

DEENDAYAL PORT AUTHORITY

MINUTES OF THE MEETING NO.4 OF 2022-23 OF THE MEMBERS OF THE BOARD OF DEENDAYAL PORT AUTHORITY HELD AT 1030 HOURS ON WEDNESDAY, 21ST SEPTEMBER, 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 Sushil Kumar Singh, (Thro' VC)
Joint Secretary (Ports),
Ministry of Ports, Shipping & Waterways
4. Shri T.V. Ravi, IRS,
Commissioner of Customs
5. Shri Narendra A. Patil, IRTS, (Thro' VC)
Chief Freight Transportation Manager, W.R.
6. Comd. Nitin Bishnoi (Thro' VC)
Naval Officer-in-Charge

Also present

Shri C. Harichandran, Secretary

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

I. Leave of absence:-

The following Member was granted leave of absence:-

Smt. Avantika Singh Aulakh, IAS,
Vice Chairman & CEO, GMB

3. Grant of Pilotage Licence to Capt. Naveet Goel, appointed as Pilot on contractual basis for pilotage operations at Deendayal Port.

Resolution

80

Resolved to approve the recommendations dated 26/08/2022 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-I for grant of Pilot License to Capt. Naveet Goel 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 Shipping, Ports & Waterways.

4. Engagement of Technical Assistant in Dy. Conservator's Office for a period of one year.

Resolution

81

Resolved to approve the proposal for engagement of Shri Apurva Jadeja, as Technical Assistant to DC on contractual basis in DC's Office on a consolidated monthly remuneration of "Last pay (-) (minus) pension" i.e Rs.81,200/- (-) Rs.40,600/- = Rs.40,600/-, as applicable in case of retired Government officials on contractual basis initially for a period of one year from the date of joining, extendable upto three years for smooth functioning of the Dy. Conservator's Office, as per the detailed Terms & Conditions placed as Annexure – 03.

5. Hiring of 4 nos. Tugs for Kandla

Resolution

82

Resolved to:-

- (i) Accord in-principle approval for Hiring of 04 Nos. Tugs for Kandla, out of which two Tugs will be hired immediately and two tugs will be hired after commissioning of 7th and 8th Oil jetty, which are presently under construction.
- (ii) Approval to the Estimate and DTPs for "Hiring of 02 Nos. of 60 T Bollard Pull Tugs on Charter Rate per day for the period of 10 years' extendable for one Year amounting to Rs.214,87,55,000.00 and Rs.211,70,00,000.00, respectively, placed at {Annexure – 10 (P:27-97)}.

6. In-principle approval of the Board for procurement of 02 nos. of 100 MT and above capacity tyre mounted electric & diesel driven (duo) HMCs for Berth No.6 to 10 against four nos. of surveyed off Mukund make Cranes (2 nos of 12 T and 2 nos. of 16 T capacity) from internal resources with comprehensive AMC (CAMC) of three years after free CAMC of two years.

Resolution

83

Resolved to approve:-

- (a) The Block Estimate amounting to Rs.99.51 crores for "Procurement of 02 nos. 100 MT and above capacity electric and diesel driven (DUO) tyre mounted Harbour Mobile Cranes for berth No.6 to 10 with suitable grabs including operation and maintenance from internal resources with comprehensive AMC (CAMC) of three years, after free CAMC of two years in replacement of surveyed off four nos. of Mukund make cranes (2 Nos. of 12 T and 2 Nos. of 16 T Capacity".
- (b) Authorizing the Chairman to approve the Detailed Estimate, DTPs, Pre-bid clarifications, approving technical bids, acceptance of L-1 offer, issuing the LoI and Work Order to the successful bidder, subject to ratification of Board.
7. Augmentation of Liquid Cargo Handling Capacity by revamping of existing Pipeline network at Oil Jetty area, Deendayal Port Authority, Kandla – Approval of Anticipated Variation Statement No.01

Resolution

84

Resolved to approve the Anticipated Variation Statement No. 01 with overall excess of Rs.24,83,60,914.00/- which is 19.6348% of the awarded cost of Rs.126,48,99,999.00/- for the work "Augmentation of Liquid cargo handling Capacity by Revamping the existing pipeline Network at Oil Jetty Area Kandla".

8. Approval to the DPA (Meeting of Board, its Powers and Transactions of Business), Regulations, 2022, reg.

Resolution

85

Resolved to approve draft Regulations of the "Deendayal Port Authority (Meeting of Board, its Powers and Transaction of Business) Regulations, 2022" (Annexure-II) and in supersession of the Major Port Trusts (Procedure of Board Meeting Rules, 1981), in terms of sub-Section (2)(a) and (b) of Section 72 read with Section-13 and 14 of the Major Port Authorities Act, 2021 and also to submit to the Ministry for further approval and notification.

9. Allotment of land admeasuring 13,262.36 Sq. Mtrs. to Indian Coast Guard for Establishing Ship Support Complex and PRC at OOT Vadinar
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Resolution

86

Resolved to approve as under :

- (a) To allot the land admeasuring 13,262.36 sq. m. to Indian Coast Guard on lease for 30 years on upfront rental on nomination basis, after completion of the ICG Jetty work and on handing over the land by M/s. Paresh Construction & Foundation Limited;
 - (b) To calculate and collect the upfront rental at the time of the handing over the land & to collect nominal lease rent of Rs.1/- per sq. meter to be collected every year for the currency of lease period.
 - (c) To allot the land on 25% concession on lease rental as per Land Policy Guidelines, 2015, clause no. 11.2(h) and letter no. PD-13014/1/2022-PD-V/III dated 06/07/2022 to Ministry of Defence.
 - (d) Port may give a provisional offer to the Indian Coast Guard that Port will allot the land after handing over the land by the Contractor, M/s. Paresh Construction & Foundation Limited.
10. Development of land for Constructing Internal Infrastructure and cargo handling Facilities Like Truck Parking, Amenity Centre, office buildings, warehouse in back up area at Tuna – Tekra.
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Resolution

87

Resolved to approve as under :

- (i) To approve the proposed Block Estimate amounting to Rs.89.63 Cr. for the work of "Development of land for Constructing Internal Infrastructure Facilities Like CFS, Truck Parking, Amenity Centre at Tuna – Tekra".
 - (ii) To authorize Chairman to approve the Estimate and DTPs, to issue NIT, qualification of bidders, to open the price bids, acceptance of L1 Bidder, subject to ratification of Board
11. Ratification of legal expenses incurred for defending and filing court cases in various Courts, Tribunals and Forums for the period from April 2022 to June 2022
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Resolution

88

Resolved to ratify the action taken by the Administration for the payment of legal expenses, amounting to Rs.30,20,000.00 and towards Arbitration fees, amounting to Rs.30,50,000.00 for the period April 2022 to June 2022.

12. Supply, Installation & Commissioning of 14 ± 5% MW wind power project in Gujarat on LSTK Basis with comprehensive O & M for a period of 20 years- Ratification of revised Contract price & payment of final bill.
Reg.
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Resolution

89

Resolve to ratify the approval of revised contract price amounting to Rs.19,42,27,376.00 (i.e Rs.20,56,77,500.00) (-) Rs.49,03,045.00 being amount deductible towards indirect tax (-) Rs.65,47,079.00 being benefit towards GVAT already passed) and to make final bill payment of Rs.32,05,515.00 (including GST) towards Construction, erection, commissioning of WTGs under the contract of "Supply, Installation & Commissioning of 14 + 5% MW wind power project in Gujarat on LSTK Basis with comprehensive O & M for a period of 20 years", after deduction of indirect taxes applicable on consumables used on actual basis.

13. Conversion of leases from Leasehold to Freehold (Residential to Composite)
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Resolution

90

Resolved to approve the 08 Nos. of applications for conversion from Leasehold to Freehold (02 Nos. of DPA & 06 Nos. of SRC) as per {Annexure – 25 (P:176)} & {Annexure – 26 (P:177)}.

14. Amendment to the existing "Policy for grant of permission for laying and operating the pipelines in KPT Limit"
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Resolution

91

Resolved to amend clause No. 2 (e) of the "Policy for grant of permission for laying and operating the pipelines in KPT limit" as under:

"The permission granted by KPT shall not be any way be transferable. However, in case of transfer of leasehold rights approved by the Board in respect of Plots allotted for construction of Liquid Terminals as well as in cases wherein successful bidders of E-Tender-cum- E auction of Liquid Storage tank (with structure) are other than the ex-lessees, the Transferee / successful bidder shall be entitled for transfer of associate permissions of pipelines in their favour.

However, the transfer of Pipeline permission shall be subject to statutory clearances to be obtained by the Transferee in their name as well as submission of Undertaking to the effect that they shall abide with all the terms and conditions of Pipeline permission.”

15. Extension of agreement with St. Ann’s School for further period of five years from academic year 2023-24 for running of school at port colony OOT, Vadinar.
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Resolution

92

Resolved to approve as under :

- (a) To extend the present agreement with Bishop of Rajkot Diocese for management and running of St. Ann’s School in Port colony OOT Vadinar for a further period of 5 academic years from 01.06.2023 to 31.05.2028 (academic years 2023-24 to 2027-28).
 - (b) To bear the deficit budget expenses of the school after deducting the contribution of IOCL (Rs.65 lakhs per annum)
 - (c) To continue HSC for the time being, as the school has admitted students in Class XII in the current academic year 2022-23, and to take a decision later depending on circumstances whether to continue the same or not.
 - (d) To modify the agreement to the extent regarding admissibility of only CL, annual hike of 3% in basic and DA, and performance related allowance of 3%, instead of as per Govt. norms, and limit of the share of IOCL in the total expenditure.
16. Grant of N.O.C for enhancement of mortgage loan from Rs.41.05 crore to Rs.51.05 Crore from SIDBI Bank, Gandhidham of leasehold plot no.07 admeasuring 34978.12 Sq. Mtrs. Allotted to M/s. Shreeji Liquid Storage Terminals Pvt. Ltd., Gandhidham on 30 years’ lease basis for the purpose of liquid storage tank.
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Resolution

93

Resolved to approve the recommendation of Land Allotment Committee for grant of NOC to M/s.Shreeji Liquid Storage Terminals Pvt. Ltd., Gandhidham, for mortgage of lease hold Plot No. 07, admeasuring 34978.12 sq. Mtrs., at Kandla for enhanced loan amount of Rs.10 Crores (i.e. enhancement amount from Rs.41.05 crore to Rs.51.05 crore) from Small Industries Development Bank of India, Gandhidham by charging the mortgage fee of Rs.30,000 as per the Mortgage Fee structure approved by the Board, from the above party, subject to Port retaining the first charge on them and provision of lease deed shall be applicable in the event of sale or foreclosure of the above mortgaged properties.

17. Development of backup area and allied facilities at the existing Tuna Barge Jetty.

Resolution

94

Resolve to Approve

- (i) Approve the proposed Block Estimate amounting to Rs.55.30 Cr for the work of "Development Of backup area and allied facilities at the existing Tuna Barge Jetty".
- (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.

18. Construction of pipe trestle from oil jetty no. 8 to land fall point

Resolution

95

Resolve to approve

- (i) The proposed Block Estimate amounting to Rs.98.51 Cr for the work of "Construction of Pipe Trestle from Oil Jetty No. 8 to Land Fall Point at Kandla".
- (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.

19. Approval for regularization of revised cost from the ministry for the work of "Construction of Interchange cum Road Over Bridge (ROB) at IC-236 (Kutch Salt Junction) on NH-141 in the State of Gujarat on (EPC) Mode"

Resolution

96

Resolved to approve the proposal to be sent to Ministry in compliance to Ministry of Finance OM dated 05.08.2016 for regularization to the revised cost of Rs.254.92 crores against original SFC approval of Rs.232.62 crores thereby increase by Rs.22.30 crores i.e. (+) 9.59% for the work of "Construction of Interchange cum Road Over Bridge (ROB) at LC-236 (Kutch Salt Junction) on NH-141 in the state of Gujarat on (EPC) mode" which has been awarded to M/s IPRCL on direct cost deposit basis.

20. Approval of the revised cost for the work of ROB in lieu of existing LC-1A at Km 363.625 on NH-8A, KFTZ-Kandla road in the State of Gujarat at an Estimated cost of Rs.135.57 Crores.

Resolution

97

Resolved to approve:-

- (i) the revised estimate of Rs.135.57 crores for the work of "Construction of ROB in lieu of existing LC-1A at KM 363.25 on NH-8A on KFTZ- Kandla road in the state of Gujarat" executed by National Highway Division (NHD), Gandhidham
 - (ii) to recommend DIB Memorandum and to authorize Chief Engineer to submit the DIB Memorandum for onward submission to the MoPS&W for the subject work and also to furnish the compliance of queries raised by various authorities.
21. E-tender cum E-Auction for allotment of land admeasuring 2772.00 sq.mtrs (with structures) for the purpose of setting up of Service Station cum Petrol Pump on 30 years Lease on as is where is basis as per the provisions of the Land Policy Guidelines, 2014.

Resolution

98

Resolved to approve Draft Tender Papers (DTP) and Notice Inviting Tenders (NIT) for the work of "E-Tender cum E-Auction for the allotment of land admeasuring 2772 sq. mtrs (with structures) for the purpose of setting up of Service Station cum Petrol Pump on 30 years lease period on as is where is basis as per the provisions of the Land Policy Guidelines, 2014.

23. Construction of Oil Jetty No. 7 at Old Kandla – Approval for Extension of time period

Resolution

99

Resolved to Approve the proposal to grant extension of time limit for the period from 01/10/2022 to 31/12/2022 for completion of project "Construction of Oil Jetty No. 7 at Old Kandla". However, the matter related to levy of Liquidated Damages will be decided as per the advice of Technical Advisor and Proof Technical Consultant at the time of completion of work w.r.t. the Tender Condition.

24. Dredging in Nakti Creek and at berthing jetty of Tuna Bunder for one year at Deendayal Port

Resolution

100

Resolved to approve:-

- (i) the proposal for execution of the work of "Dredging in Approach Channel of Nakti creek Leading to Barge Jetty of Tuna Bunder at Deendayal Port – Kandla"

- (ii) To carry out "Mathematical model studies for hydrodynamics sedimentation to assess the feasibility of resumption of lighterage operations through existing Tuna Barge Jetty at Nakti Creek" including identification of suitable dumping location through CW&PRS, Pune.
- (iii) To engage NTCPCW – IIT Madras for preparation of Cost estimation and tender documents for the subject dredging as per dredging guidelines 2021 for Major Ports issued by MoPS&W, amounting to Rs. 8,00,000/- plus GST at 18% (as per the offer letter no. IC/22-23/NTCPCW / DPA /5001, Dt. 09/09/2022. {Annexure – 67 (P:345-346)}).
- (iv) To nominate / engage a suitable PMC and Third Party Survey Agencies for executing the said dredging work.
- (v) To Authorize Chairperson, DPA for Approval of Detailed Estimate, Tender Documents, NITs, Pre-Bid replies / clarification, Addendum, corrigendum, pre-bid clarifications, qualification and evaluation of technical bids, opening of price bids, acceptance of lowest offer and any other clarifications required during the evaluation of bids, on behalf of the Board subject to ratification of Board
- (vi) Due to urgency, Board also confirmed the above Resolution.

25. Finalisation of Schedule of the Board Staff, as on 1st April, 2022

Resolution

101

Resolved to approve the Schedule of Board Staff (as on 1st April, 2022), as set out at {Annexure – 68 (P:348-413)}.

26. Policy on Rotation & Posting of Class – III & IV Ministerial staff including SAs & Das

Resolution

102

Resolved to approve the Policy on Rotation & Posting of Class – III & IV ministerial staff including SAs & DAs placed at {Annexure – 69 (P:415-424)}.

Due to urgency, the Board also confirmed the above Resolution.

27. Selection procedures in the Direct Recruitment Posts

Resolution

103

Resolve to approve the Selection Criteria for assessment of candidates in various posts through Direct Recruitment mode except the posts of HoD & Dy.HoD, as placed at {Annexure – 72 (P:430-431)}.

28. Amendments to the Kandla Port Trust Employees (Recruitment, Seniority & Promotion) Amendment Regulations, 2009, reg.

Resolution

104

Resolved to approve –

- (i) the amendments to the Deendayal Port Trust Employees' (Recruitment, Seniority and Promotion) Amendment Regulations, 2009 as per the draft amendment proposal placed at {Annexure – 74 (P:437-445)} and {Annexure – 75 (P:446-461)} in terms of Section 28 of the Major Port Trusts Act, 1963, subject to further approval of the Central Government under Section 124, ibid, and
 - (ii) to send necessary proposal to the RSC/IPA with the approval of Board for further action.
29. Finalisation of Administration Report, 2020-21 - In terms of Section-45 of the Major Ports Authority Act, 2021

Resolution

105

Resolved to approve the draft Administration Report in terms of Regulation 45 of the Major Ports Authority Act, 2021 (1 of 2021) and to submit the same to the Ministry.

30. Proposal for General Revision of Scale of Rates of DPA due from 29.11.2022

Resolution

106

Resolved to approve the Proposal of General Revision of Scale of Rates of DPA as per Clause 4.3 of the Tariff Policy for Major Port Authorities, 2021, so as to hoist the proposal, draft SOR along with proposed Performance Standards on the website of DPA and invite comments of relevant stakeholders/users within 15 days' time.

Due to urgency, the Board also confirmed the above Resolution.

31. 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 of actions taken by the Chairman

Resolution

107

Resolved to approve:-

(a). Container Terminal

- (i) Clarifications to the 72 RFQ Queries raised by the RFQ Applicants as per {Annexure – 84 (P:648-674)}.
- (ii) Extension of Application due date from 17.08.2022 to 31.08.2022.
- (iii) Response to 07 Additional RFQ Queries and Amended response to earlier query no 56 and Amendments No. 01 to RFQ as per {Annexure – 85 (P: 675-684)}.
- (iv). Compliance of Observations as raised by the Department of Expenditure, Ministry of Finance on the Draft Cabinet Note as per {Annexure – 88 (P:716-721)}.

(b) Multi purpose Cargo Berth

- (i) Clarifications to the 55 RFQ Queries raised by the RFQ Applicants as per {Annexure – 86(P:685-709)}.
- (ii) Extension of Application due date from 23.08.2022 to 06.09.2022
- (iii) Amendment No. 01 to RFQ as per {Annexure – 87 (P:710-715)}
- (iv) Compliance of Observations as raised by the Department of Economic Affairs, Ministry of Finance on the Draft Cabinet Note along with the Revised single Draft Cabinet Note for both the subject Projects. {Annexure – 89 (P: 722-763)}

32. Development of Mechanized Fertilizer and other Clean Cargo Handling Facilities on Berth No.14 on DBFOT basis under PPP mode - Ratification for the action taken to cancel the bidding process & restructuring of the project thereof reg.

Resolution

108

Resolved to ratify the action taken by the DPA to cancel the bidding process of the PPP project for "Development of Mechanized Fertilizer and other Clean Cargo Handling Facilities on Berth no.14 on DBOT basis under PPP mode", as per RFP Clause No. 6.2 (a), and as per opinion of Port Advocates via Legal Section of DPA & Transaction Advisors for PPP project.

33. Approval for assigning three studies related to development of Deendayal Port – (i) Field data collection of currents and tides to calibrate mathematical models for developmental works at Kandla (ii) Mathematical Model Studies to assess the feasibility of lighterage operations at the existing Tuna Barge Jetty at Nakti Creek and (iii) Mathematical model studies for hydrodynamics and siltation along Kandla Creek due to the Oil Jetties Nos. 8 to 11 (revision of Technical Report 5510) to Central Water & Power Research Station (CWPRS), Pune (under the Ministry of Jal Shakti) on nomination basis.
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Resolution

109

Resolved to approve the proposal to assign the following three studies related to development of Deendayal Port to Central Water & Power Research Station, Pune (under the Ministry of Jal Shakti) on nomination basis:-

- (i) Field data collection of currents and tides to calibrate mathematical models for developmental works at Kandla for an amount of Rs.17,50,000/- (Rupees Seventeen Lakhs Fifty Thousand only). DPA shall arrange four boats for field data collection for enabling Mathematical Model Studies to be carried out by CW&PRS. The cost implication for the same shall be borne by DPA.
- (ii) Mathematical Model Studies to assess the feasibility of Lighterage operations at the existing Tuna Barge Jetty at Nakti Creek at an amount of Rs.16,00,000/- (Rupees Sixteen Lakhs only).
- (iii) Mathematical Model Studies for hydrodynamics and siltation along Kandla Creek due to the Oil Jetties Nos. 8 to 11 (revision of Technical Report 5510 of June 2017) at an amount of Rs.5,00,000/- (Rupees Five Lakhs only).

Total estimated amount for above three studies is Rs.38,50,000 (Rupees Thirty Eight Lakhs Fifty Thousand only) plus GST @ 18% will be paid as per actuals including terms and conditions mentioned in CWPRS letter No. TC/PHI/2022/386 dated 11/05/2022 with objective & methodology.

34. Engagement of Technical Assistant in H&D Division of Civil Engineering Department on contract basis for a period of one year extendable for three years.
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Resolution

110

Resolved to approve the proposal for engagement of Shri T.R. Makwana as Technical Assistant in H & D Division on contractual basis in Engineering Department on a consolidated monthly remuneration based on the formula "Last Pay (-) Pension" as applicable in case of retired Govt. officers initially for a period of one year extendable upto three years as per the detailed terms and conditions placed at {Annexure – 95 (P:794)}

35. Grant of License for Supply, Installation, Commissioning, Operation and Maintenance of 2 nos. of 100 MT or above owned / hired / leased Mobile Harbour Cranes at Berth No. 13 to 16 inside Deendayal Port for a period of 5 years, extendable on the basis of condition survey and performance on mutually agreed consent for handling the cargo on common user basis
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Resolution

111

The Board has resolved to approve:-

- (i). proposal for 'Grant of License for Supply, Installation, Commissioning, Operation and Maintenance of 2 nos. of 100 MT or above owned / hired Mobile Harbour Cranes at Berth No. 13 to 16 inside Deendayal Port for a period of 5 years extendable on the basis of condition survey and performance on mutually agreed consent for handling the cargo on common user basis'.
- (ii) Inviting of tender for 02 nos. 100m tons and above HMCs.
- (iii) to consider the notified tariff of Deendayal Port Authority , applicable from time to time for computing Royalty.
- (iv) authorizing Chairperson, DPA to approve the Pre bid clarification, approving technical bids, acceptance of highest revenue share, issuing the license to the successful bidder subject to ratification of Board.

36. Amendments to the Recruitment Rules to the post of Class III, IIII & IV – approval in terms of Regulation 5 of the Deendayal Port Trust Employees (Recruitment, Seniority & Promotion) Regulations, 2009

Resolution

112

Resolved to approve:–

- (i) the amendments to the Recruitment Rules of Class III, IIII and IV, as per the draft amendment proposal placed at {Annexure – 99 (P:882-888)}, in terms of Regulation 5 of the Deendayal Port Employees' (Recruitment, Seniority and Promotion) Regulations, 2009 and
 - (ii) to notify the Recruitment Rules of Class III, IIII and IV in the State Gazette with the approval of Board.
38. Approval of the revised cost for the work of "Up-gradation of existing Rail Network inside cargo jetty in DPT" by Indian Port Rail Corporation Ltd. (IPRRCL), at a revised estimated cost of Rs.51.66 crores

Resolution

113

Resolved to approve the revised estimate of Rs.51,65,88,807.69 for the work of "Up-gradation of existing rail network inside cargo jetty area in DPA" being executed by Indian Port Rail Corporation Ltd. (IPRCL).

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