

# MUMBAI PORT AUTHORITY

## Draft Resolutions of the Board, in the meeting No.1 held on 15<sup>th</sup> February 2022

<b>Sl. No.</b>	<b>BR No.</b>	<b>SUBJECT</b>	<b>Resolution passed</b>	<b>Department/ Division</b>
1.	1	Constitution of Board of Mumbai Port under the Major Ports Authorities Act, 2021.	<i>Board noted the proposal.</i>	GAD
2.	2	The Major Port Authorities Act, 2021. -Re-naming of Mumbai Port Trust as Mumbai Port Authority.	<i>Board approved the proposal.</i>	GAD
3.	3	Confirmation of the minutes of the Special Board meeting held on 7 <sup>th</sup> December 2021.	<i>Board confirmed the minutes of the Special Board Meeting held on 7.12.2021</i>	GAD
4.	4	Confirmation of the minutes of the Board meeting held on 7 <sup>th</sup> December 2021.	<i>Board confirmed the minutes of the Meeting held on 7.12.2021</i>	GAD
5.	5	Attracting export of Sugar and other Agri Products through Mumbai Port.	<i>Board accorded approval to the Traffic Manager's proposal at para 9 (A &amp; B) and 11 (ii) of the note.</i>	Traffic
6.	6	Request for renovation of office space/ additional space at UB Centre from Customs	<i>Board after discussions, approved the Traffic Manager's proposal at para 8 alongwith amendments proposed by CME.</i>	Traffic
7.	7	Representation of Maruti Suzuki Ltd. u/s 54 of the Major Port Trusts Act, 1963 against levying of demurrage at the arbitrary, unreasonable, excessive rates without any basis during the period 1.2.2015 to 30.1.2016 by Mumbai Port Trust.	<i>Board decided not to consider the request of Maruti Suzuki Ltd. for retrospective implementation of the per day demurrage charges on their export vehicles for the period between 1.2.2015 and 30.1.2016.</i>	Traffic

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8.	8	Tender for allotment of eight (08) rooms, each admeasuring 25 sq.mtrs. at 12B Indira Dock Shed on license basis for use as office accommodation for Cargo management, administration, housekeeping, etc. - Tender No. TM/ID/02/2021.	<i>Board after discussions, approved the Traffic Manager's proposal at para 11 of the note.</i>	Traffic
9.	9	Tender for allotment of open/covered space for offshore activities, viz.storage/cargo operations with or without installation of facilities, cargo handling equipment within the earmarked area at 14 Victoria Dock and WINC of Mumbai Port. - TENDER No.: TM/ID/01/2021.	<i>Board after discussions, approved the Traffic Manager's proposal at para 11 of the note.</i>	Traffic
10.	10	Repairs to all 16 Nos. cylinder heads of PORT side and STBD side Main Engine, Make – KOEL W8V series and sea water pump of Aux. KOEL, DG RB 33 Engine – belonging to M.V. Kalpana.	<i>Board after discussions, accorded approval to the Chief Mechanical Engineer's proposal for the extra execution amounting to ₹14,01,666 considering the urgency of work and payment to the firm a total of ₹26,72,916 for carrying out the subject work already completed on 1.7.2021.</i>	MEED
11.	11	Leasing out a part of MCS land to Public sector OMCs.	<i>Board after discussions, accorded approval to the Chief Mechanical Engineer's proposal as under:</i>  <i>(i) LAC's recommendations, and</i>	MEED

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			<i>(ii) for inviting bids of premium over ₹36,20,592 for setting up a Fuel Station for sale of automobile fuel including but not limited to petrol, diesel, CNG, EV charging and any other petroleum products permissible for Fuel Station by statutory guidelines/ requirements/ regulations in an area admeasuring approx. 1275 sq. meter earmarked at Mobile Crane Section, Indira Dock, Mumbai Port Trust on as-is-where-is basis vide email from IOCL, HPCL and BPCL for a period of 10 years with suitable clause of renewal of the License period for another term of 10 years on mutual agreement at the then TAMP approved rate or new rental arrived by 4% rate of annual escalation in case subject TAMP rate is not revised.</i>	
12.	12	Major repairs/ reconditioning to both the leaves of Storm Gate, Indira Dock.	<i>Board, after discussions, accorded approval to Chief Mechanical Engineer's proposal as under :  (i) to defer the initiation of physical execution of the subject work by CSL to 1.10.2022.  (ii) to extend Bank Guarantee and not to return to CSL.</i>	MEED
13.	13	Request of Wipro submitting Performance Bank Guarantee of 3% of contract value as against 10% mentioned in the contract.	<i>Board, after discussions, accorded approval to take performance security 10% as per the contract, which is higher than 3%, in accordance with the New Directions issued under TR No.225 dated 23.12.2020.</i>	Joint Director

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14.	14	Empanelment of Consultants for the purpose of Specific Techno-Economic Feasibility Study and Transaction Advisory/Bid Process Management for Asset Monetization.	<i>Board accorded approval to the Chief Engineer's proposal at para 7 of the note.</i>	Civil
15.	15	Waiver of Diving charges for searching bottoms of boats confiscated by Yellow Gate Police station.	<i>Board accorded approval to the Chief Engineer's proposal to waive off the diving charges amounting to ₹14,136.77 excluding GST to Yellow Gate Police Station.</i>	Civil
16.	16	Demolition of unsafe structure on Final Plot No.112, 2 <sup>nd</sup> Cross Road, Clive Road, Elphinstone Estate (West), Mumbai.	<i>Board, after discussions, accorded to grant ex-post facto approval to Chief Engineer's proposal for demolition of the unsafe structure on Final Plot No.112, 2<sup>nd</sup> Cross Road, Clive Road, Elphinstone Estate (West), Mumbai.</i>	Civil
17.	17	Regarding seeking funds from the Ministry for Deepening and Widening of approach channel to Second Chemical Berth under Sagarmala Scheme.	<i>Board accorded approval to Chief Engineer's proposal to exclude the project of Deepening and Widening of approach channel to Second Chemical Berth for seeking fund under Sagarmala Scheme and execute the project through internal resources of MbPT.</i>	Civil
18.	18	Tender No. CE.TCB/2020 - Development of Third Chemical Berth at Pir Pau, MBPT - Appointment of IIT Madras for Engineering investigation and validation of variation	<i>Board, after discussions, accorded approval to Chief Engineer's proposal-</i>  <i>(i) to appoint IIT, Madras on nomination basis for the scope of work as detailed under para 4 above and at the terms and condition mentioned at para 6 above.</i>  <i>(ii) to release the 50% payment out of total fee of ₹36 lakh plus GST with acceptance letter.</i>	Civil

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19.	19	Disciplinary action against Shri Dinkar Devba Pol, Retired Security Guard, B. No. 453 GAD-Security Division, MbPT under Regulation 8 of MbPT Pension Regulations.	<i>Board after discussions, accorded approval to issue a Show Cause Memo to Shri Dinkar Devba Pol, ex-Security Guard proposing penalty of withholding of 25% of his basic pension for a period of 2 years for his aforesaid misconduct for which he was found "Guilty" during the enquiry proceeding.</i>	Security
20.	20	Selection of Media agency for handling of Media Management, All medium Analytics, Designing Work & Publicity and Public Relations Consultants to Mumbai Port Trust.	<i>Board after discussions, approved to continue the contract with Sai Advertisers on nomination basis for four months or till the finalization of tender whichever is earlier.</i>	GAD
21.	21	Action Taken Reports on the decisions taken in the Special Board Meeting and Board Meeting held on 7 <sup>th</sup> December 2021.	<i>Board noted the Action Taken Reports on the decisions taken in the Special Board Meeting as well Board Meeting No. 9 held on 7<sup>th</sup> December 2021.</i>	GAD
22.	22	Appointment of Chartered Accountants/Cost Accountants on Contract Basis in Finance department.	<i>Board after discussions, approved the FA&amp;CAO's proposal for engagement of 4 Chartered Accountant/Cost Accountant @ ₹60,000 p.m. on consolidated remuneration as Accounts Officer on contract basis in Finance Department for a period of 1 year, which will be extendable upto 1 year at a time, with the approval of Competent Authority.</i>	Finance
23.	23	Tender No. CE.MICT/O&M/2020 – "Development, Operation and Maintenance of Mumbai International Cruise Terminal (MICT) at Indira Dock on DBFOT (PPP) Basis." - Signing of Concession Agreement with the SPV – "Ballard Pier Private Limited".	<i>Board after discussions, accorded approval to Chief Engineer's proposal at para 12 of the note to enter into the Concession Agreement (CA) with the SPV – "Ballard Pier Private Limited" incorporated by the selected bidder, J.M. Baxi Ports &amp; Logistics Limited (earlier known as J M Baxi Ports &amp; Logistics Private Limited and before that known as International Cargo Terminals and Infrastructures Private Limited).</i>	Civil

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24.	24	Customer Facilitation Meeting with Automobile Trade.	<i>Board after discussions, approved the Traffic Manager's proposal at para 6 of the note.</i>	Traffic
25.	25	Disposal of uncleared/unclaimed cargoes at New Sewree WH New Frere Basin WH and 5WHPD.	<i>Board after discussions, accorded approval to take out the cargo lying at NSW, NFBWH and 5 WHPD for disposal simultaneously and if required staff may be hired on contract basis.</i>	Traffic
26.	26	Storage facilities for import Gypsum / MOP and other such bulk cargo at Mumbai Port Trust for a period upto 180 days.	<i>Board approved the Traffic Manager's proposal at para 7 of the note.</i>	Traffic
27.	27	Tender No.E-17/2021 – Part: A, B & C. - e-Tender cum e-Auction for Operation and Management of Pay and Park in MbPT Estate (Phase-IV) - Acceptance of highest offers.	<i>Board after discussions, accorded approval to the Chief Engineer's proposal as under:</i>  <i>(i) to accept the highest offer of Royal Industrial Services for Part A amounting to ₹18,00,126 excluding GST per month.</i>  <i>(ii) to accept the highest offer of Royal Industrial Services for Part B amounting to ₹22,67,800 excluding GST per month.</i>  <i>(iii) to accept the highest offer of Royal Industrial Services for Part C amounting to ₹13,29,126 excluding GST per month.</i>	Civil
28.	28	Proposed allotment of MbPT vacant plot bearing RR No.742 at Elphinstone Estate to Government of Bihar.	<i>Board approved the Estate Manager's proposal at para 11 of the note.</i>	Estate
29.	29	Admiralty Suits against vessels m.v. TAG – 6, TAG – 9, TAG – 12, TAG – 13 & TAG – 14 – Ex-post-facto approval for filing Consent Terms.	<i>Board approved the Deputy Conservator's proposal at para 21 of the note.</i>	Marine

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30.	30	Sanction for payment of bills in the matter pertaining to - Arbitration Proceedings between : M/s. RKEC Projects Limited And The Board of Trustees of the Port of Mumbai	<i>Board approved the Chief Law Officer's proposal at para 6 of the note.</i>	Legal
31.	31	Extension of contract of professional functionaries posted in Mumbai Port Trust- Annual Increment in consolidated remuneration.	<i>Board after discussions, approved the proposal for granting 5% annual rise in consolidated remuneration of the professional functionaries as mentioned at para 3 and also for all future engagements, subject to performance review done every year.</i>	GAD
32.	32	Compromise of claims/recovery of unpaid dues etc. Introduction of Amnesty scheme.	<i>Board after discussions, approved the Traffic Manager's proposal at paras 5, 13 and 19 of the note.</i>	Traffic
33.	33	Bombay City Civil Suit No.10350 of 1988 (High Court Suit No.348 of 88) Ravi Indrakumar Gupta .... Plaintiffs (Indrakumar R. Gupta) V/s The Board of Trustees of the Port of Mumbai & Anr...Defendants	<i>Board approved the Traffic Manager's proposal at para 5 of the note.</i>	Traffic
34.	34	Proposed International Cruise Conference.	<i>Board approved the Traffic Manager's proposal at para 10 (b) and 10 (c) of the note.</i>	Traffic

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35.	35	<p>Tender No. 64/2020 - Development, Operation and Maintenance of Kanhoji Angre Island (KAI) as Tourist destination on PPP basis.</p> <p>- Compliance of Conditions Precedent as per Article 3 of Concession Agreement dated 12.7.2021.</p>	<p><i>Board after discussions, accorded approval to the Chief Engineer's proposal as under:</i></p> <p><i>(i) Accept condition fulfillment under Clause No. 3.1 (a) of Article 3 Condition Precedent, subject to waiver of condition for fulfillment of Condition Precedent under 3.1 (a) (ix) of Article 3 and grant of additional time for compliance of condition till completion of Minimum Development Obligation works and issue the completion certificate thereafter as required under Clause No. 6.10 of the Article 6 – Project Implementation for COD.</i></p> <p><i>(ii) Reckon the appointed date or date of award of concession, which shall be the date of commencement of the concession period, as required under Clause No.3.7 of Article 3 – Condition precedent; as the date of acceptance by the Board and handover the physical possession of the project site and/ or the asset for the purpose of the project as required under Clause 3.1 (b) (ii) of Article 3 – Condition precedent.</i></p>	
36.	36	<p>Tender No. CE. FSRU/2019 – Set-up, Operate and Maintain Floating Storage and Regasification Unit in Mumbai Harbour on Land license model.</p> <p>- Proposal for Extension to the Date of commencement</p>	<p><i>Board accorded approval to Chief Engineer's proposal to accept the request of the Licensee, SPACE, to grant additional time of 4 months instead of 6 months as requested for the compliance of the Conditions Precedent under Clause No.3.1 (a) (iv), (v), (xi) of the Licensee Agreement, i.e., from 12.2.2022 to 11.6.2022, without any levy of liquidated damages as per Article 3 of 'Conditions Precedent' of the License Agreement.</i></p>	Civil



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37.	37	Providing Tier-I oil spill response facilities and services in Mumbai / JNPT harbour. - Extension of OSR Contract on Nomination basis (Ref : Tender No. MEED 1 /2014).	<i>Board approved the Deputy Conservator's proposal at para 11 of the note.</i>	Marine
38.	38	Appointment of trainees for the office of Estate Officer and Legal Advisor for managing litigation.	<i>Board after discussions, accorded approval to the Chief Law Officer's proposal to engage Trainees and Legal Advisor with monthly stipend of ₹25,000 to the Trainees and ₹1 lakh to the Legal Advisor, with changes suggested at para 3 of the note.</i>	GAD
39.	39	Memorandum of Understanding (MoU) between Mumbai Port Trust (MbPT) and India Ports Global Limited (IPGL).	<i>Board approved the proposal at para 5 of the note.</i>	GAD
40.	40	Development of Marina on PPP mode. Revision in Project Parameter to be sent to SFC for approval.	<i>Board approved the Chief Engineer's proposal at para 11 of the note.</i>	Civil
41.	41	Status of Hospital Project for establishment of 600 bedded super specialty Hospital with an option to develop a Medical College with further expansion of Hospital on PPP.	<i>Board after discussions, approved the following :</i>  <i>(i) to nominate Secretary of Mumbai Port Authority, Shri U.R. Mohan Raju as Non-retiring Director on the Board of the Concessionaire in terms of Clause No. 5.4 of the Concession Agreement and to inform the concessionaire to appoint Secretary as non-retiring director on their Board and allow the non-retiring Director to participate in all the Board's meetings of the Concessionaire. Non-retiring director shall</i>	Medical

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			<p><i>compulsorily attend all meetings of the Board of the Concessionaire.</i></p> <p><i>(ii) to nominate Secretary, Shri U.R. Mohan Raju as authorised representative of Authority and transfer the Golden Share in the name of Shri U.R. Mohan Raju, Secretary as authorised representative of the Authority, and to inform the concessionaire accordingly.</i></p> <p><i>(iii) All decisions previously taken shall be again put up in coming board meeting of the concessionaire SPV with non-retiring director in attendance.</i></p> <p><i>(iv) A Company Secretary will be separately hired by Mumbai Port Authority to assist non-retiring director in decision making and securing Mumbai Port Authority's interests.</i></p>	
42.	42	Sea Level Rise and Flooding in Mumbai and its impact on Development of the Mumbai City in its Future, India with focus on the eastern waterfront belonging to Mumbai Port Authority – Approval for consultancy with University of Notre Dame.	<p><i>Board approved the Chief Engineer's proposal as under :</i></p> <p><i>(i) The study shall be conducted for the entire area of MbPT having sea coast such as Eastern and Southern waterfront of Mumbai, Jawahar Dweep and Kanhoji Angre island.</i></p> <p><i>(ii) The project report be finalised in consultation with MbPT.</i></p> <p><i>(iii) The study can be conducted only if the entire cost of the study is financed by USTDA. MbPT shall bear only the cost mentioned at para 9 of the note.</i></p> <p><i>(iv) The study shall be carried out only after the approval of the Govt. of India</i></p>	Civil

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