

AVR INFRA PRIVATE LIMITED

SCALE OF RATES

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UPFRONT TARIFF SCHEDULE FOR LIQUID BULK CARGO TERMINAL

1.1. DEFINITIONS

In this Scale of Rates unless the context otherwise requires, the following definitions shall apply:

- (i). **"Coastal vessel"** shall mean any vessel exclusively employed in trading between any port or place in India to any other port or place in India having a valid coastal licence issued by the Director of Shipping / competent authority.
- (ii). **"Day"** shall mean the period starting from 6.00 A.M. of a day and ending at 6.00 A.M. on the next day.
- (iii). **"Foreign-going vessel"** shall mean any vessel other than Coastal vessel.
- (iv). **"Week"** shall mean a period of 7 days.

1.2. GENERAL TERMS & CONDITIONS

- (i). The status of the vessel, as borne out by its certification by the Customs or Director General of Shipping is the relevant factor to decide whether vessel is "coastal" or "foreign-going" for the purpose of levy of Berth hire, and the nature of cargo or its origin will not be of any relevance for this purpose.
- (ii). System of classification of vessel for levy of Vessel Related Charges (VRC)
 - (a). A foreign going vessel of Indian flag having a General Trading Licence can convert to coastal run on the basis of a Customs Conversion Order. Such vessel that converts into coastal run based on the Customs Conversion Order at her first port of call in Indian Port, no further custom conversion is required, so long as it moves on the Indian Coast.
 - (b). A Foreign going vessel of foreign flag can convert to coastal run on the basis of a Licence for Specified Period or Voyage issued by the Director General of Shipping and a custom conversion order.
- (iii). Criteria for levy of Vessel Related Charges (VRC) at Concessional Coastal rate and foreign rate:
 - (a). In cases of such conversion, coastal rates shall be chargeable by the load port from the time the vessel starts loading coastal goods.
 - (b). In cases of such conversion coastal rates shall be chargeable till the vessel completes discharging operations at the last call of Indian Port; immediately thereafter, foreign going rates shall be chargeable by the discharge ports.
 - (c). For dedicated Indian coastal vessels having a Coastal licence from the Director General of Shipping, no other document will be required to be entitled to coastal rates.
- (iv). Criteria for levy of Cargo Related Charges (CRC) at Concessional Coastal rate

- (a). Foreign going Indian Vessel having General Trading License issued for 'worldwide and coastal' operation should be accorded applicable coastal rates with respect to Handling Charges (HC) i.e. ship to shore transfer and transfer from/ to quay to/ from storage yard including wharfage in the following scenario:
 - (i). Converted to coastal run and carrying coastal cargo from any Indian Port and destined for any other Indian Port.
 - (ii). Not converted* to coastal run but carrying coastal cargo from any Indian Port and destined for any other Indian Port.

* The Central Board of Excise and Customs Circular no.15/2002-Cus. dated 25 February 2002 allows carriage of coastal cargo from one Indian port to another port in India, in Indian flag foreign going vessels without any custom conversion.
- (b). In case of a Foreign flag vessel converted to coastal run on the basis of a Licence for Specified Period or Voyage issued by the Director General of Shipping, and a Custom Conversion Order, the coastal cargo/ container loaded from any Indian Port and destined for any other Indian Port should be levied at the rate applicable for coastal cargo/ container.
- (v). (a). The berth hire for all coastal vessels should not exceed 60% of the corresponding charges for other vessels.
- (b). The cargo related charges for all coastal cargo other than crude including POL, iron ore and iron ore pellets and thermal coal should not exceed 60% of the normal cargo related charges.
- (c). In case of cargo related charges, the concessional rates should be levied on all the relevant handling charges for ship-shore transfer and transfer from / to quay to / from storage yard including wharfage.
- (d). Cargo from a foreign port, which reaches an Indian Port 'A' for subsequent transshipment to Indian Port 'B' will be, levied the concessional charges relevant for its coastal voyage. In other words, cargo from / to Indian ports carried by vessel permitted to undertake coastal voyage will qualify for the concession.
- (vi). Interest on delayed payments / refunds:
 - (a). The user shall pay penal interest on delayed payments for any charge under this Scale of Rates. Likewise, the terminal operator shall pay penal interest on delayed refunds.
 - (b). The rate of penal interest will be 2% above the Prime Lending Rate declared by the State Bank of India from time to time.
 - (c). The delay in refunds by the terminal operator will be counted beyond 20 days from the date of completion of services or on production of all the documents required from the users, whichever is later.
 - (d). The delay in payments by the users will be counted beyond 10 days after the date of raising the bills by the Terminal operator. This provision shall, however, not apply to the cases where payment is to be made before availing the services where payment of charges in advance is prescribed as a condition in this Scale of Rates.
- (vii). In calculating the gross weight or measurement by volume or capacity of any individual item, fractions upto and inclusive 0.5 shall be taken as 0.5 unit and fractions of above 0.5 shall be treated as one unit, except where otherwise specified.

- (viii). All charges worked out shall be rounded off to the next higher rupee on the grand total of each bill.
- (ix). The rates prescribed in the Scale of Rates are ceiling levels: likewise, rebates and discounts are floor levels. The terminal operator may, if it so desires, charge lower rates and / or allow higher rebates and discounts.

The terminal operator may also, if it so desires rationalise the prescribed conditionalities governing the application of rates prescribed in the Scale of Rates if such rationalisation gives relief to the user in rate per unit and the unit rates prescribed in the Scale of Rates do not exceed the ceiling levels.

The terminal operator should, however, notify the public such lower rates and / or rationalisation of the conditionalities governing the application of such rates and continue to notify the public any further changes in such lower rates and / or in the conditionalities governing the application of such rates provided the new rates fixed shall not exceed the rates notified by the TAMP.

- (x). Users shall not be required to pay charges for delays beyond a reasonable level attributable to the terminal operator.

2. BERTH HIRE CHARGES:

2.1. Schedule of Berth hire:

Sl. No.	Vessels	Rate per GRT per hour or part thereof	
		Foreign Going Vessel (in ₹)	Coastal Vessel (in ₹)
1.	Vessels carrying Caustic soda, Bio-diesel, Edible oils and Chemicals	1.72	1.03

2.2. Penal Berth hire for overstayal of vessel:

- (i). Penal berth hire equivalent to normal applicable berth hire shall be levied in addition to the berth hire charge for the period of overstayal of vessel for occupancy of the berth beyond the stipulated periods mentioned at (ii) below, provided there is a demand for the berth and a notice is served by the BOT operator or its authorised officials 10 hrs in advance of completion of discharge / shipment operations.
- (ii). Vessel shall be permitted to occupy the berth after completion of cargo operation without attracting penalty for period mentioned below: -
 - (a). Vessels taking bunkers through barges. 08 hrs
 - (b). Vessels taking water through barges. 12 hrs [From the time of placement of barges alongside vessel].
 - (c). Vessels taking Water / Bunkers through source other than barges. 08 hrs
 - (d). In all other cases 07 hrs

General Notes relating to berth hire:

- (i). The period of berth hire shall be calculated from the time vessel occupies the berth till she vacates the berth.

- (ii). (a). Berth hire shall stop 4 hours after the time of vessel signaling its readiness to sail.
- (b). The time limit of 4 hours prescribed for the cessation of berth hire shall exclude the ship's waiting time for want of favorable tide conditions, inclement weather, and due to lack of night navigation facilities.
- (c). The master / agent of the vessel shall signal readiness to sail only in accordance with favorable tidal and weather conditions.

- (iii). The Penal Berth hire shall be equal to one-day's (24 hours) berth hire charge for a false signal.

"False signal" would be when the vessel signals readiness and asks for a pilot in anticipation even when she is not ready for un-berthing due to engine not being ready or cargo operation not completed or such other reasons attributable to the vessels. This excludes the signaling readiness when a vessel is not able to sail due to unfavorable tide, lack of night navigation or adverse weather conditions."

- (iv). No Berth hire shall be levied for the period the vessel is compelled to idle at berth for continuously for one hour or more due to non-availability / break down of equipment and any other reasons including power failure attributable to the terminal operator.

(v) **Ousting Priority/Priority berth Hire:**

- (a). For providing the "ousting priority" to any vessel, a fee equivalent to berth hire for a single day (24 units of one hour each) or 100 % of the berth hire calculated for the total period of actual stay at the berth, whichever is higher, shall be levied.
- (b). For "priority berthing" to any vessel, a fee equivalent to berth hire for a single day (24 units of one hour each) or 75 % of the berth hire, calculated for the total period of actual stay at the berth whichever is higher, shall be levied.
- (c). If a vessel is shifted from the working berth to Anchorage/idle berth/mooring to accommodate ousting priority vessel and brought back to working berth subsequently, the shiftings/ pilotage of such vessel shall be levied on the vessel enjoying ousting priority.
- (d). Where a working berth is already vacant for want of a vessel and a vessel having priority / ousting priority is berthed at that vacant berth when there are no vessels waiting at roads for berthing prior to its arrival or when the vessels waiting at roads are not ready in all aspects (unreadiness of documents/lack of cargo/lack of ullage/hatch cleaning/ receivers or shippers not willing to work), it is not treated as priority berthing and in such cases no priority berthing charges will be levied.
- (e). The fee for according priority/ ousting priority as indicated above shall be charged from all the vessels except the following categories:
 - (i). Vessels carrying cargo on account of Ministry of Defence.
 - (ii). Defence vessels coming on goodwill visits.
 - (iii). Vessels hired for the purpose of Antarctica expedition by Department of Ocean Development.
 - (iv). Any other vessel for which special exemption has been granted by the Ministry of Shipping.
 - (v). Coastal vessels which will be accorded priority berthing.
 - (vi). For vessels berthed as per Port's berthing policy without availing any specific priority.

3. **LIQUID BULK CARGO HANDLING CHARGES:**

Sl. No.	Commodity	Unit	Rate in ₹	
			Foreign	Coastal
(a).	Caustic Soda	Per Metric Tonne	48.56	29.18
(b).	Bio-Diesel	Per Metric Tonne	48.56	29.18
(c).	Edible oils	Per Metric Tonne	48.56	29.18
(d).	Chemicals	Per Metric Tonne	48.56	29.18

Note:

The handling charges prescribed above is a composite charge for loading / unloading of liquid cargo from / to vessel as the case may be, transportation of cargo through pipeline, wharfage, and all other miscellaneous services which are not specifically covered by any other charge in this Scale of Rates provided by the operator.

4. STORAGE CHARGES PER TONNE PER DAY:

The storage charges for the cargo stored in the tankage beyond the free period allowed shall be as below:

- (A). **Free period:**
Import / Export cargo : 7 days free

(B). **Storage charges on both import / export cargo after free period**

Description	Rate in ₹ per tonne per day
First week after expiry of free period	₹10.13
Beyond 1 st week	₹12.83

Notes:

- (i). For the purpose of calculation of free period Customs notified holidays and Terminal's non-working days shall be excluded.
- (ii). Free period for export cargo shall commence from the actual date of the receipt of goods in the operator's premises.
- (iii). Free period for import cargo shall be reckoned from the day following the day of completion of final discharge from the vessel.
- (iv). Storage charge on cargo shall not accrue for the period when the terminal operator is not in a position to deliver / ship the cargo when requested by the user due to reasons attributable to the terminal operator.

5. GENERAL NOTE TO SCHEDULE (2) to (4) ABOVE:

The tariff caps prescribed in the Scale of Rates of AVR Infra Private Limited takes into consideration the upfront tariff approved by the Authority vide Order No.TAMP/17/2008-VPT dated 12 February 2009 and applying indexation to the extent of 60% of the variation in Wholesale Price Index (WPI) occurring between 1 January 2008 and 1 January of the relevant year. For the subsequent years as well, upfront tariff approved in the Order No.TAMP/17/2008-VPT dated 12 February 2009 will be indexed to inflation but only to an extent of 60% of the variation in Wholesale Price Index (WPI) occurring between 1 January 2008 and 1 January of the relevant year. Such automatic adjustment of tariff caps will be made every year and the adjusted tariff caps will come into force from 1 April of the relevant year to 31 March of the following year.
