

DEENDAYAL PORT TRUST

MINUTES OF THE MEETING NO.3 OF 2020-22 OF THE BOARD OF TRUSTEES OF THE PORT OF DEENDAYAL HELD AT 1000 HOURS ON FRIDAY, 11th SEPTEMBER 2020, AT GANDHIDHAM

P R E S E N T

1. Shri S.K. Mehta, IFS,
Chairman, DPT
2. Shri Sanjay Bandopadhyaya, IAS,
Addl. Secretary, Ministry of Shipping
3. Shri Bibhash Kumar Thakur, IFS, (Thro' VC)
Dy. Director General of Forests (Central), Bhopal
4. Shri Prabhat Kumar, IRTS, (Thro' VC)
Chief Freight Transportation Manager, Western Railway, Mumbai
5. Shri Nandeesh Shukla, IRTS,
Dy. Chairman, DPT
6. DIG Rajesh Makwana, TM & BAR,
Chief of Staff, Headquarters, Coast Guard Regional (NW), Ahmedabad
7. Commodore Rajiv Ashok, (Thro' VC)
Naval Officer-in-Charge
8. Capt. Santoshkumar Darokar,
Principal Officer, Mercantile Marine Department
9. Shri L. Satyanarayan,
Trustee, Representing Labour

Also present

Shri T. Venu Gopal, Secretary

I. Leave of absence: -

The following Trustees were granted leave of absence: -

1. Smt. Avantika Singh Aulakh, IAS, CEO & Vice Chairman, GMB
 2. Shri Manoj Kumar Srivastava, IRS, Commissioner of Customs
 3. 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
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Resolution

36

Resolved to approve the proposal of replacement of Old FDR's amounting to Rs.156.91 Crores with the New FDR's of Rs.181.72 Crores with the Registrar, Hon'ble High Court of Gujarat, Ahmedabad, on receipt of intimation of date from the Registrar, as per orders dated 16.07.2020, of Hon'ble High Court in the case of DPT Vs Kandla Container Terminal Limited (KICTL) erstwhile ABGKCTL subject to para 3.3. above.

4. Review on status of un-constructed plots of Gandhidham Township allotted by DPT
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Resolution

37

Resolved to approve:-

- (i) To initiate action for determination of Leases who have not carried out construction and have not submitted the Occupancy Certificate issued by the Gandhidham Development Authority;
 - (ii) To give a final one-month notice from 30.09.2020 for submission of Occupancy Certificate (Irrespective to the date of Occupancy Certificate).
5. Mathematical Model Studies for identification of New Dumping Ground location for dredged material disposal for Deendayal Port, Kandla, Gujarat
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Resolution

38

Resolved to approve assigning of work on Nomination Basis to M/s.CWPRS, Pune, to carry out Mathematical model studies for identification of new dumping ground location for dredged material disposal for Deendayal Port, Kandla, Gujarat for amounting to Rs.10,00,000/- (ten lakhs only) plus GST @ 18%. GST will be paid as per actual including terms and conditions mentioned in CW&PRS letter No.TCH/PH-II/DPT-Dumping/2020/Tc/438/1329 dated 13/07/2020.

6. Allotment of land admeasuring 12.36 acres on nomination basis for the purpose of setting up of Pumping Station facilities to M/s. IHB Private Limited, a Joint Venture consortium formed by PSU Oil Marketing Companies viz. M/s. Indian Oil Corporation, M/s.Hindustan Petroleum Corporation Limited & M/s. Bharat Petroleum Corporation Limited
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Resolution

39

Resolved to invite bids for allotment of land admeasuring 12.36 acres (250 M x 200 M) at Mithirohar for the purpose of setting up of Pumping Station facilities on 30 years lease on as is where is basis by following the Land Policy Guidelines.

7. Development of Oil Jetty to handle Liquid Cargo and Ship Bunkering Terminal at Kandla on BOT basis – Award of Concession& Implementation of MoS Clarification Circulation (Land Management) No. 2 of 2019-2020 communicated by MoS vide letter PD-13017/2/2014-PD.IV dated 05.11. 2019 – Approval Reg

Resolution

40

Resolved to approve:

- (i) To refer the matter to Ministry of Shipping for clarification in respect of MOS Guidelines dated 20.4.2020 before processing for award of Concession of the Project to the Concessionaire.
 - (ii) To waive off the Condition Precedent at Article 3.1 (a) (x) "Obtaining Applicable permits as may be required for commencement of Construction Works as set out in Appendix 8" of the Concession Agreement, subject to submission of an Undertaking as per Draft Annexure – A by the Concessionaire for obtaining the necessary statutory clearance/applicable permits within the stipulated time along with milestones of major events for monitoring of the project. Also resolved that DPT has full right to take any decision in this regard.
 - (iii) To authorize Chairman to Award the Concession of the project to the Concessionaire after handover of the Project site;
 - (iv) To extend the time period of 4 months for fulfilment of Condition Precedent.
8. Finalisation of Schedule of the Board Staff, as on 1st April, 2020 under Section-23 of the Major Port Trusts Act, 1963, reg.

Resolution

41

Resolved to approve the Schedule of Board Staff (as on 1st April, 2020), as set out at { Annexure - 20 (P:72-135)} , under Section- 23 of the Major Port Trusts Act, 1963.

9. Ratification of legal expenses incurred for defending and filing court cases in various Courts, Tribunals and Forums for the period from October, 2019 to June, 2020.

Resolution

42

Resolved that effort should be made to reduce the legal fee by calling bids as in Kolkata Port as far as possible. Since as per the Delegation of Powers, the Chairman has full powers to decide on the legal fee, such matters to be placed before the Board only for information rather than for ratification, in future. The action taken to reduce the legal fee be also placed before the Board in the next meeting.

10. Ratification of approval for the proposal of Modification in contract price from Rs.91,19,51,000/- to Rs.92,07,19,760/-(an increase of Rs.87,68,760/- due to change in taxation) for the work of "Procurement of two nos. 60 tonne Bollard Pull Tug in replacement of MR Mekan and MT Jumbo" awarded to M/s. Hindustan Shipyard Limited, Hyderabad.

Resolution

43

Resolved to authorise the Chairman, DPT to make the payment as per the Invoice of M/s. Hindustan Shipyard Limited, Hyderabad, due to change in taxation.

11. Ratification of action taken with regard to Sale of Wind Energy Power generated from 14 MW Wind Power Project along with the terms of payment

Resolution

44

Resolved to approve the sale price of power as under :-

Table- I		
Name of customer	WTG	Validity of sale agreement
IFFCO	6.3 MW (2.1 MS X 3 WTG)	01.05.2019 to 31.03.2020
HPCL Mittal Pipe Lines Ltd.	2.1 MW (2.1 MS X 1WTG)	01.08.2019 to 31.07.2020

Table- II				
Name of customer	WTG	Validity of sale agreement	Remarks	Terms of payment
IFFCO	6.3 MW (2.1 MS X 3 WTG)	01.04.2020 to 31.03.2021	--	10 days from the date of issuance of bill by M/s. PTC India Ltd.
M/s. UPL	2.1 MW (2.1 MS X 1WTG)	01.08.2020 to 31.07.2021	--	10 days from the date of issuance of bill by M/s. PTC India Ltd.
HPCL Mittal Pipe Lines Ltd.	2.1 MW (2.1 MS X 1WTG)	01.08.2020 to 31.07.2021	--	10 days from the date of issuance of bill by M/s. PTC India Ltd.
M/s. Bayer	2.1 MW (2.1 MS X 1WTG)	01.09.2020 to 31.08.2021	Agreement has been executed and MTOA application has been submitted to GETCO on 04.08.2020. Approval is awaited on 31.08.2020	30 days from the date of issuance of bill by M/s. PTC India Ltd.

12. Conversion of leases from leasehold to freehold (Residential & Commercial) – Ratification thereof

Resolution

45

Resolved to ratify the action taken for conversion of Leasehold to Freehold in respect of 55 cases, as per {Annexure – 24 (P:158)} & {Annexure – 25 (P:159)}.

13. Ratification of action taken for the appointment of the Central Water and Power Research Station (CWPRS), Pune, to carry out the Mathematical Model Studies for evolution of hydrodynamics for the proposed Ro-Pax Jetty Project at Hazira on nomination basis and paying an advance payment of Rs.11,97,000/- to CWPRS, Pune.

Resolution

46

Resolved to approve ratification of action taken for the appointment of the Central Water and Power Research Station (CWPRS), Pune, to carry out the Mathematical Model Studies for evolution of hydrodynamics for the proposed Ro-Pax Jetty Project at Hazira on nomination basis and paying an advance payment of Rs.11,97,000/- + GST extra to CWPRS, Pune.

14. Construction of Dr. Baba Saheb Ambedkar Convention Centre at Gandhidham – Approval of Anticipated Variation Statement No.1

Resolution

47

Resolved to approve ratification for approval of Anticipated Variation Statement No.1 with net Excess of Rs.3,61,73,912.30 (i.e. 12.54% above the awarded cost & 1.90% below the estimated cost) of the net accepted Tender cost of Rs.28,83,43,382.73 and 1.90% below the estimated cost of the project Rs.33,08,31,917/- for the work of "Construction of Dr.Baba Saheb Ambedkar Convention Centre at Gandhidham."

15. Development, Operation and Maintenance of Oil Jetties Nos.9,10 & 11, for handling all types of liquid cargo at Old Kandla, under PPP mode, for a concession period of 30 years – Ratification of the actions taken for the subject projects.

Resolution

48

Resolved to Ratify the actions taken by the Chairman, DPT, in approving the following with regard to subject project:

- i. Re-scheduling of the event dates of RFQs, by way of AMENDMENT No.1 & 2 ({Annexure – 33 (P:185)} & {Annexure – 34 (P:186)}.

- ii. The "Authority's Response to the RFQs Queries" (44 Nos.) for OJ- 9 & 10 {Annexure – 35 (P:187-198)} raised by the RFQ applicants and hoisting the same on DPT website.
- iii. To conduct the Pre-application conference for the RFQs of OJ- 9 & 10, through Video Conferencing, on scheduled date & time, by way of AMENDMENT No.3 {Annexure – 36 (P:199)}
- iv. The AMENDMENT No.4 TO RFQs of OJ- 9 & 10 {Annexure – 37 (P:200-201)}, with regard to submission of hard copies of Security Clearance documents (12 sets).
- v. The draft Feasibility Report & draft RFQ document for "Development of Oil Jetty No.11 to handle all types of Liquid Cargo at Old Kandla, on BOT basis, under PPP mode, for a concession period of thirty (30) years" with handling capacity of 3.50 MMTPA and Investment by Concessionaire of Rs.356.89 Cr. ({Annexure – 38 (P:202-304)} & {Annexure – 39 (P:305-386)} along with Salient Features of Feasibility Report and RFQ document {Annexure – 40 (P:387-388)} & {Annexure – 41 (P:389)} respectively).
- vi. Issuance of the Global NIT for RFQ, after approval of MOS, for Oil Jetty No. 11, under PPP Mode, by publishing it through leading Newspapers as per the Advertisement Policy of DPT and also by hoisting the same on DPT website {Annexure – 42 (P:390)}.

16. Item for information of the Board

- (I) Assignment for the work of "Construction of Ro-Pax Jetty at Hazira" to M/s. IIT Madras, Chennai, on nomination basis.
- (II) Requirement of Developed Ro-Ro facility on lease basis at Hazira, Gujarat.
- (III) Insurance of Port Properties
- (IV) Review of Vigilance matters regarding periodic progress of vigilance work/disciplinary cases in six months (DPE, GOI OM No.16(48)/87-G dated 02-09-1996 and Ministry of Shipping, Gol, Ref. No.C-30019/22/2003-vig dated 22-04-2004.

The Board noted the position.

17. Appointing Authority in respect of deputy HoD level Officers in Major Ports - Amendments to Kandla Port Trust Employees (RSP) Amendment Regulations, 2009 and Deendayal Port Trust Employees (CCA) Regulations, 2019 - reg.

Resolution

49

Resolved to approve the amendments to the Kandla Port Trust Employees' (Recruitment, Seniority and Promotion) Regulations, 2009 and the Deendayal Port Trust Employees (Classification, Control and Appeal) Regulations, 2019, as per the draft amendment proposals placed {Annexure – 56 (P:420-421)} and {Annexure – 57 (P:422)}, 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 also to send necessary proposal to the Ministry for further action after Board's approval.

18. Proposal for final approval of the Board for "Allotment of Open Space to M/s. G.N. Enterprise, Gandhidham, for setting up one Duty Free Shop at Cargo Jetty area inside Custom Bond Area and for Allotment of Open Space to M/s. Mars Remedies, Surat, for setting up One Duty Free Shop at Oil Jetty inside Custom Bond area" of Deendayal Port Trust for the period of 5 years".
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Resolution

50

Resolved to approve the proposal for setting up one duty free shop inside Custom Bond Area at Cargo Jetty to M/s. G.N. Enterprise, Gandhidham, the highest bidder @ Rs.37,974.33/- per annum (50.00 Sq. Mtrs. Open space) AND to approve the proposal for setting up one duty free shop inside Custom Bond Area at Oil Jetty to M/s. Mars Remedies, Surat, the highest bidder @ Rs.10,504.33/- per annum (50.00 Sq. Mtrs. Open space), both for the period of 5 years.

19. Implementation of DPT (Licensing of Stevedoring and Shore Handling) Regulations, 2019 – Levying of Royalty Pmt
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Resolution

51

Resolved to approve the proposal for levying of Royalty at a flat rate of Rs.6.00 per ton (Rupees Six Only) on both stevedoring and shore handling activities for a period of one year from the date of approval of Board.

20. Land Use Plan and Valuation of Land at OOT, Vadinar – Applicability of Vadinar Land SOR rates for charging License Fees from M/s.Coviva Energy Terminals Limited [Concessionaire], as per the opinion of the ASG for "Development of Marine Liquid Terminal at OOT, Vadinar, on Captive Use basis – regarding".
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Resolution

52

Resolved that the rate of Rs.203.38/m2/annum, as approved by the Board in its meeting held on 29.01.2020, is reasonable and the same will be made applicable to M/s. CETL for charging license fees from retrospective effect subject to approval by the TAMP.

21. Development of Marine Liquid Terminal facilities consisting of SPM & two Product Jetties in KPT Waters at OOT, Vadinar, Kandla Port on Captive Use Basis. – Request of M/s. Coviva Energy Terminals Limited (Concessionaire) for proposed change in shareholding pattern.
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22. Construction of Oil Jetty No.7 at Old Kandla - Status of work & further line of action to be taken - reg.
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Resolution

53

Resolved to refer the matter to the Ministry for a final decision regarding this project.

23. Development at Tuna-Tekra considering draught and size of Ships of future generations

Resolution

54

Resolved to approve the suggestion of the Committee to send the proposal to the Ministry of Shipping for consideration by SFC/ PPPAC for both the Projects.

24. Development, Operation and Maintenance of Oil Jetties Nos.9,10 & 11, for handling all types of liquid cargo at Old Kandla, under PPP mode, for a concession period of 30 years – Ratification of the action taken, including discharging the RFQS invited for OJ-9 to 11 - Reg.

Resolution

55

Resolved to ratify the actions taken by the Chairman, DPT, in approving the following with regard to subject project:

- i. Re-scheduling of the event dates of RFQs of Oil Jetties 9 & 10, by way of AMENDMENT No.5 to 9, uploaded on DPT website {Annexure -93(P:513-517)}.
 - ii. Re-scheduling of the event dates of RFQ of Oil Jetty-11, by way of AMENDMENT No.01, uploaded on DPT website {Annexure -94(P:518)}.
 - iii. Discharge of RFQs of Oil Jetty 9 & 10 invited vide Tender No. 03/CE, vide AMENDMENT No.10 {Annexure -92(P:512)}, as directed by the Ministry.
 - iv. Discharge of RFQ of Oil Jetty 11, invited vide Tender No. 05/CE, vide AMENDMENT No.02 {Annexure -92(P:512)}, as directed by the Ministry.
25. Status of the “E-Drishti” tender for the consideration of the Board of Trustees of DPT.

Resolution

56

Resolved to:-

- (1) Separate the RFID and CCTV works in Phase-I and Phase-II respectively in line with Chennai & SPMPT i.e. Kolkata Port Trust RFID projects. The specifications of RFID, Transreceiver, etc. should be such to integrate with the MORTH e-Tolling systems. The e-DRISHTI tender therefore may be discharged and the Consultant, NISG, Hyderabad may be requested to prepare two separate RFP for Phase-I i.e. RFID implementation for DPT and Phase-II i.e. CCTV surveillance system in the Port.
- (2) The additional financial implication, if any, to NISG, Hyderabad arising due to separation of e-DRISHTI tender is approved and authorize Chairman, DPT to do the formalities with NISG, Hyderabad.

- (3) Till the time the tender for new CCTV contract is not finalized, AMC of existing CCTV contract should be continued/made available.

27. Item for information of the Board

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

The Board noted the position.

28. Fixing of rates Rs.4/- per ton for weighment of trucks/vehicles at weighbridges inside port area and allotment of 120 sq. mtrs. of land to the contractor on leave and licence basis for a period of 11 months extendable upto 10 years, as per the prevailing SOR from time to time
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Resolution

57

Resolved to approve the proposal for fixing of rate Rs. 4/- per ton for weighment of trucks/vehicles at weigh bridges inside port area subject to approval of TAMP AND allotment of 120 sq. mtrs of land for each weighbridge to the contractor on leave and licence basis for a period of 11 months extendable up to 10 years as per the prevailing SOR from time to time.

29. Board note for grant of permission for erecting of 02 nos. of Marine Loading Arms (MLAs) at Oil Jetty No:1 on the terms and conditions incorporated in the "Policy for grant of permission for laying and operating the pipelines in KPT limit" for handling of LPG through the 02 nos. of 16" dia pipeline (with insulation 27") already granted by DPT to M/s. Aegis Logistics Ltd.
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Resolution

58

Grant permission for erecting of 02 nos. of Marine Loading Arms (MLAs) at Oil Jetty No: 1 on the terms and conditions incorporated in the "Policy for grant of permission for laying and operating the pipelines in KPT limit" for handling of LPG through the 02 nos. of 16" dia pipeline (with insulation 27") already granted by DPT to M/s.Aegis Logistics Ltd. Further, M/s Aegis Logistics Ltd. will abide with terms and conditions incorporated in policy to be framed for grant of permission for pipeline to be laid from Jetty to "Y-junction including Marine un-loading arms.

30. Board note for granting approval for grant of permission for laying of 01 no. additional 350 mm dia pipeline from IOC Manifold to Plot No:15, New Kandla, as per the "Policy for grant of permission for laying and operating the pipelines in KPT limit" to M/s. Seabridge Terminals Pvt. Ltd.
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Resolution

59

Resolved to approve the proposal to grant permission to M/s.Seabridge Terminals Pvt. Ltd. for Laying of 01 no. additional 350 mm dia pipeline from IOC Manifold to Plot No: 15, New Kandla, as per the "Policy for grant of permission for laying and operating the pipelines in KPT limit".

31. Board note for grant of in-principle approval for grant of permission for laying of 02 nos. 250 mm dia Oil carrier pipeline and 01 no. 80 mm dia air pipeline on the same terms and conditions incorporated in the "Policy for grant of permission for laying and operating the pipelines in KPT limit" to M/s. Kutch Oil & Soap Industry.

Resolution

60

Resolved to approve:-

Grant in-principle approval to the proposal for grant of permission for laying 02 nos. 250 mm dia and 01 no. 80 mm dia pipelines from their terminal at Plot No:14 to Railway Siding at Shirva Station" to M/s. Kutch Oil & Soap Industry.

33. Pre-feasibility Study on development of waterfront and backup area at Hazira.

Resolution

61

Resolved to approve the proposal to award the work to IPA, on Nomination basis, for preparation of pre-feasibility report for the work of "Pre-feasibility study on development of water front and backup area at Hazira." as per their budgetary offer and terms and conditions as per letter No. IPA/CSD/389/2020 dated 21.08.2020, at an estimated cost of Rs.27.20 lakhs.

34. Annual Administration Report of Deendayal Port Trust for the year 2019-2020.

Resolution

62

Resolved to approve the Annual Administration Report of the Deendayal Port Trust for the year 2019-2020 and furnish the same to the Ministry, as envisaged in Section – 106 of the MPT Act, 1963.

35. Item for information of the Board

Empanelment of M/s. Metropolis Health Care Limited for providing Pathological services to DPT beneficiaries

The Board noted the position.

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