | | | | | | | | | | |
| 2 | Onboard on barges at HDC | 56.70 | | | | | | | | | | | | | | | | | | |
| 3 | Shore Handling * | 112.66 * | | | | | | | | | | | | | | | | | | |
| 4 | Despatch related (through Rail) | 38.85 | | | | | | | | | | | | | | | | | | |
| Total | | 235.88 | | | | | | | | | | | | | | | | | | |
| | <p>ii) Apart from the above proposed rate, there will be charges on account of Floating crane/Vessel Gear depending on mode of discharge at anchorage and barging charges which drives the cost up by another ₹. 500/- additional (i.e. ₹. 129/- for floating crane and 350-370/- for barging at present market rate). So a total handling cost of around ₹. 735/- for cargo operation and further charges of wharfage, terminal charges etc. make the overall cost of operation through HDC expensive compared to nearby Major ports.</p> | <p>In this context it may be stated that the charge for use of floating crane at the anchorage point have already been fixed with the approval of TAMP, which is ₹ 129.33 per MT for foreign Dry Bulk Cargo. Further, for handling of cargo with ship's cranes at the Anchorage Point, TAMP has already approved the rates for KDS, which has been proposed to be adopted for HDC also. Regarding fixation of tariff for movement of cargo by barge from Anchorage to the Dock or vice-versa, it may be stated that this operation is not under the scope of the authorized service by Port</p> | | | | | | | | | | | | | | | | | | |

| | | |
|--------|---|---|
| | Hence the total cost economics may please be relooked. | under Section 42 of the MPT Act and as such, no rate has been proposed for these service. The charges for barges are fixed directly by the importers / exporters through mutual agreement with the barge suppliers / contractors and Port has no control over the same. |
| (ii). | Some of the issues which are concerning SAIL and taken up earlier with TAMP at the time of introduction of upfront rates for stevedoring and Shore handling at floating jetty may be looked into as they are still lying unresolved. The same issues would be applicable under the proposed scheme also which are narrated hereunder: | |
| A. | The scope does not mention loading of cargo on rail as per railway norms i.e. as per chargeable weight of the wagons. Accordingly, HDC may be advised to confirm that cargo will be loaded on to wagons as per railway norm, failing which idle freight/punitive freight shall be borne by the service provider. This may be included in the existing SOR. | The instant Tariff fixation is in respect of Stevedoring and shore Handling operation for anchorage discharge and Barge handling at HDC and the rate already approved by TAMP for shore handling operation including receiving and delivery of cargo in respect of cargo handled a/c vessel by ship's crane has been adopted as the mode of operation is similar. SAIL may please refer to the Section 4.1.(ii) of the Tariff already fixed by TAMP, where the liability and responsibility of the Shore Handling Operator in respect of loading / unloading of wagons has been specified. Regarding imposition of idle freight / punitive rate, it may be stated that the railway loading is carried out under the instruction of the importers and the service provider is not responsible for any idle / punitive freight, if applicable. [HDC proposed a clause under S 6 that demurrage, as applicable, will be payable by the handling agent to the importers / exporters in case of failures to complete loading / unloading of the rake within the stipulated free time]. |
| B. | Other Dispatch related functions which were covered in the scope of work of TAMP notified circular (dtd 26.2.2018) like Wagon Label Pasting etc. are not covered in the current proposal and need to be incorporated. | As proposed by HDC, the provisions mentioned in the upfront tariff notified by TAMP vide gazette no. 76 dated 26.02.2018 for shore handling operation already includes various dispatch related services like fixing of labels on wagons as per requirement of the importer. |
| (iii). | It is pertinent to mention that HDC finalized other handling schemes at different berths wherein they are charging a composite rate from the users against a set of work of handling dry bulk cargo. It has been observed that the scope of work indicated by HDC for undertaking such handling jobs of dry bulk cargo in a comprehensive manner does not cover certain essential elements of dry bulk handling which is narrated here under: Stock accounting of receipt and despatch of cargo and compensation towards loss of cargo beyond permissible handling loss as per industry norms. | The Upfront Tariff against the shore handling services already approved by TAMP include various activities, which are the basic requirement for transfer of cargo from Hook Point to Stack Yard or vice-versa, stacking / unstacking at the Storage Yard and delivery / receiving of the cargo through road or rail. Most of the activities, which have been mentioned by SAIL are not under the scope of the Port activities as per the section 42 of the MPT Act and thus, not include in the Shore Handling Services for which TAMP has fixed the Upfront Tariff. These activities are specifically required by SAIL, which may be undertaken either by themselves or through engagement of a contractor. Port cannot take liability for undertaken such activities. However, regular sprinkling of water is already undertaken by Port. |

| | | |
|-------|--|--|
| | <p>Loading of wagons as per carrying capacity of wagons in line with railway guidelines.</p> <p>Covering of wagons by tarpaulin as per railway/RPF guideline.</p> <p>Storage of cargo grade wise to avoid contamination at the stacks.</p> <p>Although the cargo is stored in the license plot of the user, the actual work of shore clearance, stacking and wagon loading including despatch related services are within the ambit of HDC which are executed by the contractor appointed by HDC. Accordingly, the stockyard management services, stock accounting, protection towards loss of cargo due to either handling loss or security related matter should be logically within the scope of HDC. However, these are not specifically incorporated in the scope of HDC and are not being carried out by the HDC contractor. In turn, the users are advised to make alternative arrangement for getting these jobs done as part of bulk cargo handling requirement at an additional cost.</p> <p>Although, HDC has introduced a guideline for sprinkling water in the cargo stack, approach road, wharf as a mandatory requirement for Pollution Control, the same job is not executed by HDC directly. In turn, the importers like SAIL have to organize undertaking water sprinkling through the HDC contractor at an additional cost.</p> <p>There are certain minor but common requirement like placing of railway indents on port railways, pasting labels on wagons indicating description of cargo loaded and other associated jobs which are essential for dry bulk cargo handling but are not being carried out by HDC under their comprehensive arrangement. These jobs are necessarily carried out by the importers like SAIL through HDC appointed contractor at an additional cost.</p> | |
| (iv). | <p>In view of general requirements of any user to handle dry bulk cargo at the Ports and for onward despatch, HDC may be advised to frame schemes covering all elements of operation and not restricting their offer to a truncated service. In other words, the users have to any way make arrangement with HDC appointed contractor through a negotiation process by incurring additional expenses. It is, therefore, requested that TAMP may direct HDC to design a comprehensive scheme taking care of general requirement of dry bulk cargo handling at the Port.</p> | |

| | | |
|-------|---|--|
| (v). | In the instant case of fixing tariff, the scope of work covers despatch of cargo, shore clearance and despatch related services without taking care of the associated jobs as mentioned above. HDC may be requested to work out tariff to include all the associated jobs as enumerated above. If required, a consultation process can also be initiated by HDC to get feedback from importers of dry bulk cargo through Haldia Port. | |
| (vi). | Since, the charges in Haldia Port is higher compared to neighbouring major Ports, TAMP may consider more competitive rates for comprehensive service at all locations of HDC. | |

2. A joint hearing on the case in reference was held on 19 February 2019 at the KOPT premises. At the joint hearing, the KOPT made a brief Power Point presentation of the proposal. During the joint hearing, the KOPT and other users/ user organizations have made the following submissions:

Kolkata Port Trust

- (i). While fixing the upfront tariff for stevedoring and shore handling operations at HDC in February 2018, TAMP advised HDC to file a proposal for fixation of upfront tariff for Stevedoring operations for anchorage discharge and barge handling at HDC. Hence, the subject proposal has been filed for fixing upfront tariff for Stevedoring operations for anchorage discharge and barge handling at HDC.
- (ii). The upfront tariff for Stevedoring on board ship at anchorage in case of KDS has already been approved by TAMP in January 2018. The anchorage points for KDS and HDC are common. The upfront tariff as approved by TAMP for KDS is proposed to be made applicable for HDC also for lighterage operations.
- (iii). The upfront tariff for loading/ unloading of cargo to/ from barges inside the dock by engagement of Shore Crane/ Excavator, as well as Payloaders/ Forklifts on board (in hatches), has been assessed in line with the guidelines.
- (iv). The methodology of cargo operation for barges is identical with that of cargo loaded/ unloaded from vessel. Hence, the charges for Shore Handling Operation for Dry Bulk and Break Bulk cargo at HDC, has been adopted for fixing tariff for shore handling operations for cargo loaded/ unloaded to/from barges.
- (v). The charges for Receiving and Delivery of cargo as approved by TAMP has been adopted by HDC for fixing tariff for identical operation of cargo handling on account of barges inside the dock.
- (vi). The Board of KOPT has already approved the proposal on 27.12.2018 and we have started implementing the proposal.

(TAMP : Please ensure that all the cargo that would be discharged at the anchorage is covered by the various subsequent operations as listed to avoid mismatch of cargo items listed for each operations.)

(vii). We will look into it.

Five Stat Logistics

(i). We have no comments.

Ripley

(i). We haven't received the proposal.

(KOPT : We will furnish the same to Ripley)

SAIL

(i). We have given our comments in writing. We reiterate our submissions.

(ii). The charges for handling cargo at anchorage is prescribed. Charges for handling at the berth, is also prescribed. But, the rates for movement of barges between the anchorage point to berth is unregulated.

(KOPT: The fixation of barge freight does not come within the ambit of TAMP and KOPT)
