

DEENDAYAL PORT TRUST

MINUTES OF THE MEETING NO.5 OF 2020-22 OF THE BOARD OF TRUSTEES OF THE PORT OF DEENDAYAL HELD AT 1000 HOURS ON WEDNESDAY, 16th DECEMBER 2020, AT GANDHIDHAM

P R E S E N T

1. Shri S.K. Mehta, IFS,
Chairman, DPT
2. Shri Sanjay Bandopadhyaya, IAS, (Thro' VC)
Addl. Secretary, Ministry of Shipping
3. Shri T.V.Ravi, IRS
Commissioner of Customs
4. Shri Prabhat Kumar, IRTS,
Chief Freight Transportation Manager,
Western Railway, Mumbai
5. DIG Rajesh Makwana, TM & BAR, (Thro' VC)
Chief of Staff, Headquarters, Coast Guard Regional (NW), A'bad
6. Shri Nandeesh Shukla, IRTS,
Dy. Chairman, DPT
7. Capt. Santoshkumar Darokar,
Principal Officer, Mercantile Marine Department
8. Shri L. Satyanarayan,
Trustee, Representing Labour

Also present

Shri C. Harichandran, Secretary

At the outset, Chairman welcomed the Trustees to the Meeting.

1. Leave of absence:-

The following Trustees were granted leave of absence:-

1. Smt. Avantika Singh Aulakh, IAS,
CEO & Vice Chairman, GMB
 2. Shri Bibhash Kumar Thakur, IFS,
Dy. Director General of Forests (Central), Bhopal
 3. Commodore Rajiv Ashok,
Naval Officer-in-Charge
3. Development of 13th Multipurpose Cargo (Other than Liquid/Container Cargo) Berth – Action Taken Report in respect of in-principal approval of the Board for payment of debt due to the lenders
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Resolution

79

Resolved to approve the payment of Rs.183,90,04,471.00 (i.e. 90% of the debt due) along with the interest @ 6.73% (as against the interest payable as per Article 17.5 of Concession Agreement & Tribunal Order dated 18.08.2019) to the Lenders, from the date of taking over the terminal by DPT in accordance with Article 17.1(b) of the Concession Agreement.

4. Design, Supply, Installation, Testing and Commissioning of Access Control System at various places at Vadinar, Kandla and Gandhidham of Kandla Port Trust with Comprehensive Operation and Maintenance Contract (Implementation of Phase-I) - Extension of time limit for Comprehensive Operation and Maintenance – reg.

Resolution

80

Resolved to approve for the work of "Design, Supply, Installation, Testing and Commissioning of Access Control System at various places at Vadinar, Kandla and Gandhidham of Kandla Port Trust with Comprehensive Operation and maintenance Contract (Implementation of Phase-I)

- a) Grant the extension of time limit for 03 (Three) months i.e. up to 31.12.2020 without LD.
- b) The Anticipated Variation cost of the work including Three Months Extension is Rs.28,94,64,571.96 i.e. 6.08% excess of awarded Tender cost of Rs.27,28,66,361/- and 1.16% above the Revised sanction cost of Rs.28,61,41,306.96 which is already approved by the Board vide Resolution No.35 in its meeting held on 25.06.2020
5. Approval for acceptance of the Revised cost for the work of "Providing Rail Connectivity to Berth Nos.13, 14, 15 & 16 from take-off point to west end of berth at Kandla Port" by Indian Port Rail Corporation Ltd. (IPRCL), at an Revised Estimated cost of Rs.127.3 crores.

Resolution

81

1. Resolved to approve the revised estimate cost of Rs.127.29 crores for the work of "Providing Rail connectivity to berth No.13, 14, 15 & 16 from take-off point to west end of berth at Kandla Port" executed by Indian Port Rail Corporation Ltd. (IPRCL).

2. To ratify the action taken for execution of additional work of internal railway lines with Engine reversal facility including construction of loading platform on berth No.15 & 16 to be executed by M/s. Indian Port Rail Corporation Ltd. (IPRCL).
6. Board Note for acceptance of the revised terms & conditions and acceptance of Revised Commercial offer of NISG, Hyderabad, for "Appointment of Consultant, for a) Augmentation of CCTV networks for Port assets (b) Gap Analysis for augmentation of RFID based I.T. Assets of the Port & (c) Integration/Synchronization with SAP Hana based ERP, P.O.S. & PCS 1.x through nomination basis to National Institute for Smart Government, Hyderabad, a Government of India Enterprise.
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Resolution

82

Resolved to approve the following:-

- (a) Acceptance and approval of the Revised Final Commercial Offer of NISG, Hyderabad, of Rs.56,00,000/- plus GST for Phase-I & II. (D2 Rs.16,00,000/- x 2 = 32,00,000/- D3 Rs.4,00,000/ x 2 = Rs.8,00,000/-, D4 Rs.4,00,000/- x 2 = Rs.8,00,000/-, D5 Rs.4,00,000/- x 2 = Rs.8,00,000/- plus GST extra, as applicable during payment of each stage)
- (b) Acceptance and approval of the Revised Final Commercial offer of NISG, Hyderabad of Rs.72,00,000/- + 15% NISG handling charges of Rs.10,80,000/- = Rs.82,80,000/- excluding GST) for deployment of two resources for 12 months in Phase- I and One resource for Phase-II separately i.e. (Rs.2,00,000 per resource x 1 x 15% NISG handling charges plus GST extra).
- (c) Issue of Revised work order to NISG, Hyderabad, on nomination basis for the work of acceptance of the Commercial Offer for "Appointment of Consultant for a) Augmentation of CCTV networks for Port assets (b) Gap Analysis for augmentation of RFID based I.T. Assets of the Port & (c) Integration/synchronization with SAP Hana based ERP, P.O.S. & PCS 1.x through nomination basis to National Institute for Smart Government, Hyderabad, a Government of India Enterprise at a total estimated cost of Rs.1,66,80,000 (GST extra as applicable) for separate Phase-I and Phase-II tender i.e. Phase – I selection of system integrator for supply and installation of RFID based solution for the Port & Phase – II Selection of system integrator for Augmentation of CCTV access based surveillance system, as approved by the Board of Trustees of the Port, vide Resolution No.56 of 11-09-2020.

- (d) If for any reason, the bid is cancelled and bid process is repeated, payment of additional charges for stages D3, D4 & D5 totaling to Rs.12,00,000/- (GST extra as applicable) on each instance.
 - (e) Payment of additional 10% charges for the resources deployed beyond 1 year.
 - (f) Payment of travel expenses of the NISG resource deployed at DPT, in case he/she is deputed by the Port.
 - (g) Approval for providing consumables including the paper, Xerox, printing, mobile usage, internet usage and other accessories, which are used for the submission of the reports and other project related documents to the deployed NISG resources.
7. Status of Corporate Social Responsibility for Major Ports and Contribution thereof for Current Financial Year i.e. 2020-21

Resolution

83

Resolved to approve the proposal to create CSR Budget for the current financial year i.e., 2020-21 amounting to Rs.3.46 Crores and to utilize the same for the activities/projects identified.

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

Resolution

84

Resolved to approve:-

- (i). The Amendments to the Kandla Port Trust Employees' (Recruitment, Seniority and Promotion) Amendment Regulations, 2009, as per the draft Amendment proposal placed at {Annexure – 28 (P:186-235)} and {Annexure – 29 (P:236-275)}, 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.
9. Tariff Order approved by Gujarat Electricity Regulatory Commission, Gujarat, applicable for Kandla area for the period from 2016-17 to 2020-21 and levy of fuel and power purchase price adjustment (FPPPA) on consumers from 3rd Quarter i.e. 01.10.2020

Resolution

85

The Board has resolved to implement the tariff approved by GETCO, Gujarat, applicable for the period from 2016-17 to 2020-21 and also levy FPPPA charges at the rate of 0.35 paise per kWh from 3rd quarter of 2020-21 i.e. from 01.10.2020.

10. Ratification of action of executing the supplementary agreement for extending the period of agreement executed between Deendayal Port Trust and PTC India Ltd. for trading of power on exchange platform through PTC for a further period of one year

Resolution

86

Resolved to ratify the action taken for

- (1) Executing the Supplementary Power Purchase Agreement for allowing PTC for trading of power on exchange platform for further period of 01 year from 08-10-2020 to 07-10-2021; and
 - (2) Releasing of annual fees of Rs.1,00,000.00 (plus GST) in favour of M/s. PTC India Ltd. for depositing the same to IEX.
11. Ratification of the action taken for referring of Covid-19 suspect/positive DPT beneficiaries to hospitals other than Sterling Ramakrishna Specialty Hospital, Gandhidham

Resolution

87

Resolved to ratify the action taken for referring DPT beneficiaries for treatment of COVID-19 suspect/positive to the following hospitals, in addition to the Sterling Ramakrishna Specialty Hospital, Gandhidham.

- i) St. Joseph's Hospital Trust, Gandhidham
 - ii) Hari Om Trust, Adipur
 - iii) Gandhidham Jain Seva Samiti, Adipur
12. Ratification of action taken for extension of engagement of Railway Consultant on contractual basis for a period of three months

Resolution

88

Resolved to approve the proposal for: -

- (i) Ratification of action taken for extension of engagement of Shri SPM Tripathi, Ex. Sr. DTM, DPT, as Railway Consultant on contractual basis for a further period of 3 months w.e.f. 28.8.2020 on the existing terms & conditions and remuneration, as a special case.
 - (ii) He may be allowed to retain the allotted Port Quarter No.C-30, Port Colony, during the period of his contract, on payment of Licensee fee under FR-45A, as per the condition No.10 of terms & conditions for engagement of Consultant on contractual basis.
13. Ratification of action taken for grant of contribution of expenditure for supply of relief materials incurred by VOCPT in "GAJA" cyclone affected areas.

Resolution

89

Resolved to approve, to ratify the action taken to release Rs.28,19,517/- being, share contribution to be paid by Deendayal Port Trust to V.O. Chidambaranar Port Trust for distributing relief materials by VOCPT in the affected areas hit by "GAJA" cyclone.

14. Revised Block Estimate for the work of "Construction of A, B, C & D type Quarters at Gopalpuri.

Resolution

90

- (a) The Revised Block Estimate amounting to Rs.23,02,22,000.00, based on the rates of SOR – 2018 + GST @ 18% for the work of Construction of A,B,C & D type quarters at Gopalpuri.
- (b) Authorizing Chairman, to approve the detail estimate and DTP's amounting to Rs.23,02,22,000.00 and Rs.18,94,36,275.00 respectively with credit item of Rs.430584.00 for the work of Construction of A,B,C & D type quarter at Gopalpuri and issue NIT immediately along with Pre-bid queries, Compliance, Opening of Technical bid, qualify / disqualify bidders, Opening of Price bid and other tender processing matters and to accept the lowest offer.
- (c) To confirm the minutes looking to the urgency of the work.

15. Approval to Final Variation Statement for the work of "Renewal of Steel Plates & Painting of various Crafts/Tugs"

Resolution

91

Resolved to approve the Final Variation statement with net saving of Rs.62,52,207.60 (32.52%) of the tender cost of Rs.1,92,28,500/- for the work of "Renewal of Steel Plates and Painting of Various Crafts/Tugs".

16. Approval of separate Energy Tariff for Class-I to IV DPT employees residing in Port quarters at Kandla, Gopalpuri & Vadinar and finalizing and implementing power supply norms for Residential and Commercial areas in Gopalpuri and Vadinar.

Resolution

92

Board resolved to –

- (1) Approve separate energy tariff for Class I to IV DPT employees residing in port quarters at Kandla, Gopalpuri and Vadinar. The implementation of separate tariff will be from 01.01.2021, which will be reviewed after one year of implementation.

However, its effect on billing will be from dates as and when tempered proof energy meters are fixed and meter reading is commenced;

- (2) To authorize Chairman for finalizing and implementing Power Supply Norms for implementing in residential and commercial areas in Kanda, Gopalpuri and Vadinar area;
- (3) To levy GERC approved RGP (Rural) tariff of Kandla area to the person other than DPT employees residing in port quarters at Kandla, Gopalpuri and Vadinar; and
- (4) To levy GERC approved NRGP tariff of Kandla area to the commercial establishment at Gopalpuri and Vadinar

17. Extension of contract period for the work of "Appointment of Service Operator and Advisory Services for distribution business, meeting and bill" for a period of two years in favour of M/s. PTC India Ltd. on the same rates of third year (with yearly escalation at the rate of 5%), terms and condition with additional scope of work.

Resolution

93

The Board has resolved to approve the proposal for extending the contract period for the work of "Appointment of service operator and advisory services for distribution business, metering and bill" for a period of two years in favour of M/s. PTC India Ltd. on the same rate of third year (with yearly escalation of 5%), terms and condition with additional scope of work as communicated by them vide letter dated 23.11.2020 at cost of Rs.4,74,62,625.00 inclusive of all taxes, excluding GST.

18. To continue offering discount on Vessel Related Charges and Cargo Related Charges for vessels handling bulk & break bulk cargo 5000 MT or more at Deendayal Port Trust 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

Resolution

94

Resolved to continue offering 40% discount on Vessel Related Charges and Cargo Related Charges for Bulk/Break Bulk Cargo, subject to vessel loading at least 50 TEU or 5000 MT or more being handled at Deendayal Port Trust from/to Shahid Beheshti Port of Chabahar, Iran, for a period of one year from issue of the notification, as directed by Government of India.

20. Dredging in the Navigational Channel & alongside Cargo Berths/Oil Jetties at Kandla Port Trust for the year 2017-20" - Approval for extension of contract – reg.

Resolution

95

It is resolved to approve:-

- (a) To extend the existing dredging contract of "Dredging in the Navigational Channel & Alongside Cargo Berths/Oil Jetties at Kandla Port Trust for the year 2017-20" awarded to M/s. Van Oord India Pvt. Ltd. for period up to two months from 30/12/2020 or till commencement of dredging operation by new contractor for the year 2020-23, whichever is earlier. The cost of above extension for a period of two months is Rs.18.07 Crores which is 5.35% above the awarded cost of Rs.338.01 Crores {Annexure – 63 (P:715-720)} and 4.59 % above the earlier approved cost of Rs.393.90 Crores (Board, vide Resolution No. 63 dated 23/10/2020).

- (b) To authorize Chairman to terminate the contract at any time when the new dredging tender is finalized and commencement of dredging operations by the new contractor for the three-year period on or before the extended period of two months.
- (c) Due to urgency of work, Board also confirmed the above decisions.

21. Vessel Related Charges on Container Vessels visiting Deendayal Port Trust

Resolution

96

Resolved to approve the proposal of grant of rebate on Vessel related charges (Pilotage, Port dues & Berth Hire charges) to Foreign Container Vessels on a slab wise basis and Coastal Container Vessels respectively for one more year from 01/01/21 to 31/12/2021.

(i)	Foreign Vessels	Container	Upto 40000 GRT	50 %
(ii)	Foreign vessels	Container	40001 to 65000 GRT	75%
(iii)	Foreign Vessels	Container	65001 GRT onwards	80%
(iv)	Coastal Vessels	Container		40% on the prevailing charges of coastal vessels

22. Assigning the work of "Techno-economic Assessment of Relocation of RO RO Berth at Dahej" to IITM on nomination basis – Ratification.

Resolution

97

Resolved to ratify the action taken for assigning the work of "Techno economic assessment of relocation of RO RO berth at Dahej" to M/s.IITM on nomination basis as per their terms and conditions, vide letter dated:08.07.2020 and consecutive email, at an estimated cost of Rs.29.70 Lakhs. (33.00 Lakhs less 10%) + TA&DA on actual basis excluding GST. GST will be payable as per applicable rates.

23. Claiming Deduction U/s 11 of Income Tax Act, 1961, as suggested by M/s. UCC & Associates LLP, Chartered Accountants, New Delhi, in their Corporate Tax Planning Report.

Resolution

98

Resolved to approve that out of the income for the previous year 2019-20 relevant to the assessment year 2020-21 an amount of Rs.64762.80 Lakhs (Rupees Sixty-Four Thousand Seven Hundred Sixty-Two Point Eighty Lakhs) be accumulated or set apart and utilized for creation of the following infrastructure facilities and services as per Section 42 of the Major Port Trust Act, 1963 namely,

- a. Landing, shipping or transshipping passengers and goods between vessels in the port and wharves, piers, quays or docks belonging to or in the possession of the Board.
- b. Receiving, removing, shifting, transporting, storing or delivering goods brought within the Board's premises.
- c. Carrying passengers by rail or by other means within the limits of the port or port approaches, subject to such restrictions and conditions as the Central Government may think fit to impose.
- d. Receiving and delivering, transporting, booking and dispatching goods originating in the vessels in the port and intended for carriage by the neighbouring railways, or vice versa, as a Railway Administration under the Indian Railway Act, 1890.
- e. Piloting, hauling, mooring, remooring, hooking, or measuring of vessels or any other service in respect of vessels.
- f. Developing and providing, subject to previous approval of the Central Government, infrastructure facilities for ports.

within the time limit provided under section 11 of the Income Tax Act, 1961.

24. Engagement of 2 nos. of Assistant Engineer (Dredgers/Tugs) and 4 nos. of Assistant Engineer (Floating Crafts) on contract basis in Mechanical Engineering Department for a period of 11 months.

Resolution

99

Resolved to approve to consider Departmental Candidates first, if any eligible candidates available, as per the Recruitment Rules and in case no eligible departmental candidates available then to consider engagement of 2 nos. of Assistant Engineer (Dredgers/Tugs) and 4 nos. of Assistant Engineer (Floating Crafts) in the Tug section of Mechanical Engineering Department on a fixed contract remuneration of Rs.40,000 (Basic) + DA applicable, per month for a period of 11 months or till the post is filled up, whichever is earlier, subject to non-availability of qualified and experienced persons in the Department.

27. Grant of prior permission for Mortgage of Plot No.49 at SIPC location-2 admeasuring 53.13 acres allotted to M/s. Emami Agrotech Ltd., Kolkata, on 60 years upfront lease basis for availing a loan of amount of Rs.385 crores from Punjab National Bank, Kolkata.

Resolution

100

Resolved to approve the recommendations of Land Allotment Committee to grant prior permission to M/s. Emami Agrotech Ltd., Kolkata, for mortgage of plot No.49 at SIPC location-2 admeasuring 53.13 acres for availing a loan amount of Rs.385 crores from Punjab National Bank, Kolkata, by charging the mortgage fee of Rs.1,00,000/- from the above party, as per the Mortgage Fee structure approved by the Board, subject to Port retaining to first charge on them and in the event of sale or foreclosure of the mortgaged property, transfer fee as applicable at time of transfer shall be levied.

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