

DEENDAYAL PORT AUTHORITY

MINUTES OF THE MEETING NO.1 OF 2022-23 OF THE MEMBERS OF THE BOARD OF DEENDAYAL PORT AUTHORITY HELD AT 1530 HOURS ON TUESDAY, 26TH APRIL, 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
5. Shri Narendra A. Patil, IRTS,
Chief Freight Transportation Manager, W.R. (Thro' VC)

Also present

Shri C. Harichandran, Secretary

I. Leave of absence: -

The following Member was granted leave of absence:-

1. Comd. Nitin Bishnoi
Naval Officer-in-Charge

- 3. The Scheme of allotment of Port Godown to store imported Fertilizer upto 60 days' on Rental basis from 25/04/2022 to 31/12/2022**
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Resolution

01

Resolved to approve the proposal to allow storage of Imported Bulk Fertilizer in covered godowns up to 60 Days' on Rental basis from 25.4.2022 to 31.12.2022 and the same will be reviewed thereafter, once the godown, which is under construction, is commissioned.

- 4. Approval of anticipated variation for the work of providing Screen Wall surrounding the Coal Stacking Yard inside Cargo Jetty area of Deendayal Port.**
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Resolution

02

Resolved to approve the Anticipated variation statement No.1 amounting to net saving of Rs.3,99,57,396.00 i.e. 26.69% below the tender cost of Rs.14,97,16,681.00 for the work of providing Screen Wall surrounding the Coal Stacking Yard inside Cargo Jetty area of Deendayal Port.

- 5. Ratification of legal expenses incurred for defending and filing court cases in various Courts, Tribunals and Forums for the period from October, 2021 to December, 2021.**
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Resolution

03

Resolved to ratify the action taken by the Administration for the payment of legal expenses, amounting to Rs.71,50,000.00 for the period October, 2021 to December, 2021.

- 6. Ratification of the decision taken by Administration to continue offering discount of 40% on Vessel Related Charges and Cargo Related Charges for vessels handling bulk & break bulk cargo 5000 MT or more at Deendayal Port from/to Shahid Beheshti Port of Chabahar, Iran, in line with applicable coastal rates for a period of 01 year from the date of approval of the Board.**
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Resolution

04

Resolved to ratify the decision taken by the Administration to continue offering discount of 40% on Vessel Related Charges and Cargo Related Charges for vessels handling bulk & break bulk cargo 5000 MT or more at Deendayal Port Authority from/to Shahid Beheshti Port of Iran in line with applicable Coastal rates for a period of 01 [one] year with effect from 06.04.2022.

8. Construction of 14th & 16th Berth for Multipurpose Cargo Berth - Additional Piled Platform – Ratification of action taken and approval of Final Variation Statement.

Resolution

05

Resolved to approve:-

- (i) To ratify the action taken by the Chairman for the approval of the anticipated variation Statement No.1, with net overall saving of Rs.1,60,54,618/-, which is 2.50% of the awarded cost of Rs.64,03,95,156/-;
- (ii) The Final Variation Statement with overall saving of Rs.5,70,03,879/- which is 8.90% of the awarded cost of Rs.64,03,95,156/- for the work of Construction of 14th & 16th Berth for Multipurpose Cargo Berth - Additional Piled Platform.
9. Development of Oil Jetty to handle Liquid Cargo and Ship Bunkering Facilities at Old Kandla - (i) decision on levy of Liquidated Damages on the Concessionaire due to non-achievement of activity/level of completion of the Project at 2nd Milestone date of the Project Schedule and (ii) b. Not to accept the request of the Concessionaire for extension of the time from the scheduled completion date of the construction period.

Resolution

06

Resolved to approve:-

- (a) To levy Liquidated Damages on M/s. Kandla Oil Terminal Pvt. Ltd. at the rate of 0.1% of the Performance Guarantee (Rs.1,16,800/-) for every Day of delay i.e from 11.12.2021 till the day M/s. KOTPL achieves the activity/level, as per 2nd Milestone date.

- (b) Not to accept the request of the Concessionaire for extension of time from the scheduled completion date of the Construction Period.

10. Proposal for recognition of Additional Hospitals to provide medical treatment facilities to the Port beneficiaries

Resolution

07

Resolved to approve the proposal to do away with the procedure of inviting EOI and empanel the following local hospitals (including the hospitals situated at Ahmedabad) with DPA for providing medical facility to DPA beneficiaries at CGHS rates on cash less basis, subject to submission of Performance Bank Guarantee of Rs.5.00 lakh/Rs.1.00 lakh/Rs.50,000/-, as the case may be, (as applicable to other local empanelled hospitals) and non-local hospitals subject to submission of Performance Bank Guarantee of Rs.10.00 lakh/Rs.2.00 lakh/Rs.1.00 lakh, as the case may be, (as applicable to other non-local hospitals) and entering into MOU with DPA:-

- (i) CLMS Hospital Pvt. Ltd., Ahmedabad (Multi-speciality)
- (ii) Jaydeep Hospital, Ahmedabad (Pediatric Surgical Superspeciality Hospital)
- (iii) Anju Rani Arogyam Hospital, Adipur

Also resolved to enhance the status of the following already empanelled hospitals from single speciality to multi-speciality, subject to submission of differential amount of Bank Guarantee required to be submitted for empanelment as multi-speciality hospital:

- (i) Gandhidham Jain Seva Samiti, Adipur
- (ii) TAP Hospital, Adipur

11. Engagement of additional 08 nos. Vessel Traffic Monitoring System (VTMS) Operators at Vadinar and Kandla through DGLL on the same rates and terms & conditions of the existing Contract.

Resolution

08

Resolved to engage additional 06 VTMS Operators (03 for Kandla and 03 for Vadinar) from 01.05.2022 to 31.12.2022, from DGLL for an amount of Rs.37,35,912/- on the same terms and conditions of the existing contract.

12. Transfers of leasehold rights to M/s. Aegis Vopak Terminals Limited, in respect of four plots (i) Plot No.03 admg. 22083.06 sq. mtrs, (ii) Plot No.04 admg. 29948.07 sq. mtrs, (iii) Plot No.05, admg. 32676.82 sq. mtrs and (iv) Plot No.06 admg. 31121.55 sq. mtrs, respectively, situated at Kandla allotted to M/s. Aegis Logistic Limited for the purpose of Liquid Storage Tank.

Resolution

09

Resolved to approve the recommendation of the LAC for allow the transfers of leasehold rights in respect of following lands to M/s.Aegis Vopak Terminals Limited, as per extant laws, by recovering the transfer fee, as mentioned below from transferee, as per the clause No.12(A) of Policy Guidelines for Land Management, 2015, subject to the condition that the transferee takes over all the liabilities of the original lessee/allottee and subject to approval of the Board.

Sr. No.	Plot No.	Land Admg. (Sq. Mtrs)	Total Advance Annual lease rent paid by the party.	Transfer fee
01	3	22083.06	Rs.15,50,96,875=00	Rs.7,75,48,438=00
02	4	29,948.07	Rs.21,07,39,669=00	Rs.10,53,69,835=00
03	5	32,676.82	Rs.22,99,41,435=00	Rs.11,49,70,718=00
04	6	31121.55	Rs.19,10,85,370=00	Rs.9,55,42,685=00
TOTAL TRANSFER FEE				Rs.39,34,31,676=00

13. Construction of Approach Road for the proposed Veera Barge Jetty (Phase-I)

Resolution

10

Resolve to Approve:-

- (i) The proposed Block Estimate amounting to Rs.96.20 Cr for the work of "Construction of Approach Road for the proposed Veera Barge Jetty (Phase-I)";

- (ii) To authorize Chairman to approve the Estimate and DTPs, to issue NIT, open the Technical bids, to Qualify/Disqualify bidders and to open the Price Bids of qualified bidders and acceptance to L1 Bidder, the action taken by Chairman shall be ratified by the Board.

14. Construction of Approach Road for the proposed Jafarwadi Barge Jetty (Phase-I)

Resolution

11

Resolve to Approve:-

- (i) The proposed Block Estimate amounting to Rs.27.08 Cr. for the work of "Construction of Approach Road for the proposed Jafarwadi Barge Jetty (Phase-I)".
- (ii) To authorize Chairman to approve the Estimate and DTPs, to issue NIT, open the Technical bids, to Qualify/Disqualify bidders and to open the Price Bids of qualified bidders and acceptance to L1 Bidder, the action taken by Chairman shall be ratified by the Board.

15. Conversion of leases from Leasehold to Freehold (Residential & Composite) – Approval thereof

Resolution

12

Resolved to approve 05 no. of applications for conversion from Leasehold to Freehold (1 DPA and 04 SRC), as per Annexure – 27 (P:111) & Annexure – 28 (P:112).

16. Construction of RoRo/Ro-Pax facility at Muldwarka - Ratification of the action taken for issuance of Letter of Acceptance to L1- Bidder.

Resolution

13

Resolved to ratify the action taken by the Chairman, DPA, for approving to issue the Letter of Acceptance to L1- Bidder M/s. BMS-Projects Marymatha JV, for the work of "Construction of Ro-Pax facility at Muldwarka – Gujarat." at the amount of Rs.76,68,97,000.00/-

17. Ratification of action taken with regard to sale of Wind Energy Power generated from 02 nos. of WTGS of 4.2 MW Capacity

Resolution

14

Resolved to approve:-

Ratify the action of sale of energy to the firms mentioned at Table - II at the rate of Rs.4.27 per unit received in the previous auction and to continue to pay Rs.0.04 paise per unit to M/s. PTC India Ltd. for all third party sale of wind energy generated by WTG owned by DPA.

20. Development, Construction and Operation of Container Freight Station (CFS) outside the Customs Boundary Area of Kandla Port on Build, Operate & Transfer (BOT) basis – Settlement of long pending disputes between DPT & CWC – Ratification of proposal approved by the Chairman

Resolution

15

Resolved to ratify and approve the following proposals:-

- (1) Termination of the project "Development, Construction and Operation of Container Freight Station (CFS) outside the Customs Boundary Area of Kandla Port on Build, Operate & Transfer (BOT) basis" under the provisions of Article-11 (Termination of the License Agreement) and the ongoing and further disputes (if any, on account of Termination), to be resolved, as per the provisions of Article-15 i.e. Mutual discussions, Port Expert, referring to the committee of Secretaries of the concerned Ministries, Arbitration etc.
- (2) The assets/CFS facility to be taken over by DPA immediately, following proper handing over/taking over procedure;
- (3) The Termination Notice to be issued to CWC immediately, in accordance with the provisions of the License Agreement instead of 90 days i.e. stipulated period, as in agreement.
- (4) The following officials from DPA to be deployed for the taking over formalities:-
 - (a) S.E.(M) – being Nodal Officer
 - (b) (Land Section Official) – As the allotted land is to be measured and taken over
 - (c) S.E.(Civil) - As the Civil Structures are to be taken over
 - (d) Sr. D.T.M. - Traffic Representative.

(5) CME may be authorized to carry out the necessary correspondence with CWC regarding the taking over of the assets and thereafter, issue the Termination Notice to CWC and carry out further correspondence with CWC in this matter.

21. Engagement of additional Part-time Visiting Specialists to provide OPD consultation/treatment and super specialized Doctors for ICU in the Port Hospital, Gopalpuri

Resolution

16

Resolved to approve:-

(a) to engage the following Specialists as Part-time Visiting Specialists in DPA Hospital, Gopalpuri, on the terms & conditions, as approved by the Board, vide Resolution No.102 in its meeting held on 29.01.2020, as detailed in para-2 hereinabove, upto 16.03.2023, with a provision to extend their services for another period of two (02) years, subject to review of their performance by duly constituted Committee of senior Doctors, with the approval of the Chairman:

- (i) Super Specialized Doctors of Sterling Ram Krishna Speciality Hospital i.e. Cardiologist, Urologist, Neurologist, Nephrologist and Endocrinologist
- (ii) Dr. Darshak Salat, MD, (Consultant Physician, Intensivist, Non-Invasive Cardiologist)
- (iii) Dr. Miteshkumar Modi, M.S. (Laparoscopic Surgeon)
- (iv) Dr. Jignesh Mehta, MS, FMAS, FIACS (General Surgeon)

(b) to engage the following on call Super Specialists Doctors for ICU at DPA Hospital, Gopalpuri, on the charges of Rs.5000=00 with invasive service and Rs.3500=00 with non-invasive service whenever called :

- (i) Dr. Mohd. Taushif Surahwardi, Chest Physician/ Pulmonologist
- (ii) Dr. Miteshkumar Modi, M.S., Laparoscopic Surgeon
- (iii) Dr. Gotam Pipara, Urologist & Andrologist

22. Development, Operation & Maintenance of Berth-13 for handling Multipurpose Clean Cargo, including Containers at DPA on PPP mode for thirty (30) years - Approval for SFC Memo, along with draft Bidding Documents viz. F.R., draft RFQ, draft RFP and DCA for further submission to the Ministry.

Resolution

17

Resolved to approve:-

- (a) The SFC Memo with draft bidding documents viz. Draft Feasibility Report, RFQ, RFP & DCA of "Development, Operation & Maintenance of Berth-13 for handling Multipurpose Clean Cargo including Containers at DPT on PPP Mode for Thirty (30) Years", based on MPA Act & new MCA 2021, for submission to Ministry for approval, as submitted by the Transaction Advisor, M/s. iDeck, Bengaluru.
 - (b) To Authorize the Chairman, DPA, to approve the revised F.R.s, if any; draft Reference Tariffs proposals; draft bidding documents & revised bidding documents, if any; Clarification to Queries / observation of RFQ & RFP applicants, bidders, Ministries; and forward the same to the respective applicants / bidders / Ministries, etc. as the case may be, till award of the project, in case of proposed subject project facility. However, from time to time, the Board will be informed in this regard by way of ratification thereof.
 - (c) To confirm the minutes in view of urgency.
23. In-principle approval of the Board for purchase of 04 nos. of 35 MT and above capacity, available at the extreme out reach of 32 mtrs. Radius, track mounted electric and/or diesel driven Harbour Mobile Cranes for Berth No.1 to 5 with suitable Grabs from internal resources, as replacement of four nos. of surveyed off Mukund make cranes (2 Nos of 12 T and 2 Nos. 16 T Capacity)

Resolution

18

The Board has resolved to approve:-

- (a) in-principle approving the proposal of purchasing 04 nos. Of 35 MT and above capacity, available at the extreme out reach of 32 mtrs. radius, track mounted electric and/or diesel driven harbour mobile cranes for berth No.1 to 5 with suitable grabs from internal resources, as replacement of surveyed off four nos. of Mukund make cranes (2 Nos of 12 T and 2 Nos. 16 T Capacity). The crane should be able to handle minimum 35T of cargo (including grab weight) and it should be available at the extreme out reach of 32 mtrs of radius;
- (b) authorizing the Chairman to approve (i) the recommendation of Standing Finance Committee, (ii) block estimate, (iii) detailed estimate and DPT, (iv) techno-commercial qualification of bidders and (v) acceptance of the lowest offer and awarding the work; pending ratification of the Board.

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