

# DEENDAYAL PORT TRUST

MINUTES OF PROCEEDINGS OF MEETING NO.1 OF 2019-20 OF THE BOARD OF TRUSTEES OF THE PORT OF DEENDAYAL HELD AT 1000 HOURS ON WEDNESDAY, 3<sup>RD</sup> APRIL, 2019, AT GANDHIDHAM.

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## P R E S E N T

Shri Sanjay Bhatia, IAS, Chairman  
Shri S. K. Mehta, IFoS, Chairman-designate (Special Invitee)

## Trustees

Shri R. K. Agarwal, IAS, JS (Ports)	Shri Prabhat Kumar
Cmde. M. Govardhan Raju	DIG S. B. Mishra
Capt. R. K. Muduli	Shri M. L. Bellani
Shri L. Satyanarayan	

## Also present

Shri Bimal Kumar Jha, Secretary & Dy. Chairman (I/c)

### I. Leave of absence: -

The following Trustees were granted leave of absence:-

Shri Sanjay Kumar Agarwal  
Shri Mukesh Kumar  
Dr. Tejinder Singh

### 3. Ratification of legal expenses incurred for Defending and Filing Court cases in various Courts, Tribunals and Forums for the period from October to December, 2018.

## Resolution

1

Resolved to ratify the action taken by the Administration for payment of legal expenses, amounting to Rs.1,01,85,631.00, for the period from October to December, 2018.

### 4. Ratification of action taken by the Chairman & Executive Engineer (TD/E) in respect of Transfer, including Mortgage / Assignment.

## Resolution

2

Resolved to ratify the action taken by the Estate Division for approving the transfer and mortgage cases of Gandhidham Township during the period from 01.07.2018 to 31.12.2018, as per Annexure-3 & details as under:-

(01.07.2018 to 31.12.2018)

Sr. No.	Description	Period	No. of cases	Amt. Realised
1	Transfer Cases ( Township land )	01.07.2018 to 30.09.2018 01.10.2018 to 31.12.2018	13	87,44,452.00
			07	50,01,021.00
			Total 20	1,37,45,473.00
2	Mortgage cases ( Township land )	01.07.2018 to 30.09.2018 01.10.2018 to 31.12.2018	61	17,03,813.00
			68	11,77,883.00
			Total 129	28,81,696.00
3	Legal Heir Mutation Cases	01.07.2018 to 31.12.2018	21	---

5. Ratification of action taken to Engage a Bolero/Tata Sumo Vehicle round-the-clock on Contract basis, through the Port approved contractor, for transportation of Traffic outdoor operational staff w.e.f. 01.03.2019.

Resolution

3

Resolved to ratify the Proposal to engage a Bolero/Tata Sumo vehicle round-the-clock on Contract basis, through the Port approved contractor, for transportation of Traffic outdoor operational staff w.e.f. 01.03.2019.

6. Ratification of action taken for assigning work on nomination basis to Indian Institute of Technology, Mumbai, for "Modification & Strengthening of existing Cargo Berths-7 to 10 at DPT - Assessing Technical Viability, Project Monitoring Consultancy, including Preparation of Estimate and DTPs, Analysis, Design and Engineering, Inspection and Supervision etc".

Resolution

4

Resolved to ratify the action taken for assigning the Work on nomination basis to Indian Institute of Technology, Mumbai, for "Modification & Strengthening of existing Cargo berths-7 to 10 at DPT - Assessing technical viability, project monitoring consultancy, including preparation of Estimate and DTPs, Analysis, Design and Engineering, Inspection and Supervision, etc., by accepting the offer submitted by IIT, Mumbai, vide letter dtd.29.12.2018, amounting to Rs.333 lakhs + 18% GST.

7. Item for information of the Board

- (I) Work assigned on nomination basis to IITB, Mumbai, for checking Technical Viability of Berth No.1 to 10 in respect of operating 120T & 63T capacity Mobile Harbour Crane.
- (II) Increase of DPT's contribution @ 14% of Basic plus VDA in NPS w.e.f. 01.04.2019.

The Board noted the position.

- 8. Technical Qualification/Disqualification of bidders for opening of price bid for the work of "EPC tender for Mechanization of Fertilizer handling facility at Berth No.14 in Deendayal Port".

Resolution

5

Resolved:-

- (i) To ratify the action taken by the Administration for the clarifications to additional queries and issuing Corrigendum-2, as per the recommendations of the Tender Committee dated 05.12.2018, looking to the urgency of the work;
- (ii) To ratify the action taken by the Administration for the Proposal to call for a fresh Bank Guarantee towards EMD issued by Nationalized Bank having its branch in Gandhidham from M/s. Larsen and Turbo Limited, Kolkata, as per the recommendations of the Tender Committee meeting dated 21.12.2018, looking to the urgency of the work;
- (iii) A) To technically qualify and open the price-bids of the two bidders viz., (1) M/s. L&T Limited, Kolkata, and, (2) M/s. RVR Projects Pvt. Ltd.-Navyuga Engg. Co. Ltd., Consortium, Vizag, as they are fulfilling the pre-qualification criteria and technically scoring more than 70 marks as per the tender and;
- B) To technically disqualify the bidder, M/s. McNally Bharat Engineering Company Limited, Kolkata, due to record of poor performance (banning of the firm by M/s. BHEL for 03 years), as per tender clause No.2.6, Section-III of Vol-I, and as per the recommendations of the tender committee meeting dated 05.03.2019;
- (iv) To authorize the Chairman, DPT, to approve the award of work to the bidder with highest Combined Techno-Commercial and Price-bid Score, as per the tender conditions, looking to the urgency of the work, subject to ratification by the Board separately.

9. "E-tender-cum-E-auction for the allotment of open space on License basis for Setting up of one Duty Free Shop at Cargo Jetty and one at Oil Jetty inside Custom Bond Area of Deendayal Port Trust for a period of 05 (five) years".

Resolution

6

Resolved to approve the Proposal for "E-tender-cum-E-auction for the allotment of open space on license basis for setting up of one Duty Free Shop at Cargo Jetty and one at Oil Jetty inside Custom Bond Area of Deendayal Port Trust for a period of 05 (five) years" and floating of NIT as per the norms.

10. Item for information of the Board

Grant of Interim Relief to Class-I & II Officers of Major Port Trusts/Dock Labour Board.

The Board noted the position.

11. Development of 13th Multipurpose Cargo (other than Liquid / Container Cargo) Berth – Implementation of Order of Arbitration Tribunal on the Interim Application filed by M/s. RAS Infraport Pvt. Ltd. (RAS) U/S 17 of the Arbitration & Conciliation Act, 1996 before the Arbitral Tribunal – Approval thereof.

Resolution

7

Resolved to approve the Proposal:-

- (i) To implement the Order dated 08.03.2019, Annexure-34, passed by the Tribunal at its 25th Arbitration meeting held on 08.03.19 on the Interim Application filed by M/s. RAS Infraport Pvt. Ltd., under Section-17 of the Arbitration & Conciliation act, 1996 before the Arbitral Tribunal, and to earmark Rs.183,90,04,471/- for the purpose mentioned in the aforesaid tribunal order on or before 05/04/2019. Further, as per the Tribunal order, the amount shall not be utilized by the DPT without permission of the Tribunal; subject to obtaining legal opinion from the Sr. Counsel dealing with the subject Arbitration matter before earmarking the fund;
- (ii) Fixed Deposit Receipts, amounting to Rs.183.97 crores, (Principal amount), as per the details in the Board Note, may be earmarked for the above purpose;

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

12. Item for information of the Board

Grant of Interim Relief to Retired Officers and Family Pensioners of Major Ports / Dock Labour Board.

The Board noted the position.

13. Item for information of the Board

Change in the break period from one Month to one Day while granting extension to Firemen Trainees on Contractual Basis, as per the Scheme approved by the Board, vide Resolution No.60 dated 22.8.2017.

The Board noted the position.

14. Maintenance Contract (03 Nos.) 25T and (02 Nos.) 16T capacity MBE make Wharf Cranes for a period of Two Years.

Resolution

8

Resolved to approve the Proposal for extension of 'Maintenance Contract (03 Nos.) 25T and (02 Nos.) 16T capacity MBE make Wharf Cranes for a period of Two Years' for a further period of six (06) months from 16.2.2019 to 15.8.2019 or till the date of award of new AMC, whichever is earlier, at a contract price of Rs.97,77,192/-, with overall variation of Rs.1,92,78,066/- i.e., net excess of 49.43% compared to the tendered cost of Rs.3,90,00,000/-

15. Maintenance Contract of 04 Nos. Mukund Cranes of 12T (02 Nos) & 16T (02 Nos.) Capacities of ELL Cranes, along with Grabs, for a period of 02 years inside Cargo Jetty Area – Extension of Contract Period.

Resolution

9

Resolved to approve the Proposal for extension of 'Maintenance Contract of 04 Nos. Mukund Cranes of 12T (02 Nos) & 16T (02 Nos.) Capacities of ELL Cranes, along with Grabs, for a period of 02 years inside the Cargo Jetty Area' for a further period of 06 (six) months from 1.1.2019 to 30.6.2019 or till the date of award of new AMC, whichever is earlier, with overall variation of Rs.2,40,77,016/- i.e., net excess of 73.55% compared to the tendered cost of Rs.3,27,36,000/-.

16. Maintenance Contract for HT & LT Electrical Installations, including Substations, overhead lines, Residential, Non-Residential, Hospital and School buildings outside Cargo Jetty Area.
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Resolution

10

Resolved to approve the Proposal for extension of 'Maintenance Contract of HT & LT Electrical Installations, including Substations, overhead lines, Residential, Non-Residential, Hospital and School Buildings outside Cargo Jetty Area' for a further period of six (06) months from 5.3.2019 to 4.9.2019 or till the date of award of new AMC, whichever is earlier, at a contract price of Rs.31,30,754/- with overall variation of Rs.65,87,432/- i.e., net excess of 46.41% compared to the tendered cost of Rs.1,42,08,840/-.

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