

STEVEDORING AND SHORE HANDLING POLICY- 2016, JNPT

1. Definition:

- Stevedoring includes loading and unloading and stowage of cargo in any form on board of the vessel in Ports.
- Shore handling includes arranging and receiving the cargo to/from the hook point, inter modal transport from wharf to stack yard and vice-versa and also receiving and delivering of cargo from/to trucks/wagons.

2. Scope:

The policy covers the following activities:-

- (i). Stevedoring activities undertaken by licensed stevedore at, JNPT.
- (ii). Shore handling activities undertaken by licensed Shore handling agents or by agents under any other name.

No agency shall undertake to perform these activities in JNPT, without having a valid licence issued by JNPT for the Stevedoring and shore handling operations.

Stevedoring and Shore handling policy does not apply to port operated Stevedoring and Shore handling; this exemption is only for operations entirely carried out by port and not for operations carried out by agents partly or fully using port's labour. This policy also does not apply to PPP & BoT berth operations.

3. Stevedoring and Shore handling Charges:

- (i). TAMP to notify the normative tariff for Stevedoring and Shore handling activities, based on set of guidelines issued to TAMP. This tariff will be ceiling tariff.
- (ii). All port customers will be notified on the ceiling tariffs set for Stevedoring and Shore Handling activities. The tariff will also be displayed on the Port Website.
- (iii). Chief Manager (Traffic) will be the Nodal officer, responsible for monitoring of Stevedoring and Shore handling tariffs. The nodal officer will be responsible for handling all complaints on violation of Stevedoring and Shore handling ceiling tariff.



- (iv). JNPT will charge a royalty of Rs.20/- per Metric Ton of cargo handled, for the stevedoring and shore handling operations.
- (v). All eligible agencies will be issued licenses for Stevedoring and Shore handling operations.
- (vi). The fee for issue of license will be Rs. 50,000/-
- (vii). The License will be issued for a period of three years.

4. The Stevedoring and Shore handling licenses will be issued by JNPT to a firm, which fulfils the following criterion:

Eligibility Criterion:

- (i). It shall be a Company registered under Companies Act or a partnership firm or any other legal entity.
- (ii). It should have financial standing to meet the obligations to workers and staff employed on account of wages and compensation under the workmen's Compensation Act, 1923, Payments of wages act 1936, Industrial Disputes Act, 1947 or any other law for the time being in force.
The firm should have minimum turnover of Rs.10 Lakh, during last three completed financial years. The firm should provide following documents in support of its financial ability
 - a) Solvency certificate for Rs.10 Lakh from any nationalised bank.
 - b) Income Tax Returns and audited balance sheet Certified by Chartered Accountant for last completed three years.
- (iii) It should have carried out stevedoring and/or shore handling operations during last three completed financial years.
- (iv) It shall deposit an amount of Rupees Five Lakh towards security deposit to meet any contingency, which will be refunded without interest after adjusting the claims, if any, when the licensee ceases to operate.
- (v) It shall undertake to publish its tariff along with its break up in its websites and in the website of JNPT and ensure that the rates such published will not be higher than the ceiling tariff defined for Stevedore and Shore handling activities in Port.

- (vi) It shall undertake to ensure that, it shall not charge higher than the TAMP notified ceiling rates for Stevedore and Shore handling activities in Port.
- (vii) The agency shall undertake to provide minimum equipment/gear required (either owned or hired) for both the operations.
- (viii) The agency shall undertake to employ at least 6 supervisory personnel with minimum two years of cargo handling/stowage experience for undertaking both the functions. Their profiles have to be enclosed along with the application.

5. Duties and Responsibilities:

- (i). The stevedoring and shore handling agency shall comply with applicable safety norms, comply with dock safety rules and regulations and all other applicable statues regarding labour.
- (ii). The Stevedore and Shore handling agent shall indemnify JNPT against all third party claims arising out of such operations.
- (iii). The Stevedore and Shore handling agent shall ensure that all the workers/staff deployed by them are covered under appropriate insurance policy.
- (iv). If any gear, plant or any other property of the JNPT Board is damaged in the course of Stevedore and Shore handling operations, the agent shall compensate the JNPT Board for such loss or damage.
- (v). The agency shall undertake to provide all the necessary gear, equipment, duly tested and found suitable for the various types of cargoes, either owned or hired for safe and efficient execution of Stevedore and Shore handling operations.
- (vi). The agency shall achieve the performance norms fixed by TAMP/PORT.
- (vii). The Stevedore and Shore handling agency shall publish their tariff along with break up, in their websites and in the website of JNPT. These rates shall be in line with the tariff caps and performance standards prescribed for the JNPT, subject to indexation to inflation
- (viii). The ceiling Scale of Rates along with performance norms, approved by TAMP, are given at **Annex** and are also available on JNPT website. The same are available on TAMP Website also.

- (ix). The rates prescribed in the Scale of Rates will be ceiling levels; likewise rebates and discounts also will be floor levels. These ceiling rates will be indexed to inflation as explained in note no. (vii) of Scale of Rates.
- (x). The authorised agency may, if he so desires, charge lower rates and /or allow higher rebates and discounts.
- (xi). The authorised agency may also , if he so desires, rationalise the prescribed conditionality's governing the application of rates prescribed in the Scale of rates if such rationalisation gives relief to users in rate per unit and the unit rates prescribed in Scale of rates do not exceed the rates notified by TAMP.
- (xii). The authorised agency shall ,however notify the public such lower rates and /or rationalisation of conditionality's governing the application of such rates and continue to notify the public any further changes in such lower rates and /or in the conditionality's governing the application of such rates provided the new rates fixed shall not exceed the rates notified by TAMP.

6. Validity /Renewal of Licence:

- (i) The license will be valid for a period of three years from the date of issuance of licence.
- (ii) The daily performance report capturing productivity achieved by the agency shall be submitted by the Stevedoring and Shore handling operations agency to the traffic department. The Chairman JNPT or the officer authorised by him will review the performance of the agency every quarter.
- (iii) Compliance of terms and conditions of the licence issued to agencies, safety norms followed by the agency will be monitored by The Chief Manager (Traffic) or the officer authorised by him.
- (iv) If the Chief Manager(Traffic) finds any default on the part of Stevedoring & Shore handling agent, he shall cause to issue warning in the event of first default and in the event of second default, the license of Stevedoring and Shore handling agent shall be liable to be cancelled.

- (v) At the end of three years, the licence shall be renewed strictly on the basis of the above mentioned performance and safety performance of the agency.
- (vi) If the Stevedore & Shore handling agent fulfils the required conditions and is eligible for renewal but awaiting safety clearance before expiry of the license period, Port may permit the Stevedoring operation by executing an indemnity bond.

7. Cancellation /Suspension of license:

- A) JNPT may at any time suspend or cancel the license issued to Stevedore and Shore handling agent for violation of the terms of license or for any reason listed below;
 - (i). Failure to achieve the performance norms issued by Port for an average over a period of three months.
 - (ii). The firm is found charging higher than the ceiling tariff defined for Stevedore and Shore handling activities in Port.
 - (iii). The CEO of the Stevedore and Shore handling firm has been convicted by Court of any offence involving moral turpitude and sentenced in respect thereof, to imprisonment for not less than six months, and period of five years has not been elapsed from the date of expiry of the sentence.
 - (iv). Violation of safety regulations and mandatory Dock Safety measures.
 - (v). Adopting improper and unsafe handling methods
 - (vi). Misrepresentation or misstatement of material facts
 - (vii). Firm adjudged insolvent or going in to liquidations
 - (viii). Transfer of the stevedoring operations or sublet the license to any other individual or parties.
 - (ix). Violation of security related rules and instructions like ISPS code compliance
 - (x). Indulging in illegal/corrupt practices
 - (xi). Any other misconduct which in the opinion of the Board warrant such cancellation or suspension
- B) Provided that no such licence shall be cancelled or suspended as the case may be until the holder of the licence has given a reasonable opportunity for showing cause why his licence should not be cancelled or suspended as the case may be.

8. Application for Grant/Renewal of licences:

- i) The application for grant/renewal of license shall be made to the Chief Manager(Traffic) (Form-‘A’)
- ii) The applicant shall pay a (non-refundable) Licence Fee of Rs.50,000/-(Rupees Fifty Thousand only) before the license is issued or renewed.
- iii) The application for renewal of licence shall be made at least three months before the expiry of the licence.
- iv) A late fee of Rupees Five Hundred is payable, if the application of renewal is not received within the stipulated period of three months, such applications may be accepted on payment of late fee of Rs.500 (Rupees Five Hundred Only) provided the application along with late fee is received by the Chief Manager (Traffic) before the actual date of expiry of the license.
- v) In the event of loss or defacing of original license, a duplicate license may be obtained on application to the Chief Manager(Traffic)on payment of Rs.1,000.(Rupees One Thousand Only)
- vi) Any change in name, title, constitution of the company/firm holding the license to be communicated to Port with a copy of documents in support of such change forthwith. A firm or company undergoing such a change shall submit afresh application for the grant of new license, provided that JNPT may allow such a firm or company to carry business till a decision is taken on such fresh application.

9. Appeal:

Any person aggrieved by any order relating to cancellation/suspension/refusal to issue licenses, may prefer an appeal in writing to the Chairman, JNPT, within 30 days of the communication of the order appealed against.

10.Performance reporting:

Vessel wise Daily performance report in the prescribed format shall be submitted by the Stevedore and Shore handling agencies to the Traffic department online. Performance of the agent in terms of productivity achieved will be reviewed by the Chairman JNPT or an officer nominated by him i.e. the Chief Manager (Traffic), JNPT, every quarter.

11.Training ,Use of Modern Technology:

Stevedore and Shore handling agents shall impart training in modern methods of cargo handling to the staff deployed by them for improving productivity, efficiency and Safety.

Xxxxxxxx

Annex

Annex – IV

JAWAHARLAL NEHRU PORT TRUST UPFRONT TARIFF FOR STEVEDORING AND SHOREHANDLING SERVICES

1. Definition:

- (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 Directorate General of Shipping/ Competent Authority.
- (ii). “Foreign-going vessel” shall mean any vessel other than coastal vessel.
- (iii). ‘Stevedoring’ includes loading and unloading and stowage of cargo in any form on board the vessels in Port.
- (iv). ‘Shore handling’ includes arranging and receiving the cargo to/from the hook point, inter modal transport from wharf to stack yard and vice-versa and also receiving and delivering of cargo from/to wagons /trucks.
- (v). ‘Stevedore’ is an authorized agent for loading and unloading and anchorage of cargo in any form on board the vessels in ports and to whom the licence has been given under regulations.
- (vi). ‘Shore handling agent’ is an authorized agent for arranging the receiving the cargo to/ from the hook point, intermodal transport from wharf to stock yard and vice-versa and also receiving and delivering of cargo from/ to wagons/ trucks.

2. Upfront Tariff rates for Providing On board Stevedoring and Shore Handling Services for handling of Break Bulk cargos by the Licensed Stevedoring and Shore Handling agencies:

Sr. No	Commodity Group	Basis of Charge	Per Shift Productivity (Tonnes)	Stevedoring Charges in `	Shore Handling Charges in `
1	Bagged cargo	Per Ton	400	103	207
2	Jumbo bags	Per Ton	500	64	346
3	Iron & steel-coils and slabs	Per Ton	1333	48	169
4	Iron & steel – pipes, tubes, plates	Per Ton	400	159	409
5	Project cargo, Machinery and machinery products	Per unit	70	295	1195
6	Motor vehicles other than through RORO	Per unit	30	689	84

Notes:

- (i). Stevedoring & Shore Handling Agencies who have been issued license by JNPT can only undertake to perform these activities at JNPT.
- (ii). The licensed Stevedoring & Shore Handling Agency has to make all necessary arrangements (such as manpower, bringing equipment's, gears, shackles, hooks, slings ,heavy lifting beams, chain slings ,etc.) for carrying out safe and efficient Stevedoring & Shore Handling operations.



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.

- (ix). 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). All the charges shall be denominated in Indian Rupees.
- (vi). This tariff is not applicable for BOT/ BOOT operators or any other arrangement for private sector participation who are governed by the Tariff Guidelines of 2005, 2008 and 2013.
- (vii). This tariff is applicable uniformly to the entire port where the stevedoring and shore handling operations are carried out by private agencies or firms.



- (viii). (a). The tariff notified is ceiling level.
- (b). The rates prescribed in the Scale of Rates are ceiling levels; likewise, rebates and discounts are floor levels. The authorized agent may, if he so desires, charge lower rates and/or allow higher rebates and discounts.
- (c). The authorized agent may also, if he so desire rationalise the prescribed conditionalities governing the application of rates prescribed in the Scale of Rates if such rationalisation gives relief to the users in rate per unit and the unit rates prescribed in the Scale of Rates do not exceed the ceiling level.
- (d). The authorized agent 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.
- (ix). The authorized agent shall charge only for services provided by him. No notional booking of labour and other similar notional charges would be permitted.
- (x). If any new cargo is to be handled which is not notified/ not included in the list, then the port may categorise that cargo under any one of the cargo categories based on the nature, physical characteristics and the method of handling that cargo.
- (xi). Services for other miscellaneous activities and also the handling charges for specific cargoes when Port takes custody of cargo as per Section 42 of MPT Act shall continue to be levied by Port as per TAMP notified SOR.
- (xii). All the operators shall furnish to the Major Port Trust and TAMP annual reports on cargo traffic, ship berth day output, per shift output within a month following the end of financial year in respect of stevedoring/ shore handling operations licensed by the port. Any other information which may be required by TAMP shall also be furnished to them from time to time.
- (xiii). TAMP shall publish on its website all such information received from operators and Major Port Trusts. However, TAMP shall consider a request from any operator or Major Port Trust about not publishing certain data/ information furnished which may be commercially sensitive. Such requests should be accompanied by detailed justification regarding the commercial sensitiveness of the data/ information in question and the likely adverse impact on their revenue/ operation of upon publication. TAMP's decision in this regard would be final.
- (xiv). The performance norms prescribed for various commodities shall be the minimum that should be achieved by the operator. These performance norms shall be incorporated in the bid documents.
- (xv). The performance actually achieved by the operator shall be monitored by both the Port and the TAMP on a quarterly basis. In the event of any shortfall in achieving the performance prescribed, the Port will initiate action on the operator as per the terms contained in the agreement entered into with the operator by the Port.
- (xvi). In the event any user has any grievance regarding non-achievement by the operator of the Performance Standards as notified by the TAMP, he may prefer a representation to TAMP which, thereafter, shall conduct an inquiry into the representation and give its finding to the concerned Major Port Trust. The Major Port Trust will be bound to take necessary action on the findings as per the provisions of the contract conditions of the Agreement.
- (xvii). In calculating the gross weight or measurement by volume or capacity of any individual item, fractions upto 0.50 shall be taken as 0.50 unit and fractions of 0.50 and above shall be treated as one unit, except where otherwise specified.



- (xvii). Users will not be required to pay charges for delays beyond reasonable level attributable to the operator.
- (xviii). As per coastal policy direction issued by the MOS and notified by this Authority vide Order No.TAMP/4/2004-Genl. dated 7 January 2005 and 15 March 2005 -
- (a). The cargo/container related charges for all coastal cargo/containers, other than thermal coal, POL (including crude oil), iron ore and iron ore pellets, should not exceed 60% of the corresponding charges for normal cargo/container related charges.
 - (b). 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.
 - (c). In case of container related charges, the concession is applicable on composite box rate. Where itemised 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.

(As and when there is a change in the policy direction issued by the MOS on the coastal concession policy, the same will be communicated to the port.)



BREAK BULK CARGO – LIST OF COMMODITIES INCLUDED UNDER EACH GROUP

Sl. No.	Commodity Group	Details of cargo
1	Bagged cargo	All cargo in bags of various weights (25, 50, 60 kg, etc.) that are manually handled such as: Cashew Nuts, Cashew Kernels, Tamarind Seed, Cement, Rice, Wheat and other food grains, Salt, Sugar, Candy or cube, Soda Ash, etc.
2	Jumbo Bags	All cargo in bags of various weights (0.5, 1.0, 1.5 MT) that are handled only by hooking the bags to slings; and include cargo in boxes, cartons, barrels, drums or rolls such as: Wood Pulp in boxes, Processed wood such as Boards, Poles, Plywood, News Print, Oil-Animal or Vegetables in barrels, Rubber-Raw, Rubber-Manufactured, Synthetic Resin, Paper, paper products and newsprint, Asphalt and Bitumen in barrels, etc.
3	Iron and steel- coils	All Iron and steel coils of varying weights and dimensions: Include all Metal Products and Asbestos of similar nature.
4	Iron and steel- pipes, tubes, plates and slabs	All Iron and steel pipes, tubes, plates and slabs of varying weights and dimensions: Include all Metal Products and Asbestos of similar nature such as: Iron and Steel Materials, Aluminum Products, Alumina Billets, Steel Pipe, Aluminum Ingots, Asbestos, etc.
5	Project Cargo, Machinery and machinery parts	<p>Cargo for specific projects, often with OOG specifications and handled through specialized means such as: Project material, Project equipment, Railway coaches and wagons, All types of project cargo including over dimensional consignment, etc.</p> <p>All types of Machinery and machinery products that are of varying weights and dimensions such as: Machinery and Spares, Machinery parts, Military Goods, Arms, Ammunition, Explosives and Defense Stores, Tank and Tank parts, Arms, Ammunitions, Explosives, Defense Stores and Defense equipment / machinery.</p>
6	Motor vehicles other than thru RORO	All motor vehicles handled using Shackles, Hooks, Chain Slings and Heavy Lifting Beams such as: Any rubber tyred vehicle; Cargo moving equipment; Earth-moving equipment, Powered two wheeled vehicles, Auto Rickshaws and other three wheeled vehicles including their chassis on wheels, Motor cars, Jeeps, Vans and Tourist Caravans, Motor vehicles like buses, dumpers, lorries, tractors, trucks, & trawlers, Locomotives, Vehicles not specified above and parts and accessories of conveyances, tubes and all earth moving equipment like Excavators, Pay loaders Bulldozers, Dozers, Poclaimers, FLTs, TLTs, Reach Stackers, etc.

Performance Standards for Break Bulk Cargo

Sr. No.	Commodity Group	Per Shift Productivity (Tonnes)
1.	Bagged Cargo	400
2.	Jumbo Bags	500
3.	Iron & Steel- Coils & Slab	1333
4.	Iron & Steel- Pipes, tubes, plates	400
5.	Project Cargo, Machinery and Machinery Products (units)	70
6.	Motor Vehicles other than through RORO (units)	30