

DEENDAYAL PORT TRUST

MINUTES OF PROCEEDINGS OF MEETING NO.5 OF 2019-20 OF THE BOARD OF TRUSTEES OF THE PORT OF DEENDAYAL HELD AT 10:30 HOURS ON FRIDAY, THE 6TH DECEMBER, 2019, AT GANDHIDHAM.

P R E S E N T

Shri S.K. Mehta, IFS, Chairman

Trustees

Shri R.K. Agarwal, IAS, JS (Ports)
Capt. R.K. Muduli
Shri L. Satyanarayan

Shri Prabhat Kumar, IRTS
Shri M.L. Bellani

Also present

Shri T. Venu Gopal, Secretary

I. Leave of absence: -

The following Trustees were granted leave of absence: -

Shri Mukesh Kumar, IAS
Shri Sanjay Kumar Agarwal, IRS
DIG Rajesh Makwana
Cmde. M. Govardhan Raju
Shri Bibhash Kumar Thakur, IFS

3. Awarding of the work of Consultancy to IITM, Chennai, on nomination basis for "Technical Consultancy Services for the work of Repairing and Strengthening of Facia Wall and RCC Ladder of Berthing Jetty providing Mooring Ladders and Fenders at OOT, Vadinar"
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Resolution

71

Resolved to approve the following: -

1. To award the work of consultancy to M/s. IITM, Chennai, submitted their offer amounting to Rs.29,87,000/- excluding GST, for the work of "Providing Technical Consultancy for repairing and strengthening of facia wall and RCC ladder of berthing jetty, along with mooring ladders and fenders.

2. Providing Port Tug/Boat to IITM, Chennai, at free of cost for survey/testing and local transportation from airport/railway station to Vadinar, lodging & boarding, etc.
 5. Proposal for extension of retention period of Ro-Ro/Lo-Lo Jetty by M/s. Nayara Energy, Vadinar, at Off-shore Oil Terminal, Vadinar
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Resolution

72

Resolved to approve the proposal of extension period of retention of Ro-Ro/Lo-Lo Jetty by M/s. NAYARA Energy, Vadinar, from 1.11.2016 to 31.12.2023, which would be reviewed every year and communicate the same to the Ministry.

6. Allowing reimbursement for Medical Treatment for the same ailment simultaneously in more than one system of medicine.

Resolution

73

Resolved to approve the proposal for reimbursement of medical claims of Shri M.K. Aswani, Retd. Assistant, DPT, towards the treatment availed by his wife for cancer under Homeopathy and Allopathic systems simultaneously pending amendment of Regulations.

7. Recognition of New Panel of Referral Hospitals - Status Report

Resolution

74

Resolved to approve the following:-

- (1) Entering into MOU with the Hospitals pending confirmation of Bank Guarantee from the Banks.
- (2) Acceptance of B.G. of Scheduled Banks having branch at Gandhidham.
- (3) Extension of recognition of existing referral Hospitals for a period of two months or till completion of entire process of recognition of new Panel of Hospitals, whichever is earlier.
- (4) Authorize Chairman to derecognize the Hospitals for breach of agreement, if any, which inter alia including the Hospitals not providing credit facility to the Port beneficiaries, repeated over-charging, failing to provide any of the entitled services for which it has been empanelled, etc., by giving notice, as prescribed in the EOI Document.

8. Revision of existing rate of Canteen Subsidy to Class-III & IV Employees of Deendayal Port Trust

Resolution

75

Resolved to accept the recommendation of the Committee and approve the payment of canteen subsidy @ Rs.115/- per day to Class – III & IV employees on all working days w.e.f 1.7.2018 and payment of arrears of difference amount w.e.f 1.7.2018.

9. Ratification of the action taken for granting extension for hiring of a bungalow at Ahmedabad for Transit House and for maintenance and housekeeping work to M/s. Spider Enterprises, Ahmedabad.

Resolution

76

Resolved to ratify the action taken by the competent authority for granting the extension for a further period of 11 months w.e.f. 05/09/2019 to 04/08/2020 for letting out premises at Ahmedabad with Shri Rinku Agarwal & others, Ahmedabad, and also for a period of 06 months for running and maintenance of the Transit house w.e.f. 01.08.2019 to 31.01.2020 with M/s. Spider Enterprise, Ahmedabad, or till the finalization of the new contract, whichever is earlier.

10. Payment of Audit fees for the Audit conducted during 2018-19

Resolution

77

Resolved to approve the proposal for payment of Rs.21,10,065/- (Rupees Twenty One Lakhs Ten Thousand Sixty Five only) towards provisional audit fees for the audit conducted during the year 2018-19 in favour of the PAO (Audit), Office of The Pr. AG(A&E), Maharashtra, Mumbai, under the provision of Section-102 (2) of Major Port Trust Act, 1963, subject to furnishing detailed bill of audit fees.

11. Damage to Oil Jetty No.1 by MT Albert Ekka - Settlement of claim thereof.

Resolution

78

Resolved to approve the proposal to accept Rs.1,95,74,700 from M/s. SCI against Damage cost of Rs.3,52,85,422 in respect of Damage to OJ-I by MT Albert Ekka on 21.03.2008 by waiving Rs.1,57,10,722/- plus interest, as per recommendation of the Ministry of Shipping, subject to following:-

1. M/s. SCI shall remit the amount of Rs.1,95,74,700/- plus applicable GST @ 18% i.e. Rs.35,23,446/- in installments by 30.09.2020. Till then, they shall continue to renew the Corporate Guarantee.
 2. Rs.1.21 crores will be released to M/s. JM Baxi & Co. after full and final settlement by M/s. SCI. However, refund will be given to the tune of actual amount withheld against subject damage.
12. Transfer of Provident Fund Money of Shri Susil Chandra Nahak, Deputy Chief Mechanical Engineer, Deendayal Port Trust received from Paradip Port Trust in terms of Regulation – 12 of the Kandla Port Trust Employees (General Provident Fund) Regulations – 1964
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Resolution

79

Resolved to approve the proposal to accept the Provident Fund remittance received from Paradip Port Trust in respect of Shri Susil Chandra Nahak, Dy. CME, DPT, and to post the same at his credit in the GPF Account, which shall be allotted to him by DPT as per Regulation-12 of the Kandla Port Employees (General Provident Fund) Regulations, 1964.

13. Providing Screen Wall surrounding the Coal Stacking Yard inside Cargo Jetty area of Deendayal Port
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Resolution

80

Resolved to approve as under: -

1. The work of Providing Screen wall, surrounding the coal stacking yard inside Cargo Jetty area of Deendayal Port, with Block Estimate amounting to Rs.22.66 crores subject to deliberations made at para-13.4;
 2. Authorize Chairman, DPT, to approve the detailed estimate and DTPs for the subject work.
 3. Authorize Chairman to approve pre-qualification of bidders and award of work subject to ratification of the Board.
14. For the work of 'upgrading the road network of 66 hectare'- Approval of Block Estimate thereof.
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Resolution

81

Resolved to approve the proposal to:-

- (i) The work of 'Upgrading the Road Network of 66 hectare, amounting to Rs.2125.64 lakhs, subject to deliberations made at para-14.4;

- (ii) 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.

15. For the work of "Development of land in the west of existing 66 hectare area for Storage of Cargo" (Extension of Custom Bonded Area) - Approval of Block Estimate thereof.

Resolution

82

Resolved to approve as under:-

- (i) The work of "Development of land in the west of existing 66-hectare area for storage of cargo" (extension of custom bonded area), with Block Estimate of Rs.5207.29 lakhs, subject to deliberations made at para-15.3;
- (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 Bids of qualified bidders.
 - c) To issue letter of acceptance to L1 Bidder and to commence the work.
 - d) Action taken by Chairman shall be ratified by the Board.

16. Approval of Block Estimate for the work of "Development of Plots, Roads & SWD in 34 hectare area inside C J area.

Resolution

83

Resolved to approve as under:-

- (i) The work of "Development of Plots, Roads & SWD in 34-hectare area inside CJ area", with Block Estimate of Rs.7151.08 lakhs, subject to deliberations made at para-16.3;
- (ii) Authorize Chairman
 - a. To approve the Detail Estimate & DTPs and to issue the NIT.

- ## Resolution

Resolved to approve

1. Ratify the action to release 70% payment (i.e. Rs.1,14,39,524/-) of final bill as interim payment;
2. To approve Final Variation Statement with net excess of Rs.27,43,747.63 i.e. 2.67 % of the tender cost of Rs.10,27,61,290.45. The variation in absolute term is 20.79%.

- ## Resolution

Resolve to Approve as under:-

- (i) The work of "Retrofitting of Existing Cargo Berth No.7 (Panel No 51 to 59)" with Block Estimate of Rs.79.05 crores, with completion period of 11 months, subject to deliberations made at para-18.4;
- (ii) To authorize Chairman to approve the Estimate and DTPs;
- (iii) To issue NIT, open the Technical bids, to Qualify/Disqualify bidders;
- (iv) To open the Price Bids of qualified bidders and issue a letter of acceptance to L1 Bidder; and to commence the work;
- (v) The action taken by the Chairman shall be ratified by the Board.

19. Development of land for Smart Industrial Port City (SIPC) Location 2 (Kandla) at Kandla - Gandhidham - Adipur Complex – Extension of time period & final variation reg.

Resolution

86

Resolved to:-

A. Ratify the following

1. Extension of time limit by 72 days from 01.03.2019 to 12.05.2019 with revised milestone as per {Annexure – 50 (P:182)}.
2. To release 70% payment (i.e Rs.9,60,80,230.00/-) of final bill, as interim payment due to Diwali festival.

B. Approve the final Variation Statement with net excess of 2.19 % (i.e Rs.3,67,16,584.42) and absolute variation is 3.26%.The final cost of the contract is Rs.171,13,93,557.92

20. Approval of Revised Block Estimate for the work, "Augmentation of Liquid Cargo Handling Capacity from 8 MMTPA to 10 MMTPA through modernization of existing pipeline network at oil jetty area, Deendayal Port Trust, Kandla – Replacement and Revamping of Pipeline Network at Oil Jetty area, Kandla" – reg.

Resolution

87

Resolved to approve the proposal for:-

1. Replacement and Revamping of Pipeline Network at Oil Jetty area, Kandla, amounting to Rs.171.32 Cr. {Annexure – 58 (P:192)}.
2. Acceptance of SFC memorandum to be submitted to Ministry of Shipping {Annexure – 59 (P:193-350)}.
3. To authorize the Chairman to approve detailed estimate, DTPs and Issue of NIT.

21. Issuance of fresh NOC in favour of M/s. Kotak Mahindra Bank Ltd., for mortgaging of lease hold land/Plot no.49 admeasuring 15,000 sq. mtrs. allotted to M/s. ACT Infraport Ltd., towards enhancement of loan amount.

Resolution

88

Resolved to approve the recommendations of Land Allotment Committee to issue NOC in favour of M/s. Kotak Mahindra Bank Ltd. for mortgaging of land/Plot No.49 at Kandla admeasuring 15,000 sq. mtrs. at the enhanced loan amount from Rs.8.00 Crs. to Rs.14.00 Crs. to M/s. ACT Infraport Ltd., by charging mortgage fee of Rs.20,000/-, as per the revised mortgage fee schedule approved by the Board, subject to, Port retaining first charge on them and Clause 12 (A) (i) of Amended LPG-2014 shall be applicable in the event of sale or foreclosure of the mortgaged property.

22. Framing of "Deendayal Port Trust Employees (Classification, Control and Appeal) Regulations, 2019" - reg.

Resolution

89

Resolved to approve the Deendayal Port Trust Employees (Classification, Control and Appeal) Regulations, 2019, as per the draft proposal placed at {Annexure – 63 (P:375-405)}, under Section-28 of the Major Port Trusts Act, 1963, subject to further approval of the Central Government under Section-124, ibid and further approved to send a proposal to the Ministry with the recommendations/suggestions, if any, for notification.

23. Amendment to the Recruitment Rules of Heads of Departments of Deendayal Port Trust - reg.

Resolution

90

Resolved to approve the amendments to the Kandla Port Employees' (Recruitment, Seniority and Promotion) Amendment Regulations, 2009, as per the draft amendment proposal placed at {Annexure – 66 (P:426-435)}, as per Section-28 of the Major Port Trusts Act, 1963, subject to further approval of the Central Government under Section-124, ibid.

24. Ratification of Legal Expenses incurred for defending and filing Court cases in various Courts, Tribunals and Forums for the period from April to September, 2019.

Resolution

91

Resolved to ratify the action taken by the Administration for the payment of legal expenses, amounting to Rs.3,77,52,718.00 for the period from April to September 2019.

26. Approval of proposal to carry out the works under Corporate Social Responsibility for the year 2019-20 at Deendayal Port Trust.

Resolution

92

Resolved to approve the proposal to carry out the activities/works as listed in the Agenda Note amounting to Rs.2338.57 Lakhs for the year of 2019-20, as recommended by CSR committee, subject to modifications as per Para 26.3 above.

27. Dredging in the Navigational Channel of Kandla Port Trust (Year 2015-17) awarded to M/s. Mercator Limited, Mumbai – regarding removal of underwater obstructions.

Resolution

93

Resolved to approve the proposal to accept the amicable settlement of Rs.1,41,65,800/- (One crore forty-one lacs sixty-five thousand eight hundred only) + applicable GST to be released to M/s. Mercator Ltd.

29. "Developing Dry Bulk Terminal off Tekra near Tuna outside Kandla Creek at Kandla Port on BOT basis" – Stressed PPP Projects – Rationalization of Storage Charges

Resolution

94

Resolved to approve –

- i. In consistence with directives of the Ministry vide letter dated 11.07.2018, to approve the Draft rationalized tariff of Storage Charges (achieving the Annual Revenue Requirement as per already approved TAMP Notification) based on the actual evacuation of cargo from the subject Project during the years 2015-16, 2016-17 and 2017-18 as per below:-

Reference	Rate from 1 st day to 10 th day	Rate from 11 th day to 20 th day	Rate from 21 st day onwards
Revised proposed tariff	Rs. 0.29	Rs. 0.57	Rs. 0.86

The above tariff will be indexed to inflation of 60% of valuation in WPI occurring between 01.01.10 and 1st January of relevant year.

- ii. To approach TAMP for approval of the above proposed Draft rationalized tariff of Storage Charges as per the directive issued by MoS provided under its letter dated 11.07.2018. Also to send the submission of AKBTPPL vide letter dated 01.02.2019 to TAMP along with Tariff proposal for storage;
- iii. The proposed Rationalized Tariff for storage will be effective from 11.07.2018;
- iv. The proposed Rationalized Tariff for storage will be reviewed after one year from date of Notification i.e., the proposed tariff will be effective for initial period of one year or approval of revised tariff, if any, post review whichever is later.

Board confirmed the above resolution.

30. E-tender-cum-E-auction for the work of "Allotment of land admeasuring 70 acres for the purpose of Liquid Storage Tanks (Including Structures) on 30 years' lease on As is Where is basis at Kandla"

Resolution

95

Resolved to approve the Draft Tender Papers (DTP) and Notice Inviting Tenders (NIT) for the work of E-Tender cum E-Auction for allotment of land admeasuring 70 acres for the purpose of Liquid Storage Tanks (including structures) on 30 years lease on as is where is basis at Kandla as per the provisions of the amended Land Policy Guidelines, 2015 subject to incorporation of a tender condition that the revision of rates of Kandla Land is due from 01-01-2019. If before carrying out the E-Auction process, if TAMP approves/notify the revision of rates, then the revised Basic Price/ Reserve Price will be informed through websites i.e. [www.\(n\)procure.com/](http://www.(n)procure.com/) www.deendayalport.gov.in for which bidders are requested to visit same regularly and in that case, the revised rate notified by the TAMP will be the Reserve Price and the bidder have to quote over the Reserve Price fixed by TAMP. However, in case TAMP notifies a higher rate, after the allotment of the said plot, then the difference, if any, shall be payable by the successful bidder.

32. Revision of Night Navigation Allowance for Marine staff

Resolution

96

Resolved to approve the following proposal for revision of Night Navigation Allowance to the eligible employees, who are covered under the Night Navigation Allowance Scheme.

- (a) Increase the Night Navigation Allowance from existing rate of Rs.150/- to Rs.195/- per act per employee with effect from 1-9-2017.
- (b) The periodicity of the revision will be 5 years.
- (c) Next revision of Night Navigation Allowance to be made along with the local allowances which will be revised as per the next wage settlement of Class III & IV employees.
- (d) The categories of employees eligible for the allowance will remain the same as per the earlier approval of the Board.

33. Item for Information of the Board

- (I) To allow M/s. Mother Dairy Fruit & Vegetable Private Limited (erstwhile M/s. Dhara Vegetable Oil and Foods Company Ltd.) to remove the existing assets on the plot admeasuring 27,458 sq. mtrs, except the Pipelines laid down from "Y" Junction to Jetties, on expiry of the lease, as per the condition of the lease deed and High Court Order dated 09-10-2019.
- (II) Confirmation with regard to Payment of Minimum Pension/ Family Pension of Rs.10,450.00, as directed by the Board in its meeting held on 10.10.2019
- (III) Development of 13th Multipurpose Cargo (Other than Liquid/Container Cargo) Berth – Outcome of Joint Meeting held on 18.11.19 among Committee of DPT & representatives of Lenders.

The Board noted the position.

34. Hiring of 03 nos. of 60 T Bollard Pull Tugs (02 for Vadinar & 1 no. for Kandla) on Charter/Rate per day for a period of 10 years extendable by 1 year.

Resolution

97

Resolved to approve as under:-

1. The work of "Hiring of 3 Nos. 60 BP Tugs (2 Nos. for Vadinar & 1 No. for Kandla) on charter/Rate per day for the period of ten years extendable by one year" (approved for 3 Tugs but presently only 2 Tugs for Vadinar are being preferred):
2. Revised estimate of Rs.296.60 crores (Rs.178.69 towards Hiring charges + Fuel estimate of Rs. 117.91 crores) for 2 Tugs, since original estimate was approved for 3 Tugs and now only 2 Tugs are being considered for deployment. {Annexure 121 (P:964)} & {Annexure 122 (P:965)}

3. Ratify the action taken to upload the Pre-bid clarifications.
4. Ratify the action taken for dis-qualification of M/s. Hind Offshore Ltd., qualify three bidders viz. M/s. KNK Ship Management Ltd., M/s. Polestar Maritime Ltd., & M/s. Ocean Sparkle Ltd., and open their price bids.
5. To award the work to successful bidders as per Clause No.11 of ITT-I of the tender as under:-

Sr.No.	Name of Bidder	Basic rate quoted per day	Composite rate with fuel as per clause No/ 11 of ITT I (Rs.)	Status
1	M/s KNK Ship Management, Mumbai	2,18,970.00	3,05,402.00	L1
2	M/s Ocean Sparkle Ltd., Hyderabad	2,23,200.00	3,25,488.00	L2

Note: Only Basic charter rates are payable to the successful bidders.

Board confirmed the above resolution.

35. Appraisal, Ratification & Approval regarding the project of "Mechanized Fertilizer Handling facility at Berth No.14 in Deendayal Port, Kandla"

Resolution

98

Resolved to approve as under:-

- (I) to ratify the action taken by the administration for re-inviting the tender with revised / optimized estimate and accordingly modified technical criteria & conditions for the project, and,
 - (II) to empower Chairman, DPT, for all matters related to the subject project, till award of work, with ratification of Board separately.
36. Reference for availing treatment in Jaslok Hospital, Mumbai, as a special case.

Resolution

99

Resolved to approve the proposal to refer Smt. Amita Mehta, W/o Shri S.K. Mehta, IFS, Chairman, to Jaslok Hospital, Mumbai, for availing medical treatment and also grant of actual expenditure to be incurred towards consultation, treatment, follow-up, outsourcing of services not available in the Hospital, etc. and Travelling Allowance for self and attendant will be reimbursed, as a special case. The payment will be made to the Hospital directly by DPT.

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