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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

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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>
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		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	
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(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					
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	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
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(iv)	<p>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</p>	<p>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>																																																							

	<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 2016"> <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 2016">4</td> <td data-bbox="472 1917 679 2016">Cargo unloaded onto wharf and loaded onto trucks and going to</td> <td data-bbox="679 1917 869 2016">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										
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	<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>														
2.1(iv)	<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 data-bbox="363 1249 448 1301">Method</th> <th data-bbox="448 1249 667 1301">Details of Handling Method</th> <th data-bbox="667 1249 863 1301">Cargo Group</th> </tr> </thead> <tbody> <tr> <td data-bbox="363 1301 448 1451">3</td> <td data-bbox="448 1301 667 1451">Cargo unloaded onto truck and transported to storage yard within the port premises or vice versa</td> <td data-bbox="667 1301 863 1451">Steel Cargo</td> </tr> <tr> <td data-bbox="363 1451 448 1626">4</td> <td data-bbox="448 1451 667 1626">Cargo unloaded onto wharf and loaded onto trucks and transported to storage yard within the port premises or vice versa</td> <td data-bbox="667 1451 863 1626">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>
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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																										
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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)																																										
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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="363 465 865 972"> <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																											
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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 Caol)	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 Caol)	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 Payers per Shift	Pay-Loader Shift Hire Charge per Shift (5 cbm cap = 8T to 10 T) (₹)	Total Payers 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 Payers per Shift	Pay-Loader Shift Hire Charge per Shift (5 cbm cap = 8T to 10 T) (₹)	Total Payers 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
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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	Qty per trailer (in MT)	Qty. 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.
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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: 30%;">Work</th> <th style="width: 15%;">Rate per MT (with MHC)</th> <th style="width: 50%;">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>
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		<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 activates 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 handling 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 	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>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																				
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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
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(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>				
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	<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>
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	<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="304 499 810 761"> <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="304 943 810 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 1444 810 1706"> <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>
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<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>
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	<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																																				
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	<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							
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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																							
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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: center;">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.	
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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. 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.
(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.	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.
(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.	
(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>	
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