



ADANI PETRONET (DAHEJ) PORT PVT. LTD.

BERTHING POLICY

- **1. Objective**

The objective of the Berthing Policy at APPPL Port is to provide well defined, transparent and non-discriminatory guidelines for the allocation of berths at the Port, based on vessel pre-notification, arrival and administrative compliances.

- **2. Berthing Scheme (First Come First Served (FCFS))**

Adani Port as a general rule, adopts the policy of berthing on First Come First Served (FCFS) basis. Vessels which are declared less than a week from expected date as arrival at the port will not be considered for berthing on FCFS basis and will be berthed as per ports discretion. In the event of the arrival of more than one vessel at a time requiring a particular berth, the following criteria will be adopted by Port for determining the priority of berthing of vessels:

- Vessel agent is required to submit the following information (in prescribed format) prior to vessel arrival for being considered to berth in the Port. [Vessel owners / agent are required to declare their vessels in the prescribed format giving full details. In the event any information is in complete or missing, the particular vessel's application for berth will not be accepted].
- Berth Application.
- Pilot Memo filed in prescribed format giving at least 2 Hrs notice;
- Inward General Manifest at least 24 hours before vessel arrival;
- Vessel Stowage and Discharge/Loading Plan at least 24 hours before vessel arrival;
- Packing List for project cargo in excel sheet stating LxBxH (CBM) & weight at least 24 hrs prior arrival of vessel.
- Discharge / Loading Sequence.
- Cargo gear declaration with respect to the following:
 - (1) No of cranes available.
 - (2) SWL of each crane.
 - (3) Outreach of crane.
 - Cargo declaration with respect to the following:
 - (1) Declaration of cargo above SWL of cranes.
 - (2) Requirement of shore crane.
 - Service Agreement.
- Payment in advance of assessed vessel related charges.
- Pre arrival notices of 5/3/2/1 days, PANS as per ISPS code requirement.
- Vessel owner / agent is required to pay assessed vessel related charges in advance.
- Vessel is required to give at least 5/3/2/1 days notices of Expected time of Arrival.

- The port requires a prior requisition from the Vessel Master/Agent for any of the services required by the vessel e.g. Gangway, tug assistance, mooring lines etc., at least 24 hrs before arrival of the vessel, for the purpose of generating pre Assessment Advice. All vessel agents are requested to confirm from vessel master the services required by the vessel during her stay at the port and submit a requisition to the APPPL Marine Control accordingly. Requisition for any assistance required after berthing of the vessel are to be submitted to the port before such service can be availed of.
- Vessel which has physically arrived within the port limits & registered herself with Port Marine Control giving all the vessels particulars. Physical arrival means the time of arrival of vessel into DAHEJ Port Limits as defined by the coordinates given below:
 - A:- Lat:- 21 deg 44 min 20 sec N, Long:- 72 deg 32 min 12 sec E
 - B:- Lat:- 21 deg 44 min 20 sec N, Long:- 72 deg 28 min 42 sec E
 - C:- Lat:- 21 deg 35 min 00 sec N, Long:- 72 deg 28 min 42 sec E
 - D:- Lat:- 21 deg 35 min 00 sec N, Long:- 72 deg 32 min 36 sec E
- Contractual agreement in place.
- For Export Vessels, seniority will only be considered for vessels whose 80% cargo is in port for loading". If cargo is found less than the above norm vessel will not be considered.
- North Berth is essentially a mechanized cargo handling berth for which priority will be given to vessels carrying ADANI Cargo for bulk discharge where in conveyor system will be used up to backup storage area.
- **South Berth will be used for bulk and break bulk cargo.**
- Cold moves will be carried out only by prior approval of port. Whenever the ships engine or steering fails during berthing/ un-berthing /shifting it will be treated as cold move and charged as per tariff. Any tug mobilized for above purpose will be charged as per Port Tariff.
- **(Note-** If vessel engine fails during outward Pilotage & cold move charges become applicable to such vessels, the vessel may be required to wait at anchorage until confirmation for payment of cold move a charge is received from the vessel owners/ agents.)
- Any vessel deficiencies must be reported to APPPL port prior any berthing / un-berthing / shifting / warping operations. If engines or steering is not available for these operations it will be considered as cold move and charged as per the tariff.
- Any vessel refusing an allocated berth for any reason will lose her seniority and will go back behind the last vessel declared in the port queue for berthing.
- The Port Permits, priority berthing for vessels carrying government cargoes, (as may be declared from time to time) for which 100% additional berth hire will be charged.
- As per policy ousting priority is not available, however if the port is forced to grant ousting for any government vessel / a vessel berthing to safe guard national interest, all related charges including but not limited to viz. shifting, time lost, equipment idling etc will be payable by the vessel requesting ousting priority.

- This will not be applicable in case ousting priority is given to NAVAL/ Coast guard vessels.

For easy reference, the indicative berth parameters are given in the following table:

BERTH	Max permissible LOA	BEAM	DISPLACEMENT	MAX. DRAFT	DWT
North Berth	260 mtrs.	42 mtrs.	1,06,667 MT	14 mtrs	10000-80,000 MT
South Berth	260 mtrs	42 mtrs	1,06,667 MT	14 mtrs	10000-80,000 MT

Note: - Vessels below 10,000 MT DWT can be accepted at ports discretion.

3. General Conditions for Berthing of vessels

- Vessel will not be considered for berthing if a Vessel:

- Is in poor state of upkeep requiring repairs;
- Has invalid certificates; Is blacklisted by port state control;
- Manning is unsafe; or If vessel does not produce proper proof to show that the vessel is suitably insured under recognized P&I club to cover the risk of damage to any port installations (fixed & floating), wreck removal, water & air Pollution & consequent civil liability & any other risks applicable. Any restrictions on the age of the vessels imposed by the Government of India, from time to time, will be strictly adhered to prior approval of Govt. (Central/ State) is to be taken before charting of such vessels.

- A vessel may be removed from berth if the vessel:

- Is considered unsafe or hazardous for port safety.
- Is equipped with poor & unsafe cargo gears.
- Does not correct deficiencies pertaining to safety brought to her notice within the stipulated time.
- The prevalent or oncoming weather warrants it.
- Stowage of cargo is improper and/or improperly declared.
- Is under performing as per port norms when using her own gear, vessel will be un berthed and shifting charges applicable will be borne by the vessel; or Requests for premature un-berthing by vessel agent.

(Example: - A vessel needs time at anchorage for receiving Export cargo on completion of discharge of Import cargo.)

- The progress of the performance of a vessel alongside up to 0800 hrs will be monitored and discussed in the Daily Berth Planning Meeting. If vessel is underperforming, the vessel agent will be advised in writing to improve performance. By next day 0800 hrs if the vessel's performance is still found unsatisfactory, a notice can be served to the Master to un-berth the vessel. Work stoppages beyond the control of the Master of the vessel or the Port will be excluded while evaluating Performance. Reasons such as lack of cargo, documents, poor stowage, uneven stowage and poor, slow, unproductive and unsafe cargo gears will not be accepted as valid grounds for poor performance to avoid un-berthing of vessel.
- Vessels failing to meet the minimum required norms for loading and discharging as per Annexure 1 will be de-berthed solely at the discretion of the Port. Norms for cargo handling will be promulgated at a later date, since port is presently in inception stage.

4. For purposes of this Policy;

a. Shifting movement means:-

- from one berth to another berth
- from one berth to anchorage
- from anchorage to berth (after first call)

b. Warping movement means:

- Physically shifting the vessels ahead / astern for operational requirements on the same berth.

5. A vessel should be ready for commencement of cargo operation in all respects within 2 hours from the time she is all fast. In case the vessel does not commence operation within this given time, penal berth charges as per Port Tariff shall be chargeable
6. A vessel should be ready for sailing in all respects within 2 hours after completion of her cargo work. A vessel which is not ready to sail after 2 hours of completion of cargo work for reasons attributable to the vessel or vessel agent will be deemed to have overstayed and penal berth hire will be charged for duration beyond 02 hrs from the completion of cargo till vessel readiness.
7. **Penal Berth hire** = For all stoppage of cargo due to reason attributable to the vessel penal berth @ Rs 45000/ Hrs or part thereof will be applicable.
8. Whenever a vessel is given due notice by the Port to vacate the berth on account of either under-performance or for safety reasons and the Master of the vessel refuses to vacate the berth after 2 hours of due notice by the Port, Port reserves the right to charge Penal Berth Hire up to 5 times the Penal Berth Hire in addition to pilot and tug detention charges as per the Port Tariff for the period of over stay.
9. For a vessel carrying deck cargo, the deck cargo will be added to GRT of the vessel for determining GRT (Volume of deck cargo in cubic feet divided by 100 to be added to GRT). Volume of deck cargo shall be declared by the Master / Agents in cubic feet. For a vessel having dual tonnage, the higher tonnage will be reckoned for calculation of

vessel related charges.

10. As a general rule after completion of discharge operations, a vessel has to vacate the berth for other vessels, if any, waiting at the anchorage. If the same vessel is fixed for loading, her arrival time for loading operations will be considered from the time she has completed her previous cargo operations and is ready to load cargo in all respects. If a new VCN is to be generated then all marine dues will be applicable for the vessel. If new VCN is not required then shifting charges will be applicable.
11. Anchorage charges shall be applicable on the following conditions:
 - The vessel is not using the APPPL port berth and has called APPPL port for bunkers/freshwater/stores/survey works/repairs etc.
 - If a vessel arrives at APPPL Port and in spite of an availability of a berth, the Master does not choose to berth the vessel for any reason (i.e. Option of owner/master/charter/agent/shipper/Receiver), then Anchorage charges will be applicable after 30 days, as per Port Tariff."
12. Swapping of berthing-seniority between vessels may be permitted by the Port at their sole discretion when the agent or agents of the two vessels and / or the respective cargo interests jointly request the port for exchange of seniority and indemnity the port against any claim however and whatsoever should arise therefrom.
13. NAVAL vessels and GOVT vessels will be accorded berthing priority.
14. Vessels shall be un-berthed after the payment of all port charges, completion of all formalities and the issuance of the No Dues Certification by the Port Authorities (GMB).
15. No Charges shall be levied for shifting of a vessel for Port Convenience. "Port Convenience" is defined to mean the following:
 - If a cargo working vessel at berth or at mooring point is shifted by port to undertake hydrographic survey work, dredging, repair and maintenance of berth, or such other similar activities whereby shifting is necessitated, such shifting shall be considered as "shifting for port convenience". The shifting made to reposition such shifted vessel is also considered as "SHIFTING FOR PORT CONVENIENCE"
 - If a cargo working vessel is shifted from berth to accommodate on ousting priority, vessels which are exempted from bearing shifting charges, such shifting shall be treated as "SHIFTING FOR PORT CONVENIENCE". **Example: - If a Govt. vessel is to be berthed on priority and a vessel is shifted out then it will be treated as "SHIFTING FOR PORT CONVENIENCE".**
 - Whenever a vessel is shifted from berth to accommodate another vessel which cannot be berthed at other berths due to draft and LOA restrictions vessel is considered as "**SHIFTING FOR PORT CONVENIENCE**"
 - Whenever a vessel is shifted to accommodate another vessel on ousting priority, the vessel shifted is exempted from the payment of shifting charges since the same will be paid by the vessel enjoying the ousting priority or in case of Naval/ Coast Guard vessel the shifting will be treated as for "SHIFTING FOR PORT CONVENIENCE" when the priority vessel is exempted from payment of such charges. However, this benefit will not be applicable in the following cases:
 - i. Non-cargo vessel which in any case have to vacate the berth when cargo vessels arrive.

ii. Vessels which are idling at berth without doing any cargo handling operations.

16. By making an application for, and accepting, the berth or other services and facilities in the port, the Vessel and the agent agrees to be bound by the provisions of the General Terms and Conditions for Services and Facilities & the general tariff & charges at APPPL Port issued and Amended from time to time by the Port.

17. As a general rule the Port does not grant permission for Immobilization of the vessels. However, immobilization can be permitted subject to the following terms and conditions and charges will be applicable as per “Port Tariff”.

i. Permission will have to be obtained in writing.

ii. Master to ensure that the vessel remains safely alongside and if required to double up the moorings.

iii. Port will give a 3 hour notice to get the engine ready in cases of Emergency

iv. In case the vessels for whatever reason are unable to remain alongside any pilot / tug / mooring crew assistance provided by the port will be on a chargeable basis.

v. Notwithstanding anything contained above, the Port shall retain the right to prioritize any/all of the above conditions depending on the special circumstances prevailing & discussed during the Berth Planning Meeting. Decisions of APPPL Port on berth planning and allocation are final and binding on all concerned.

18. In case of violation of port policies and safety norms the port can impose a penalty on the infringing vessel or persons as decided by the Head Marine/ Business Head.

19. Tug Requirement for various berths is as under mentioned

- For LOA less than 100 Mtrs all tugs used for berthing/unberthing will be on chargeable basis.
- For vessels of LOA between 100 mtrs to 245 mtrs two tugs will be provided per activity on not chargeable basis.
- For vessel of LOA between 245 mtrs to 260 mtrs three tugs will be provided per activity, and one tug will be chargeable as per port tariff.
- For vessel of LOA between 260 mtrs to 300 mtrs four tugs will be provided per activity, and two tugs will be chargeable as per port tariff.

20. Operation break timings:-

(1) 0800 to 0900 Shift change.

(2) 1300 to 1400 hrs Lunch Break.

(3) 2000 to 2100 Shift change.

After completion of break timing, the work should start at the strike of the clock.

21. All Stoppages of cargo due to weather e.g. Wind speed, Rain, Visibility etc and faults attributable to vessel will not be included in calculation of lay time.

W.E.F. 01.04.2012