

# NHAVA SHEVA (INDIA) GATEWAY TERMINAL PRIVATE LIMITED

## SCALE OF RATES

*Indexed SOR at 6.46% with effect from 1<sup>st</sup> April 2022  
vide TAMP Order No. TAMP/12/2009-Misc. dated 29 March 2022*

### CHAPTER 1 – DEFINITIONS & GENERAL TERMS & CONDITIONS

#### PREFACE

This Scale of Rates sets out the charges payable to Nhava Sheva (India) Gateway Terminal Private Limited for use of services and facilities provided at the Nhava Sheva (India) Gateway Terminal Private Limited with effect from 1<sup>st</sup> April 2022.

#### **1.1. DEFINITIONS – GENERAL**

- (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 license issued by the competent authority.
- (i) **“Foreign-going vessel”** shall mean any vessel other than Coastal vessel.
- (ii) **“FCL”** means Containers said to contain Full Container Load.
- (iii) **“LCL”** means Containers said to contain Less than full Container Load (Container having cargo of more than one importer/exporter).
- (iv) **“Hazardous container”** means a Container containing hazardous goods as classified under IMO.
- (v) **“Import container”** means a container discharged from one vessel, stored in container yard and transported out through Road or Train.
- (vi) **“Export container”** means a container arrived by road or Train, stored in container yard and loaded on the assigned vessel.
- (vii) **“Port area”** means the custom bound area / Port operational Area of the Port.
- (viii) **“Normal Container”** shall mean general type containers, not falling under special categories mentioned subsequently.
- (ix) **“Reefer Container”** shall mean a refrigerated container used for carriage of perishable goods with provision for electrical supply to maintain the desired temperature.
- (x) **“Hazardous Container”** shall mean a container containing hazardous goods as classified under IMO.
- (xi) **“Transshipment Container”** shall mean a container, which is discharged from one vessel, stored in the yard and transported through other vessel.
- (xii) **“Over dimensional Container”** shall mean a container carrying over dimensional cargo beyond the normal size of standard container and needing special devices like slings, shackles, lifting beam etc. They also include damaged containers and other types which require special devices.
- (xiii) **“Shut out Container”** shall mean a container which enters into the port as an export intake for a particular vessel (as indicated by the Vessel Identification Advice Number, i.e. VIA No.) and is not connected to the particular vessel for reasons whatsoever, then the container is termed to be a shutout container.
- (xiv) **“Back to Town Container”** shall mean a container entering the port for export but unable to be exported for whatever reason and taken back to town.
- (xv) **“VIAN”** means Vessel Identification Advice Number.
- (xvi) **“Per day”** means per calendar day or part thereof.

## 1.2. GENERAL TERMS & CONDITIONS

- (i)
  - (a) A foreign going vessel of Indian Flag having a General Trading License can convert to Coastal run on the basis of a Customs Conversion Order.
  - (b) A foreign going vessel of Foreign Flag can convert to coastal run on the basis of a Coastal Voyage License issued by the Director General of Shipping.
  - (c) In cases of such conversion, coastal rates shall be chargeable by the load port from the time the vessel starts loading coastal goods.
  - (d) In cases of such conversion coastal rates shall be chargeable only till the vessel completes coastal cargo discharging operations; immediately thereafter, foreign-going rates shall be chargeable by the discharge ports.
  - (e) For dedicated Indian coastal vessels having a Coastal License from the Director General of Shipping, no other document will be required to be entitled to Coastal rates.
- (ii) The status of the vessel, as borne out by its certification by the Customs or the Director General of Shipping, shall be the deciding factor for classifying into 'coastal' or 'foreign-going' category for the purpose of levying vessel related charges; and, the nature of cargo or its origin will not be of any relevance for this purpose.
- (iii) Vessel related charges shall be levied on Ship owners / Steamer Agents.
- (iv)
  - (a) The Vessel related charges for all Coastal vessels should not exceed 60% of the corresponding charges for other vessels.
  - (b) The container related charges for all Coastal should not exceed 60% of the normal container related charges.
  - (c) In case of container related charges, the concession is applicable on composite box rate. Where itemized charges are levied, the concession will be on all the relevant charges for ship-shore transfer, and transfer from / to quay to / from storage yard as well as wharfage on cargo and containers.
  - (d) For the purpose of this concession, container from a foreign port which reaches an Indian Port 'A' for subsequent transshipment to Indian Port 'B' will also qualify insofar as the charges relevant for its coastal voyage. In other words, cargo/containers from/to Indian Ports carried by vessels permitted to undertake coastal voyage will qualify for the concession.
  - (e) The charges for coastal containers / vessels shall be denominated and collected in Indian Rupee.
- (v) Interest on delayed payments / refunds:
  - (a) The user shall pay penal interest on delayed payments under this Scale of Rates. Likewise, the operator shall pay penal interest on delayed refunds.
  - (b) The rate of penal interest will be 2% above the Prime Lending Rate of State Bank of India (SBI). The penal interest rate will apply to both the operator and the port users equally.
  - (c) The delay in refunds will be counted only 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 only 10 days after the date of raising the bills by the operator. This provision shall, however, not apply to the cases where payment is to be made before availing the services / use of Port Trust's properties as stipulated in the Major Port Trust Act and / or where payment of charges in advance is prescribed as a condition in this Scale of Rates.

- (vi) All charges worked out shall be rounded off to the next higher rupee on the grand total of each bill.
- (vi) (a) The rates prescribed in this Scale of Rates are ceiling levels; likewise, rebates and discounts are floor levels. The operator may, if he so desires, charge lower rates and/ or allow higher rebates and discounts.
- (b) The Operator may also, if it so desires, rationalize the prescribed conditionalities governing the application of rates prescribed in the Scale of Rates if such rationalization 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. Provided that the operator should notify the public such lower rates and / or rationalization 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.
- (vii) The users will not be required to pay charges for delays beyond a reasonable level attributable to the operator.

## **CHAPTER 2 – VESSEL RELATED CHARGES**

### **2. Schedule of Berth Hire Charges**

Sr. No.	Description	Rate per GRT per hour or part thereof (₹)	
		Foreign Vessel	Coastal Vessel
1	For Occupying the Berth	1.8818	1.1288

#### **Notes**

- (1) Vessels shall be permitted to occupy the berth for 2 hours after completion of cargo operation without attracting Penal berth hire charges.
- (2) All the vessels shall commence cargo operations within 1 hour from the time the ship is brought alongside the berth failing which penal berth hire charges shall be levied as prescribed in (4) below.
- (3) Vessels idling the Terminal facilities due to not being ready to work even though the terminal is ready for its operation shall attract penal berth hire charges as prescribed in Note (4) below. For the purpose of levy of penal berth hire charges, idling shall mean suspension/stoppage for any reason of cargo handling operation continuously for more than two hours.
- (4) Penal berth hire charges shall be levied as follows in addition to berth hire charges  
Beyond 2 hours:

Sr. No.	Description	Rate Per GRT
1	up to 6 hrs.	₹ 15.274
2	above 6 hrs. but up to 12 hrs.	₹ 22.912
3	above 12 hrs.	₹ 45.824

- (5) Penal berth hire charges mentioned above shall not be leviable if the idling of vessel is attributable to the terminal or port or due to adverse tidal conditions or bad weather and rain resulting in stoppage of operation.

- (6) (a) There shall be a time limit beyond which berth hire shall not apply; berth hire shall stop 4 hours after the time of vessel signalling its readiness to sail. The time limit of 4 hours prescribed for cessation of berth hire shall exclude the ship's waiting period for want of favourable tidal conditions or on account of inclement weather or due to absence of night navigation facilities.
- (b) There shall be a "penal berth hire" equal to one day's berth hire charges for a false signal.
- (c) The Master / Agent of the vessel shall signal readiness to fail only in accordance with favourable tidal and weather conditions.
- (d) The time limit of 4 hours prescribed for cessation of berth hire shall exclude the ship's waiting period for want of favourable tidal conditions.
- (7) Berth hire charges shall not be levied for the period, when a vessel idles at berth due to breakdown of port equipment or power failure or any other reasons attributable to the operator.

### **CHAPTER 3 – CHARGES FOR SERVICES RENDERED TO CONTAINERS AND CONTAINERIZED CARGO**

#### **GENERAL TERMS AND CONDITIONS:**

- (i) A container originally declared as transshipment container, subsequently moved by rail or road will lose its identity as a transshipment container and shall be treated as a normal import container and prescribed charges as applicable shall be payable.
- (ii) Containers less than and up to 20' will be reckoned as one TEU (Twenty Equivalent Unit) and more than 20' and up to 40' will be reckoned as one FEU (Forty Equivalent Unit) for the purpose of tariff.
- (iii) All charges for containers more than 20' in length and upto 40' in length will be 150 per cent of the applicable charges prescribed.
- (iv) Containers other than that of standard size requiring special devices/slugs/handling will be charged twice the applicable rates. Such containers will also include damage containers and any other type requiring special devices.

#### **3.1. CHARGES FOR HANDLING AND MOVEMENT OF CONTAINERS:**

The following consolidated charges for handling and movement of container shall be payable by the Shipping Lines or Agents of vessels or cargo agents for services rendered in respect of containers and containerized cargo passing through the Port.

##### **A. Normal Containers**

Sr. No.	Description	Rate per TEU (in ₹)			
		Foreign Container		Coastal Container	
		Loaded	Empty	Loaded	Empty
1	From Ship to container yard or vice versa	4546.65	3672.32	2727.99	2203.39
2	From Container yard to Railway flat or vice versa (ICD Container Rail only)	2273.30	2273.30	2273.30	2273.30
3	From Container yard to Truck or vice versa (direct delivery and export intake).	699.48	699.48	699.48	699.48

**B. Reefer Containers**

Sr. No.	Description	Rate per TEU (in ₹)			
		Foreign Container		Coastal Container	
		Loaded	Empty	Loaded	Empty
1	From Ship to container yard or vice versa	4546.65	3672.32	2727.99	2203.39
2	From Container yard to Railway flat or vice versa (ICD Container Rail only)	2273.30	2273.30	2273.30	2273.30
3	From Container yard to Truck or vice versa (direct delivery and export intake).	699.48	699.48	699.48	699.48

**C. Hazardous Containers**

Sr. No.	Description	Rate per TEU (in ₹)	
		Foreign Container	Coastal container
		Loaded	Loaded
1	From Ship to container yard or vice versa	5684.33	3410.60
2	From Container yard to Railway flat or vice versa (ICD Container Rail only)	2841.15	2841.15
3	From Container yard to Truck or vice versa (direct delivery and export intake)	874.35	874.35

**D. Transshipment Containers**

Sr. No.	Description	Rate per TEU (in ₹)			
		Foreign Container		Coastal Container	
		Loaded	Empty	Loaded	Empty
1	1 - 3000 TEUs	5246.14	4546.65	3147.67	2727.99
2	3001 - 6000 TEUs	4896.40	4196.92	2937.85	2518.15
3	6001 - 9000 TEUs	4546.65	3847.18	2727.99	2308.30
4	Thereafter	4196.92	3497.43	2518.15	2098.45

**Notes**

1. Rate is based on total TEUs brought by the Shipping Lines or agents in the same financial year.
2. A container originally declared as transshipment container, subsequently moved by rail or road will lose its identity as a transshipment container and shall be treated as a normal import container and prescribed charges as applicable shall be payable.

**E. Over Dimensional Cargo Containers**

Sr. No.	Description	Rate per TEU (in ₹)			
		Foreign Container		Coastal Container	
		Loaded	Empty	Loaded	Empty
1	From Ship to container yard or vice versa	9093.31	7344.59	5455.99	4406.75
2	From Container yard to Railway flat or vice versa (ICD Container Rail only)	4546.65	4546.65	4546.65	4546.65
3	From Container yard to Truck or vice versa (direct delivery and export intake).	1398.97	1398.97	1398.97	1398.97

Note: The consolidated charges as above include the following elements, viz. stevedoring, use of Gantry crane, use of transfer crane, wharf age on tare weight of containers, wharfage on containerized cargo, transportation and contribution towards railway infrastructure.

**3.2. DWELL TIME CHARGES FOR CONTAINER, STORED IN THE PORT PREMISES:**

Sr. No.	Particulars	Rate per container per day or part thereof (in ₹)		
		Up to 20' in length	Over 20' to up to 40' in length	Above 40' in length
1	Non-ICD/ CFS Import – Loaded			
	First 2 days	Free	Free	Free
	3-6 days	556.00	1111.99	1667.95
	7-9 days	661.38	1322.78	1984.15
	10-12 days	786.63	1573.27	2359.90
	13-15 days	934.79	1869.59	2804.38
	16-18 days	1110.45	2220.89	3331.34
	19-22 days	1321.23	2642.45	3963.72
	23-26 days	1571.73	3143.47	4715.22
	27-30 days	1868.06	3736.11	5604.18
	Thereafter	2222.43	4444.85	6667.28
2	Non-ICD/ CFS Import – Empty			
	First 2 days	Free	Free	Free
	3-6 days	556.00	1111.99	1667.95
	7-9 days	661.38	1322.78	1984.15
	10-12 days	786.63	1573.27	2359.90
	13-15 days	934.79	1869.59	2804.38
	16-18 days	1110.45	2220.89	3331.34
	19-22 days	1321.23	2642.45	3963.72
	23-26 days	1571.73	3143.47	4715.22
	27-30 days	1868.06	3736.11	5604.18
	Thereafter	2222.43	4444.85	6667.28
3	Non-ICD/ CFS Export - Loaded			
	First 3 days	Free	Free	Free
	4-6 days	556.00	1111.99	1667.95
	7-9 days	661.38	1322.78	1984.15
	10-12 days	786.63	1573.27	2359.90
	13-15 days	934.79	1869.59	2804.38
	16-18 days	1110.45	2220.89	3331.34
	19-22 days	1321.23	2642.45	3963.72
	23-26 days	1571.73	3143.47	4715.22
	27-30 days	1868.06	3736.11	5604.18
	Thereafter	2222.43	4444.85	6667.28
4	Non-ICD/ CFS Export - Empty			
	First 3 days	Free	Free	Free
	4-6 days	556.00	1111.99	1667.95
	7-9 days	661.38	1322.78	1984.15
	10-12 days	786.63	1573.27	2359.90
	13-15 days	934.79	1869.59	2804.38
	16-18 days	1110.45	2220.89	3331.34
	19-22 days	1321.23	2642.45	3963.72
	23-26 days	1571.73	3143.47	4715.22
	27-30 days	1868.06	3736.11	5604.18
	Thereafter	2222.43	4444.85	6667.28

Sr. No.	Particulars	Rate per container per day or part thereof (in ₹)		
		Up to 20' in length	Over 20' to up to 40' in length	Above 40' in length
5	CFS Import loaded - moved by road			
	First 2 days	Free	Free	Free
	3-6 days	556.00	1111.99	1667.95
	7-9 days	661.38	1322.78	1984.15
	10-12 days	786.63	1573.27	2359.90
	13-15 days	934.79	1869.59	2804.38
	16-18 days	1110.45	2220.89	3331.34
	19-22 days	1321.23	2642.45	3963.72
	23-26 days	1571.73	3143.47	4715.22
	27-30 days	1868.06	3736.11	5604.18
	Thereafter	2222.43	4444.85	6667.28
6	CFS Import empty - moved by road			
	First 2 days	Free	Free	Free
	3-6 days	556.00	1111.99	1667.95
	7-9 days	661.38	1322.78	1984.15
	10-12 days	786.63	1573.27	2359.90
	13-15 days	934.79	1869.59	2804.38
	16-18 days	1110.45	2220.89	3331.34
	19-22 days	1321.23	2642.45	3963.72
	23-26 days	1571.73	3143.47	4715.22
	27-30 days	1868.06	3736.11	5604.18
	Thereafter	2222.43	4444.85	6667.28
7	CFS Export loaded - moved by road			
	First 3 days	Free	Free	Free
	4-6 days	556.00	1111.99	1667.95
	7-9 days	661.38	1322.78	1984.15
	10-12 days	786.63	1573.27	2359.90
	13-15 days	934.79	1869.59	2804.38
	16-18 days	1110.45	2220.89	3331.34
	19-22 days	1321.23	2642.45	3963.72
	23-26 days	1571.73	3143.47	4715.22
	27-30 days	1868.06	3736.11	5604.18
	Thereafter	2222.43	4444.85	6667.28
8	CFS Export empty - moved by road			
	First 3 days	Free	Free	Free
	4-6 days	556.00	1111.99	1667.95
	7-9 days	661.38	1322.78	1984.15
	10-12 days	786.63	1573.27	2359.90
	13-15 days	934.79	1869.59	2804.38
	16-18 days	1110.45	2220.89	3331.34
	19-22 days	1321.23	2642.45	3963.72
	23-26 days	1571.73	3143.47	4715.22
	27-30 days	1868.06	3736.11	5604.18
	Thereafter	2222.43	4444.85	6667.28

Sr. No.	Particulars	Rate per container per day or part thereof (in ₹)		
		Up to 20' in length	Over 20' to upto 40' in length	Above 40' in length
9	ICD Import and Export loaded or empty - moved by rail			
	First 5 days	Free	Free	Free
	6-15 days	1110.45	2220.89	3331.34
	16-30 days	2222.43	4444.85	6667.28
	Thereafter	4444.85	8889.72	13334.57
10	Transshipment - Loaded			
	First 15 days	Free	Free	Free
	16-30 days	2222.44	4444.85	6667.30
	Thereafter	4444.85	8889.72	13334.57
11	Transshipment - Empty			
	First 7 days	Free	Free	Free
	8-15 days	1321.23	2642.45	3963.71
	Thereafter	4444.85	8889.72	13334.57

Notes:

- (1) The total storage period for a container shall be reckoned from the day following the day of landing upto the day of shipment/delivery/date of removal of the container and includes Sundays and Holidays but excludes Custom notified holidays and port non-working days.
- (2) Transshipment containers subsequently changing the mode of dispatch locally or to the container freight station for destuffing/stuffing shall lose the concessional dwell time as prescribed in Item (4) above. Dwell time charges for such containers shall be recovered at par with import containers as prescribed in item no. 1 or 2 as applicable.
- (3) Transshipment containers subsequently changing the mode of dispatch by rail to ICD shall be treated as other ICD containers for the purpose of levy of Dwell time charges fees and shall be charged at the rates in item (4) above. In such cases additional shifting charge will be applicable for movement of container to container yard to ICD yard.
- (4) A container from foreign port landing at the container terminal for subsequent transshipment to an Indian Port on a coastal voyage or vice versa would be charged at 50% of the transshipment charges prescribed for foreign going vessels and 50% of that prescribed for coastal category.
- (5) Normal import containers subsequently changing the mode of dispatch by rail to ICD will enjoy the free period applicable to normal import container only. In such cases additional shifting charges will be applicable for movement of container from container yard to ICD yard.
- (6) The total storage period for a shutout container shall be calculated from the day following the day when the container has become shutout till the day of Shipment/ delivery.
- (7) Over high and over dimensional containers shall attract thrice the normal applicable charges.
- (8) Hazardous containers shall attract 1.25 times the normal applicable charges.
- (9) In case of stuffing the containers inside the port, the dwell time charges will be applicable as follows:
  - (i) Prior to stuffing, dwell time charges as applicable to empty containers will be charged.
  - (ii) Free period and dwell time charges as applicable to loaded export containers will be charged from the day following the day of completion of stuffing and intimation to Port.



(10) In the case of auction containers, after the auction is over, the empty containers will attract the dwell time charges as empty containers from the following day the destuffing is completed.

(11) The storage charges shall not accrue for the period during which the Terminal is not in a position to deliver containers for reasons attributable to it when requested by the user.

(12) The storage charges on abandoned FCL containers/shipper owned containers shall be levied up to the date of receipt of intimation of abandonment in writing or 75 days from the day of landing of the container, whichever is earlier subject to the following:

- (i) The consignee can issue a letter of abandonment at any time.
- (ii) If the consignee chooses not to issue such letter of abandonment, the container Agent/MLO can also issue abandonment letter subject to the condition that,
  - (a) the Line shall resume custody of container along with cargo and either take back it or remove it from the port premises; and
  - (b) the Line shall pay all port charges accrued on the cargo and container before resuming custody of the container.
- (iii) The container Agent / MLO shall observe the necessary formalities and bear the cost of transportation and destuffing. In case of their failure to take such action within the stipulated period, the storage charge on container shall be continued to be levied till such time all the necessary actions are taken by the shipping lines for destuffing of cargo.
- (iv) Where the container is seized/confiscated by the Custom Authorities and the same cannot be destuffed within the prescribed time limit of 75 days, the storage charges will cease to apply from the day the Custom order release of the cargo subject to lines observing the necessary formalities and bearing the cost of transportation and de-stuffing. Otherwise, seized/confiscated containers should be removed by the Line/consignee from the port premises to the Customs bonded area and in that case the storage charge shall cease to apply from the day of such removal.

### 3.3. CHARGES FOR MISCELLANEOUS SERVICES RENDERED TO THE CONTAINER VESSELS:

#### A. Reefer Monitoring and Connection

Sr. No.	Description	Rate Per TEU (in ₹)			
		Foreign Going Vessel		Coastal Vessel	
		Loaded	Empty	Loaded	Empty
1	Additional charges per 4 hours or part thereof for electricity consumption and monitoring of reefer containers 20'	341.03	341.03	341.03	341.03

Note: Additional electricity charge at the prescribed rates will be applicable in case of Reefer Containers also.

**B. Other Services Rendered**

Sr. No.	Description	Rate Per TEU (In ₹)			
		Foreign Going Vessel		Coastal Vessel	
		Loaded	Empty	Loaded	Empty
1	Shifting of containers from one yard to another yard within the terminal for customs inspection or any other purpose and subsequent loading of containers for delivery.	2945.26	2945.26	2945.26	2945.26
2	Additional service charges for stacking containers in designated yard for custom examination or for any other purpose by prior arrangement.	346.41	346.41	346.41	346.41

**C. Opening of Hatch Cover and Replacing it**

Sr. No.	Description	Rate per Hatch Cover (in ₹)	
		Foreign Going Vessel	Coastal Vessel
1	When placing it on the Quay	5116.27	3069.76
2	Without placing it on the Quay	2046.20	1227.72

Note: If only one operation is carried out, half of the hatch cover handling charges as above shall be levied.

**D. One Hatch to another Hatch or within the Same Hatch**

Sr. No.	Description	Rate per TEU (in ₹)			
		Foreign Going Vessel		Coastal Vessel	
		Loaded	Empty	Loaded	Empty
1	Hatch to hatch shifting (involving 1 move only)	1705.19	1705.19	1023.11	1023.11
2	Other than (1) mentioned above	6821.45	6821.45	4092.87	4092.87

**GENERAL NOTE TO CHAPTER (1) TO (3) ABOVE**

The tariff caps prescribed in the scale of Rates of Nhava Sheva ( India) Gateway Terminal Private Limited at chapter 1 to 3, take into consideration the upfront tariff approved by the Authority vide Order No. TAMP/40/2008-JNPT dated 25 February 2009 and applying indexation to the extent of 60% of the variation in Whole Sale Price index (WPI) occurring between 1 January 2008 and 1 January 2022 of the relevant year vide TAMP Order No. TAMP/12/2009-Misc. dated 29 March 2022. For the subsequent years as well, upfront tariff approved in the Order No. TAMP/40/2008-JNPT dated 25 February 2009 will be indexed to inflation but only 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. 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.

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