

DEENDAYAL PORT AUTHORITY

MINUTES OF THE MEETING NO.2 OF 2022-23 OF THE MEMBERS OF THE BOARD OF DEENDAYAL PORT AUTHORITY HELD AT 1530 HOURS ON FRIDAY, 27TH MAY, 2022, AT GANDHIDHAM

P R E S E N T

1. Shri S.K. Mehta, IFS,
Chairman, DPA
2. Shri Nandeesh Shukla, IRTS,
Dy. Chairman, DPA
3. Shri Arvind Chaudhary,
Economic Advisor,
Ministry of Ports, Shipping & Waterways
4. Shri T.V. Ravi, IRS,
Commissioner of Customs (Thro' VC)
5. Shri Narendra A. Patil, IRTS,
Chief Freight Transportation Manager, W.R. (Thro' VC)

Also present

Shri C. Harichandran, Secretary

At the outset, Chairman welcomed the Hon'ble Members to the meeting..

I. Leave of absence: -

The following Members was granted leave of absence:-

1. Smt. Avantika Singh Aulakh, IAS,
Vice Chairman & CEO, GMB
2. Comd. Nitin Bishnoi
Naval Officer-in-Charge

3. Funding requirements through equity contribution from shareholders of Kutch Railway Company Limited (KRCL) for completion of ongoing Doubling and Electrification Projects
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Resolution

19

Resolved to approve the proposal for investment of Rs.148.46 Crores, as 26% share of DPA in KRCL, for completion of ongoing Doubling and Electrification Projects, subject to approval of the Ministry.

4. Grant of Pilotage Licence to Capt. Pankaj Shankarlal Jain, appointed as Pilot on contractual basis for pilotage operations at Deendayal Port
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Resolution

20

Resolved to approve the recommendations dated 28/04/2022 of the Examination Committee, Constituted for conducting the Examination of Pilots in accordance with the Chapter-III – Training and examination of the Guidelines for Authorization & Licensing of Pilots in Major Ports as at Annexure – 05 (P:35-37) for grant of Pilot License to Capt Pankaj Shankarlal Jain to carry out the pilotage operations at Deendayal Port Authority, as per the terms and conditions of the contract with immediate effect; subject to further approval of the Ministry of Ports, Shipping & Waterways.

5. Grant of Pilotage licence to Capt. Ranjit Singh Chauhan, appointed as Pilot on contractual basis for pilotage operations at Deendayal Port
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Resolution

21

Resolved to approve the recommendations dated 02/05/2022 of the Examination Committee, Constituted for conducting the Examination of Pilots in accordance with the Chapter-III – Training and examination of the Guidelines for Authorization & Licensing of Pilots in Major Ports as at Annexure – 07 (P:48-50) for grant of Pilot License to Capt Ranjit Singh Chauhan to carry out the pilotage operations at Deendayal Port Authority, as per the terms and conditions of the contract with immediate effect; subject to further approval of the Ministry of Ports, Shipping and Waterways.

6. Annual Accounts of Deendayal Port Authority for the year 2021-22 .

Resolution

22

Resolved to approve the draft Annual Accounts of Deendayal Port Authority for the year 2021-22 i.e. Balance Sheet as on 31st March 2022 and Profit and Loss account for the year 2021-22 under Section – 44 (1) of Major Port Authorities Act 2021 read with sub rule 5 of Rule 8 of MPA (Accounts & Audit) Rules 2021, for submission to the Office of the Principal Director of Audit (Shipping), Mumbai, for audit, as required under sub rule 6 of Rule 8 of MPA (Accounts & Audit) Rules 2021 and also confirm the same so as to submit the same to CAG before 31st May 2022.

7. Approval of Block Estimate for the work of up-gradation of Roads & S.W.D. outside Cargo Jetty Area at New Kandla (Cement Concrete Pavement).

Resolution

23

Resolved to approve:-

- (i) The Block Estimate amounting to Rs.4405 lakhs to execute work of "Up-gradation of Roads & S.W.D. Outside cargo jetty Area at New Kandla (Cement Concrete Pavement).
- (ii) To authorize Chairman
 - (a) To approve the Detail Estimate & DTPs and to issue the NIT.
 - (b) To open the Technical bids, to Qualify/Disqualify bidders and to open the Price bids of qualified bidders.
 - (c) Issue a letter of acceptance to L1 bidder and to commence the work.
 - (d) The action taken by Chairman shall be ratified by the Board.

8. Conversion of leases from lease-hold to freehold (Residential to Composite)

Resolution

24

Resolved to approve the 03 Nos. of applications for conversion from Leasehold to Freehold (02 nos of DPA & 01 no SRC), as per Annexure – 11 (P:111) & Annexure – 12 (P:112).

9. E-tender-cum-E-auction for allotment of plot admeasuring 4000 Sq. Mtrs situated opposite to VTMS Towers and behind boundary of DPT (East of Dry Dock) for the purpose of Barge Repairing/Beaching on 5 years' lease on As is Where is basis.
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Resolution

25

Resolved to approve the proposal for allotment of plot admg. 4000 Sq. Mtrs. situated opposite to VTMS Towers and behind Boundary of DPT and (East of Dry Cargo) for the purpose of Barge Repairing/Beaching on 5 years' Lease Basis on As is Where is basis to M/s. Amrut Dredging & Shipping Ltd., Rajkot, being the successful bidder/highest bidder in the E-Auction in terms of annual lease rental of Rs.298.12 per sq. mtrs/per annum, as per the accepted terms & conditions of tender and payment of Rs.15,000.00 plus applicable taxes to M/s.(n) Code Solutions, Ahmadabad, for carrying out the E-Auction process and also to ratify the action taken by the Competent Authority towards E-Tender cum E-auction of above plot.

11. Approval of Block Estimate for the work of raising & upgrading the plots inside Cargo Jetty area.
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Resolution

26

Resolved to approve:-

- (i) The Block Estimate amounting to Rs.4628.00 lakhs to execute work of "Raising & Upgrading the plots inside cargo jetty area".
- (ii) To authorize Chairman
 - (a) To approve the Detail Estimate & DTPs and to issue the NIT.
 - (b) To open the Technical bids, to Qualify/Disqualify bidders and to open the Price bids of qualified bidders.
 - (c) To issue a letter of acceptance to L1 bidder and to commence the work.
 - (d) The action taken by Chairman shall be ratified by the Board.

12. Transfer of Provident Fund amount in r/o Shri GRV Prasada Rao, Traffic Manager - reg.

Resolution

27

Resolved to accord approval to the proposal to accept the amount receivable from the Vishakhapatnam Port Authority in respect of Shri G.R.V. Prasada Rao, Traffic Manager, DPA, and to credit the same into the GPF Account allotted to him at DPA, as per the Regulation-24 of the Kandla Port Employees' (GPF) Regulations, 1964.

13. Approval to GFR-10 for Survey-off of a Residential Block No.B-10-B15 - Ratification thereof.

Resolution

28

Resolved to ratify the action taken for Approval to GFR-10 for Survey off residential Block B10 – B15 at New Port Colony, New Kandla, at Book value of Rs.3,08,429/- (as on 31.03.2021), dismantling thereof through departmental Labour and handing over of the credit item like reinforcement scrap to Store Division, Mechanical Engineering Department, for auction. The actual loss/profit on above Asset will be written off/adjusted on disposal of material based on value realized.

14. Ratification of the action taken on engaging of 03 Pharmacists on contractual basis in Medical department

Resolution

29

Resolved to ratify the action taken of engagement on 03 Nos. of Pharmacists, deployed by M/s. Global Ventures, Delhi, immediately on the termination of their contract i.e. w.e.f. 01.05.2022 on contract basis @ rate of Rs.27,000/- (Rupees twenty seven thousand only) per month on the terms & conditions placed at Annexure – 18 (P:136-137), for a period of 6 months or till the time the tender for engagement of para-medical staff is finalized and the new contractor deploys the staff, whichever is earlier.

15. Retrofitting of existing Cargo Berth No.7 (Panel No.51 to 59) – Approval of Final Variation Statement - reg.

Resolution

30

Resolved to approve Final Variation Statement with overall saving of Rs.3,48,83,148.48/-, which is 7.04% of the awarded cost of Rs.49,57,26,360/-, for the work of Retrofitting of Existing Cargo Berth No.7 (Panel No. 51 To 59).

17. Development of multipurpose cargo berth off Tuna Tekra outside Kandla Creek at Kandla on BOT basis & development of Container Terminal at Tuna-Tekra, Deendayal Port on BOT basis –Ratification – reg.
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Resolution

31

Resolved to ratify the actions taken by the Chairman, DPA, in approving the following with regard to both the subject projects:-

- (i) Compliance of the observations raised by: (a) Department of Legal Affairs, Ministry of Law & Justice, as per Annexure – 38 (P:196-197),; (b) Department of Economic Affairs, Ministry of Finance as per Annexure – 39 (P:198-209); and (c) NITI Aayog as per Annexure – 40 (P:210-255); on PPPAC memos.
 - (ii) Revised PPPAC Memo, Revised RFP, Revised Feasibility Report, Revised RFQ & Revised Draft Concession Agreement, as per the Annexure – 41(P:256-1381).
18. Funding options by Promoter Ports for procurement of new 12000 cum hopper capacity TSHD by Dredging Corporation of India Limited being constructed at Cochin Shipyard Limited (CSL)
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Resolution

32

Resolved to approve the proposal to authorize Chairman to discuss with DCI and finalize suitable option of funding Rs.36.00 Crores, rate of interest and time schedule of repayment in consultation with other Promoter Ports and to pay the amount to DCI on agreed terms. The action taken by the Chairman shall be got ratified by the Board in the next Board Meeting.

19. Development of Mechanized Fertilizer and other Clean Cargo Handling Facilities on Berth No.14 on DBOT basis under PPP Mode - Approval for modified parameters in RFP stage for active participation of the bidders in the Project - reg.
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Resolution

33

Resolved to approve the Addendum-I, as placed at Annexure – 44 (P:1397-1399) as per Cl. No.2.9 of RFP for the project of "Development of Mechanized Fertilizer and other Clean Cargo Handling Facilities on Berth No.14 on DBOT basis under PPP mode", for active participation of the bidders, based on the opinion of the Transaction Advisors of the PPP projects.

20. Grant NOC for enhancement of mortgage loan of Rs.4.25 Crores (i.e. enhancement of mortgage loan from Rs.20.00 crore to Rs.24.25 Crores) from Union Bank of India, Gandhidham, in respect of lease hold admeasuring 113800.80 Sq. Mtrs. (28.12 acres), allotted to M/s. Friends Salt Works & Allied Industries, Gandhidham, for 30 years' lease basis.
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Resolution

34

Resolved to approve the recommendation of Land Allotment Committee for grant NOC to M/s. Friends Salt Works & Allied Industries., Gandhidham, for enhancement of Mortgage Loan amount by Rs.4.25 Crores (i.e.Rs.20.00 Crores to Rs.24.25 Crores) from Union Bank of India, Gandhidham, in respect of lease hold plot admeasuring 113800.80 sq. mtrs (28.12 Acres) allotted to M/s. Friends Salt Works & Allied Industries., Gandhidham, for the purpose of Godown on 30 years' lease basis, by charging the mortgage fee of Rs.1,00,000.00/-, as per the Mortgage Fee structure approved by the Board from the above party, subject to the condition that Port retaining the first charge on them and conditions of lease deed shall be applicable in the event of sale or foreclosure of the above mortgaged properties.

23. Conducting of Passing Ship Analysis for operation of Ro-Ro Ferry Services at Hazira Gujarat.
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Resolution

35

Resolved to ratify the action taken by the Chairman, DPA, for appointment of NTCPC- IIT-M, Chennai, for the work of "Conducting passing ship analyses for operation of Ro-Ro ferry service at Hazira - Gujarat", on nomination basis, vide Work Order dated 05/04/2022, at an amount of Rs.40,00,000 /- (Plus GST).

24. Proposal to consider the request of M/s. Indigo Seaway Pvt. Ltd. to waive all applicable Berth Hire and Port Hire Charges for berthing their vessel M.V. "Voyage Express" at Ro-Ro/Ro-Pax Jetty at Hazira, Ghogha, Muldwarka & Pipavav.
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Resolution

36

Resolved to consider the request of M/s. Indigo Seaway Pvt. Ltd., vide their letter dated 23/05/2022, and to approve the waiver of Berth hire charges and Port charges for berthing their vessel M.V. "Voyage Express" at Ro-Ro/Ro-Pax Jetty at Hazira, until it commences the regular commercial run once Hazira Terminal is ready for operation.

25. Ratification of action taken with regard to Addendum 3 to MOU executed with Social Forestry Division, Kachchh, for the work assigned to Gujarat Forest Department (as a deposit work) for an Afforestation Project in Deendayal Port area for improving the greenery, increase carbon sequestration and beat pollution – Proposal for maintenance of plantations already carried out by the Gujarat Forest Department for the period of April to June 2022-reg.

Resolution

37

Resolved to ratify the action taken by the Competent Authority w.r.t. Addendum 3 to MoU, executed dated 19/05/2022 with the Social Forestry Division, Kachchh, for "Afforestation Project in Deendayal Port Area for Improving the Greenery, Increase Carbon Sequestration and Beat Pollution - Maintenance of Plantation already carried out by the Gujarat Forest Department for the period of 3 Months from April to June 2022" at the cost of Rs.32,04,769.00 (Excluding GST) .

26. Construction of Oil Jetty No.8 at Old Kandla – Approval for anticipated Variation Statement No.1 & Extension of time - reg.

Resolution

38

Resolve To Approve:-

- (i) To Approve the Anticipated Variation Statement No.1 for amounting to Rs.22,76,98,456.64/- which is 22.98% above from the awarded cost of Rs.99,08,87,635.16/- and to submit the proposal to obtain the approval from MoPS&W for the cost of Rs.159.50 Cr. with +/- 20% variation + GST.
 - (ii) To approve the Extension of Time around 8 months and 27 days i.e. from 4.08.2022 to 30.04.2023 without imposition of LD.
27. Assigning the work to Gujarat Institute of Desert Ecology (Guide), Bhuj, for Greenbelt Development in Deendayal Port Authority and its surrounding areas - Charcoal site (Coal Storage Area) (Phase-I) – reg

Resolution

39

Resolved to approve the proposal to assign work to Gujarat Institute of Desert Ecology (GUIDE), Bhuj, for Greenbelt Development in Deendayal Port Authority and its surrounding Areas Charcoal site (Phase-I) amounting to Rs.38,22,900.00 + GST, with all terms & conditions mentioned in the proposal submitted by M/s. GUIDE, Bhuj, vide communication No.GUIDE/DPA-GRN/080/2022 dated 24/5/2022.

28. Evaluation of RFQ Application of the applicant M/s. APSEZL as per Order dated 05.04.2022 passed by the Hon'ble High Court of Gujarat in the Special Civil Application No.20161 of 2021, for the Project of "Development of Mechanized Fertilizer & other Clean Cargo Handling Facilities on Berth No.14 on DBOT basis under PPP Mode"- reg.

Resolution

40

Resolved to approve as under:-

The Board on having gone through the subject and after careful consideration of the same duly taking into account the submission made by M/s. APSEZL in SCA No. 20161 of 2021 and in the personal hearing held on 12.05.2022 with representatives of the petitioner, subsequent written submission made by them on 16.05.2022 in pursuance to the Hon'ble High Court of Gujarat, with reference to the relevant rules/conditions/provisions/guidelines/procedures in vogue governing the subject project, resolved as follows:-

- 1). Not to apply the Anti-Monopoly Policy i.e. Clause No. 2.26 and Appendix-IX of RFQ, to disqualify M/s. APSEZL for the reason that, the project may be treated as multipurpose cargo handling facility, as there is inclusion of jumbo bagged/ bagged form of dry bulk cargo in the project, two types of cargo viz. dry-bulk and break-bulk form, to be handled at the Project, if intended by the concessionaire. However, separate additional equipment may be required to handle the jumbo bagged/ bagged form of dry bulk cargo in the facility for handling in mechanized way as clarified in pre-bid queries in respect of the project of "Development of Mechanized Fertilizer & other clean cargo handling Facilities on Berth No. 14 on DBOT basis under PPP mode", as recommended by the committee.

- 2). Not to qualify M/s. APSEZL, as per Clause No. 2.2.8 of RFQ, in view of the fact that their contract with VPT has already been terminated by a public entity, i.e. Vishakhapatnam Port Trust (as per VPT letter dated 01.11.21 & 15.12.21 and termination notice of VPT issued to AVCTPL) for events of default in respect of the project of "Development of Mechanized Fertilizer & other clean cargo handling Facilities on Berth No. 14 on DBOT basis under PPP mode", as recommended by the committee.

Further, to communicate the same to the petitioner in pursuance to the Hon'ble High Court of Gujarat order dated 05.04.2022 passed in SCA No. 20161 of 2021.

Looking to the urgency cited, the Board also confirmed the above Resolution.

29. Construction of Jetty for Indian Coast Guard at OOT Vadinar – Approval for extension of time.

Resolution

41

Resolved to approve extension of time around 9 months and 5 days i.e. from 26.09.2022 to 30.06.2023 without LD.

30. Approval for signing MOU with the Gujarat Ecology Commission, Gandhinagar (Government of Gujarat Organization) during the upcoming Vibrant Gujarat Summit 2022, for Mangrove Plantation to be carried out in an area of 100 hectares- reg.

Resolution

42

Resolved to approve:-

- (i) To carry out mangrove plantation in 100 Hectares area with consultation of concern Gujarat Ecology Commission and at tentative estimated cost amounting to Rs.50,00,000/- for the said mangrove Plantation to be carried out in an area of 100 hectares, as per the stages mentioned by them in the MoU.
- (ii) To sign MoU with the Gujarat Ecology Commission, Government of Gujarat, during the ensuing Vibrant Gujarat Summit 2022, regarding proposed Mangrove Plantation to be carried out in an area of 100 Hectares through the Gujarat Ecology Commission.
- (iii) To authorize Dy. CME & CME (I/c) to sign MoU with the Gujarat Ecology Commission, Government of Gujarat, during upcoming Vibrant Gujarat Summit 2022 for proposed Mangrove Plantation in an area of 100 Hectares through GEC.

31. Extension of period of contract of Shri Amrit Raj, Assistant Director (Strategic Management), for a further period of 02 years

Resolution

43

Resolved to approve

- (a) Extension of the contractual engagement of Shri Amrit Raj, Assistant Director (Strategic Management) for a further period of two years w.e.f 17.4.2022.
- (b) To grant of increment @ 15 % on consolidated amount of Rs.1.74 lakh, on biannually w.e.f 17.4.2022 without any further increment.

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