

DEENDAYAL PORT AUTHORITY

MINUTES OF THE MEETING NO.2 OF 2021-22 OF THE MEMBERS OF THE BOARD OF DEENDAYAL PORT AUTHORITY HELD AT 1030 HOURS ON WEDNESDAY, 30TH MARCH, 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)
6. Comd. Nitin Bishnoi (Thro' VC)
Naval Officer-in-Charge

Also present

Shri C. Harichandran, Secretary

3. 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

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Resolved to approve that out of the income of the Deendayal Port Trust (Erstwhile Kandla Port Trust) for the previous year 2020-21 and assessment year 2021-22, an amount of Rs.2,10,52,50,000 (Two Hundred Ten Crore Fifty Two Lakhs and Fifty Thousand only) 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.

- (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, re-mooring, 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.

4. Replacement of old FDRs with new FDRs lying in the Hon'ble High Court of Gujarat in Misc Civil Application (For Direction) No.01 of 2020 in R/First Appeal No.2183 of 2013

Resolution

38

Resolved to approve the proposal to replace Old FDRs amounting to Rs.48.95 Crores with the New FDRs of Rs.49.75 Crores with the Registrar, Hon'ble High Court of Gujarat, Ahmedabad, as per the Orders dated 4.2.2022, in the case of DPT (Now DPA) Vs Kandla Container Terminal Limited (KICTL) erstwhile ABGKCTL.

5. Selling Agency Agreement with M/s. Metal Scrap Trading Corporation Ltd. (MSTC) for undertaking disposal of unserviceable, obsolete and surplus items etc. through E-auction

Resolution

39

Resolved to approve in-principle to enter into 'Selling Agency Agreement' with M/s. MSTC Ltd., Vadodara, for a period of three years w.e.f. from 24.02.2022 to 23.02.2025 for disposal of unserviceable/surplus materials, spares, scrap etc. by E-auction through MSTC website with existing terms and conditions of the Selling Agency Agreement.

6. NOC for enhancement of mortgage loan from amount of Rs.38.70 crores to Rs.41.05 crores (enhancement amount of Rs.2.35 crore) from SIDBI Bank, Gandhidham, of lease hold Plot No.07 admeasuring 34978.12 sq. mtrs., allotted to M/s. Shreeji Liquid Storage Terminals Pvt. Ltd., Gandhidham, for 30 years' lease basis.

Resolution

40

Resolved to approve the recommendations of Land Allotment Committee to grant NOC to M/s. Shreeji Liquid Storage Terminals Pvt. Ltd., Gandhidham, for mortgage of lease hold land at Plot No. 07 admeasuring 34978.12 sq. Mtrs., at Kandla, for enhanced loan amount of Rs.2.35 Crores (i.e. enhancement amount from Rs.38.70 crores to Rs.41.05 crores) from Small Industries Development Bank of India, Gandhidham, by charging the mortgage fee of Rs.30,000/ plus GST, 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.

7. Retrofitting of Cargo Berth No.8 & 9 (Panel No.66 to 76) - Ratification of Action Taken for acceptance of L-1 offer of M/s. BMS Projects - Marymatha JV.

Resolution

41

Resolved to approve:-

- (1) To ratify the action taken to open the Technical bids, qualify bidders at Sr. No.i to iii and disqualify Bidders at Sr. No.iv and to open the price bids of three (Sr. No.i to iii) qualified bidders, as mentioned below:-
 - (i) M/s. VMC-PCC JV
 - (ii) M/s. BMS Projects - Marymatha JV
 - (iii) M/s. Kalthia Engineering & Construction Ltd.
 - (iv) M/s. WMI-DVP JV
- (2) To disqualify Bidder @ Sr. No.iv i.e. WMI-DVP JV; due to non-fulfilment of the required qualification Criteria as per the tender.
- (3) To ratify the action taken to accept the L-1 offer of M/s. BMS Projects Marymatha JV, at Rs.47,26,77,150/- (GST extra, as applicable) and to issue Letter of Acceptance.

8. Finalization of Schedule of the Board Staff, as on 1st April, 2021

Resolution

42

Resolved to approve the Schedule of Board Staff (as on 1st April, 2021), as set out at Annexure – 15 (P:61-131) to Agenda Item No.8.

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

Resolution

43

Resolved to approve 09 no. of applications for conversion from Lease Hold to Freehold (2 DPT and 07 SRC), as per Annexure – 16 (P:134) & Annexure – 17 (P:135).

10. E-tender cum E-auction for allotment of 10 nos. of plots (with structure) situated at Old/New Kandla for the purpose of Liquid Storage Tanks (Products permitted in the earlier lease deed/allotment letter) on 30 years' lease on As is Where is basis

Resolution

44

Resolved to approve the Draft Tender Papers (DTP) and Noting Inviting Tenders (NIT) for the work of "E-Tender cum E-Auction for allotment of following various sizes of plots for the purpose of liquid storage tanks situated at Old/New Kandla, on 30 years' lease on As is Where is basis, keeping the Reserve Price of Rs.1060.56 per sq. mtrs/per annum with 2% annual escalation, as per the provision of PGLM, 2015.

(I) Phase-II

SR. NO.	NAME OF PARTY	AREA (IN SQ. MTRS)	VALUATION OF ASSETS (Rs.)
1	CRL Terminals Pvt. Ltd.	10,000	16,31,08,170/-
2	Synthetic & Chemicals Ltd	14250	1,08,59,800/-
3	Indo Nippon Chemical Co. Ltd	14749	27,23,94,439/-
4	Rishi Kiran Logistics Pvt. Ltd	13770	37,06,14,520/-
5	Friends Oil & Chemical Terminals (P) Ltd	25000	38,02,13,365/-
6	TEJMALBHAI & CO.,	1673	1,95,96,436/-

(II) Phase-III

SR. NO.	NAME OF PARTY	AREA (IN SQ. MTRS)	VALUATION OF ASSETS (Rs.)
1	J.R.Enterprises	13658	31,03,75,245/-
2	United Storage & Tank Terminal	19479	19,51,69,328/-
3	Kesar Enterprises	35358	37,35,19,141/-
4	Avean International (P) Ltd	6446	15,44,66,843/-

11. NOC for mortgage of lease hold Plot Nos.04 & 11 admeasuring 15000 & 7500 sq. mtrs., respectively, allotted to M/s. Veerprabhu Marketing Limited, Kolkata, on 30 years' lease in favour of M/s. Tata Capital Finance Service Limited for a total amount of Rs.19.00 crores i.e. Rs.9.50 crores for Plot No.4 and Rs.9.50 crores for Plot No.11.)
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Resolution

45

Resolved to approve the recommendation of LAC to grant NOC to M/s. Veerprabhu Marketing Limited, Kolkata, for mortgage of Plot No.4, admeasuring 15000 sq. mtrs and plot No.11, 7500 sq. mtrs, each, situated near West Gate No.-1, Kandla, for the loan amount of Rs.9.50 crores in respect of plot No.4 and Rs.9.50 crores in respect of plot No.11 from M/s. TATA CAPITAL FINANCIAL SERVICES LIMITED, Jaipur, by charging the mortgage fee of Rs.20,000/- and Rs.20,000/-, respectively, as per the Mortgage Fee structure approved by the Board from the above party, subject to condition that Port retaining first charge on them and the conditions of lease deed shall be applicable in the event of sale or foreclosure of the above mortgaged properties

12. Approval of Block Estimate for the work of Construction of new Godowns in place of existing Godown No.19 to 21 & 25 inside Cargo Jetty area.
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Resolution

46

- (i) Approve the Block Estimate amounting to Rs.6951 lakhs to execute work of "Construction of new Godowns in place of existing Godown no.19 to 21 & 25 inside C. J. Area".
- (ii) 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 Bid 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.

13. Providing Upgraded Fender for Berth No.1 to 6 (Panel No.1 to 50)

Resolution

47

Resolve to Approve:-

- (i) The proposed Block Estimate amounting to Rs.32.98 Crores for the work of "Providing Up-graded Fender for Berth No 1 to 6 (Panel No. 1 to 50)".
- (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. Widening of Road from Junction of WG -1 & 2 to 12th Berth

Resolution

48

Resolved to Approve:-

- (i) The proposed Block Estimate amounting to Rs.38.50 Crores for the work of "Widening of Road from Junction of WG-1&2 to 12th Berth.
- (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. Development of land from West Gate-1 & 2 Junction to LC-236B at Kandla (Phase-I).

Resolution

49

Resolved to Approve:-

- (i) The proposed Block Estimate amounting to Rs.99.60 Crores for the work of "Development of Land From West Gate-1 & 2 Junction To LC-236B At Kandla (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.

16. Retrofitting of Cargo Berth No.10 (Panel No.77 to 85) & remaining portion of Cargo Berth No.7 (Panel No.51 to 55)

Resolution

50

Resolve to Approve

- (i) The proposed Block Estimate amounting to Rs.97.74 Crores for the work of "Retrofitting of CB No.10 (Panel No.77 to 85) & remaining Portion of CB No.7 (Panel No.51 to 55)".
- (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.

17. Development of four lane Road Common Corridor from LC-236B to 16th Cargo Berth along Railway Line (Phase-I)

Resolution

51

Resolve to approve:-

- (i) The Block Estimate amounting to Rs.67.00 Crores for the work of "Development of four lane road common corridor from LC-236B to 16th Cargo Berth along railway line (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 L-1 Bidder, the action taken by Chairman shall be ratified by the Board.

18. Approval of proposal for the work of "Providing Road Network and SWD to newly added Custom Bonded area (25 Ha area)"

Resolution

52

Resolved to approve:-

- (i) The Block Estimate amounting to Rs.1822.52 lakhs for the work of "Providing Road network and SWD in newly added custom bonded area (25 Ha area)".
- (ii) To Authorize Chairman
 - (a) To approve the Detail Estimate & DTP's and to issue the NIT.
 - (b) To open the Technical bids, to Qualify/Disqualify bidders and to open the Price Bid 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.

19. Construction of Oil Jetty No.7 at Old Kandla – Extension of time period & anticipated Variation Statement No.1

Resolution

53

Resolved to approve as under for the work of "Construction of Oil Jetty No.7 at Old Kandla":-

- (i) The Anticipated Variation Statement No.1 (Net excess of Rs. 10.40 Crores i.e. 24.53% above the awarded cost).
- (ii) Grant of extension of time limit for the period from 24/07/2022 to 30/09/2022, as per the Condition of Contract Clause No. 3.28 and 3.47.1 for completion of project without levy of L.D.

20. Approval of Block Estimate for the work of raising & upgrading the RCC Plots adjoining to Track No.10, 11 & 12 inside Cargo Jetty Area

Resolution

54

Resolved to approve:-

- (i) The Block Estimate amounting to Rs.6665.00 lakhs to execute work of "Raising & Upgrading the RCC Plots adjoining to track No.10, 11 & 12 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) Issue a letter of acceptance to L-1 bidder and to commence the work.
 - (d) The action taken by Chairman shall be ratified by the Board.
21. Approval of Proposal to carry out the works under Corporate Social Responsibility for the year of 2021-22 at Deendayal Port Authority.

Resolution

55

Resolved to Approve as under:-

- (i) The CSR activities/works to be undertaken amounting to Rs.439.30 Lakhs for the year of 2021-22, as recommended by the CSR Committee.
 - (ii) To send the proposal to the MoPSW, GoI, for approval.
23. Deliberations on the request of M/s. Krishna Shipping & Allied Services, Gandhidham, for waiver of demurrage charges for the import cargo of gypsum stored in covered godowns by them after expiry of initial 30 days' rental period in r/o vessel MV Avang on the similar grounds of M/s. United Safeway India Pvt. Ltd. and taking for a decision

Resolution

56

Resolved to approve for waiver of demurrage charges to the tune of Rs.3,59,10,057.00 for a period of 05 months 24 days from 17.09.2020 to 12.03.2021 for storage of import cargo of Gypsum in the covered godown in respect of M/s. Krishna Shipping & Allied Services, Gandhidham, on the same/similar grounds considered for M/s. United Safeway India Pvt. Ltd.

25. Transfer of leasehold rights in respect of Plot admg. 2,02,343 sq. mtrs (50 acres) situated at Kandla within the Deendayal Port Trust (now Deendayal Port Authority) between Kandla - Kharirohar road for the purpose of liquid storage tanks.

Resolution

57

Resolved to approve the recommendation of the LAC to allow transfer of leasehold rights of land admeasuring 2,02,343 Sq.mtrs (50 Acres) to M/s. Aegis Vopak Terminals Limited, as per extant laws, by recovering the transfer fee amounting to Rs.79,84,17,660/- from original lessee, i.e. M/s. Friends Salt Works & Allied Industries, subject to the condition that the transferee takes over all the liabilities of the original lessee/allottee and clearing the outstanding dues of interest Rs.2,68,53,358.00 approx.

26. Transfer of leasehold rights in respect of Plot No.10 admeasuring 26607.34 Sq.mtrs. situated at Kandla within the Deendayal Port Trust (now Deendayal Port Authority) for the purpose of liquid storage tanks

Resolution

58

Resolved to approve the recommendation of the LAC to allow transfer of leasehold rights of land plot No.10 admeasuring 26607.34 Sq.mtrs to M/s. Aegis Vopak Terminals Limited, as per extant laws, by recovering the transfer fee amounting to Rs.9,34,22,537/- from original lessee, i.e. M/s. Friends Bulk Handlers Ltd., subject to the condition that the transferee takes over all the liabilities of the original lessee/allottee and clearing the outstanding dues of interest Rs.20,22,442.00 approx.

27. Transfer of leasehold rights in respect of Plot No.12 admeasuring 14,550 sq. mtrs situated at Kandla within the Deendayal Port Trust (now Deendayal Port Authority) allotted to M/s. Viking Lighterage & Cargo Handlers Pvt. Ltd., for the purpose of liquid storage tanks.

Resolution

59

Resolved to approve the recommendation of the LAC to allow transfer of leasehold rights of land plot No.12 admeasuring 14,550 Sq. mtrs to M/s. Aegis Vopak Terminals Limited, as per extant laws, by recovering the transfer fee amounting to Rs.4,40,19,059/- from original lessee, i.e. M/s. Viking Lighterage & Cargo Handlers Pvt. Ltd., subject to the condition that the transferee takes over all the liabilities of the original lessee/allottee and clearing the outstanding dues of interest amounting to Rs.7,72,217.00 approx.

28. 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) not to accept the request of the Concessionaire for extension of the time from the scheduled completion date of the construction period - reg.
29. Approval for Deendayal Port Authority Logo with colour options.

Resolution

60

Resolved to accept and adopt the Deendayal Port Authority's Logo (with colour) at Option No.6 (Six), as submitted under Annexure-64 of the Board Note.

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