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**TARIFF AUTHORITY FOR MAJOR PORTS**

**G No. 76**

**New Delhi,**

**23 March 2010**

**NOTIFICATION**

In exercise of the powers conferred under Sections 48 and 49 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby disposes of the proposal from the Jawaharlal Nehru Port Trust for fixing charges for providing fire protection / suppression/ Fire fighting services by its mobile fire fighting units as in the Order appended hereto.

**( Rani Jadhav )**  
Chairperson

**Tariff Authority for Major Ports**  
**Case No. TAMP/20/2008-JNPT**

The Jawaharlal Nehru Port Trust

- - -

Applicant

**ORDER**

(Passed on this 23<sup>rd</sup> day of February 2010)

This case relates to a proposal dated 18 April 2008 from the Jawaharlal Nehru Port Trust (JNPT) for fixing charges for providing fire protection/suppression/ fighting services by mobile fire fighting units of the port.

2.1. The main points made by JNPT are summarized below:

- (i). The JNPT and the private terminals operating thereat viz., Nhava Sheva International Container Terminal Limited (NSICT), Gateway Terminals India Private Limited (GTIPL) and Bharat Petroleum Corporation Limited (BPCL) together handle dry bulk cargo, liquid bulk cargo and containers.
- (ii). About 20 private Container Freight Stations (CFS) have mushroomed around the port area. Public Sector Undertakings (PSUs) like BPCL's bottling plant and warehouse of Central Warehousing Corporation (CWC) are within a distance of around 15 KMs from JNPT.
- (iii). In case of fire, JNPT provides service to these neighbouring installations for the purpose of safety and protection of public from fire. For the said services, the proposed charges are being levied by the JNPT with the approval of Chairman (JNPT).
- (iv). Over a period to time, the number of fire calls have increased. JNPT has been charging the parties of the proposed rates whenever fire fighting units have been pressed into service either on request or when deemed necessary for safety and fire protection. There are, however, few parties who are seeking justification for the levy of said tariff and insist on notification of the rates by TAMP.
- (v). The separate tariff collected by the port by way of hazardous cargo per container to meet the exigencies does not take into account the fire services provided by the port.
- (vi). The Board of Trustees of JNPT have accorded approval to the said proposal in their meeting held on 18 February 2008.
- (vii). The proposed tariff particularly that of deployment of manpower is in line with the existing Scale of Rates,. The rates for other mobile and fire fighting equipments have been arrived at the actual cost being incurred by the port. The same is proposed and shall be levied for the service, if provided to private parties. The charges are bare minimum and reasonable. (The JNPT has furnished a cost statement in support of the rates proposed).

2.2. The JNPT has requested to approve the following existing charges for providing fire fighting services:

- (i). Fire Tender - Rs.2000/- per fire tender per hour.
- (ii). Trailer Fire Pump - Rs.1500/- per pump per hour
- (iii). Manpower:
  - (a). Officers - Rs.100/- per hour
  - (b). Staff - Rs.75/- per hour

- (iv). Fire fighting equipment & Material charges - Actuals+20% overheads
- (a). Water charges
  - (b). AFFF compound
  - (c). Dry Chemical Powder
  - (d). BA sets
  - (e). Fire Extinguisher
  - (f). Ambulance
  - (g). Others

*Hire charges in respect of (i), (ii) &(iii) above is payable for minimum of 4 hours.*

3. In accordance with the consultative procedure prescribed, a copy of the proposal from the JNPT was forwarded to the concerned users/ user organizations from the approved list of users as well as the additional list of users furnished by the JNPT for their comments. Some of the users have furnished their comments. The comments received from them were forwarded to JNPT for its comments as feedback information. The JNPT has furnished its comments on the comments of users.

4.1. On a preliminary scrutiny of the proposal, the JNPT was requested to furnish additional information / clarifications. After a reminder, the JNPT has furnished its reply. The queries raised by us and the reply of the JNPT are tabulated below:

Sl. No.	Queries raised by us	Reply of JNPT
(i).	The JNPT in its proposal has stated that charges for fire fighting at the proposed rates are being levied on the basis of approval accorded by Chairman (JNPT). The levy of charges for fire fighting services by JNPT does not appear to be in line with Clause 2.17.1 to 2.17.3 of the tariff guidelines of March 2005. As per the tariff guidelines, whenever a specific tariff for a service/ cargo is not available in the notified Scale of Rates, the port can submit a suitable proposal and levy the proposed charges on an adhoc basis till the rate is finally notified. While the JNPT has filed the proposal in April 2008, it is not clear from when the port has been levying the charges on adhoc basis. Further, the said guidelines, <i>inter alia</i> , stipulate that the tariff must be mutually agreed upon by the Port and the concerned users. In the instant case, the levy of charges does not appear to have the concurrence of the concerned users. The JNPT to clarify under what tariff setting arrangement the levy is being collected by the port.	The port started levying charges for fire fighting services rendered to outside parties from the year 2003 onwards after taking the approval of the competent authority. The fire cases attended to were few and were emergency cases. Fire fighting facilities existing in the port were primarily designed to meet the port's operational needs. The question of providing assistance for requests received from other organisations in vicinity were taken based on emergency nature of the case as the facilities for providing fire fighting services to outside parties were not the core activity of the port. As the number of emergency requests from other organisations in the vicinity increased the proposal was sent to TAMP in April 2008.
(ii).	The proposal filed by JNPT is not in the prescribed Format-C applicable for fixing tariff for equipments. The JNPT to file the proposal in the prescribed format.	The cost details furnished by JNPT is not found to be in the prescribed format.
(iii).	Separate charges have been prescribed in the Scale of Rates of JNPT to handle	Additional charge for handling a hazardous container is for the extra care the port has to

	<p>hazardous containers with a premium of 25%. It appears from the JNPT letter dated 29 November 2008 furnishing its comments on the comments of the users that the premium is accounted for towards extra care reportedly taken by the port in handling the hazardous containers. The activities undertaken towards extra care to be listed out.</p>	<p>take in terms of loading / discharging from / to vessel, trailer stowing in port etc. and the additional safety measures necessitated by the nature of the cargo itself. The premium of 25% charged for handling hazardous containers does not in any way cover the fire fighting facilities which may have to be provided in unforeseen emergencies. The activities undertaken towards extra care are as below:</p> <ul style="list-style-type: none"> <li>(i). Yard segregation of the hazardous containers.</li> <li>(ii). Containers to be stacked in the segregated slot in the ship / vessel</li> <li>(iii). Extra care and special supervision during the container handling operations.</li> <li>(iv). Labeling of the hazardous containers</li> <li>(v). Special care to be taken in the transportation of the hazardous containers from the yard to the berth and vice-a-versa.</li> <li>(vi). The Heavy Duty Driver deployed for transportation needs to be specially trained for the job.</li> </ul>
(iv).	<p>With reference to the cost details furnished by JNPT for calculation of hire charges for fire tenders and trailer fire pump, the JNPT to clarify/ furnish the following:</p> <p>(a). Port's mobile fire fighting unit consist of two water fire tenders, one foam fire tender and one multipurpose fire tender. However, JNPT has proposed a common rate for levy of hire charges for different category of fire tenders. In this context, JNPT to clarify whether the average running of 60 kms/hr and the consumption of diesel @ 20 litres per hour considered for arriving at the fuel consumption cost of fire tenders, will be the same for all types of fire tenders.</p>	<p>The JNPT has clarified that the average consumption of diesel will be 1 litre of diesel per KM for all types of fire tenders.</p>
	<p>(b). The JNPT has stated that the costing is based on actuals incurred by the port. The JNPT to establish the average running of fire tenders and fuel consumption by fire tenders and trailer fire pump considered by it supported by workings based on the actuals for the past three years.</p>	<p>The JNPT has furnished the cost sheet. The calculations are based on the data available with the port for the last three years, as reported by the port.</p>
(c).	<p>(i). Whether the cost of Rs.35 lakhs per fire tender is same for all categories of fire tenders. The purchase cost of Rs.35 lakhs per fire tender to be validated with documentary evidence.</p> <p>(ii). Likewise, the purchase cost of Rs.11 lakhs for trailer fire pump to be validated with documentary evidence.</p>	<p>The average cost of the fire tenders considered for the purpose of calculations from the fixed assets register is Rs.30.40 lakhs for all the fire tenders put together. The cost of the fire tenders are in the range of Rs.29 lakhs to Rs.33 lakhs.</p> <p>The JNPT has clarified that the trailer pumps were procured in the year 1998 and also outlived their economic life span as per the norms of MOS. Hence with the due approval of</p>

		the competent authority the said pumps were scrapped. Hence, fixing tariff for the said equipments is not required.
	(d). It appears that the annual maintenance of fire tenders and trailer fire pump is outsourced. The JNPT to furnish a latest copy of the contract entered by it with private party/(ies) for the maintenance of fire tenders and trailer fire pump.	The JNPT has furnished a copy of the work order dated 30.8.2008 for the Annual Maintenance Contract (AMC) for the fire tenders. The AMC is valid for three years at Rs.3,76,560 per year.
	(e). (i). The basis for considering the shelf life of fire tenders and trailer fire pumps at 10 years for calculation of depreciaton to be furnished.  (ii). Depreciation for fire tenders and trailer fire pump to be reworked in line with Clause 2.7.1 of the 2005 guidelines.	Earlier depreciation had been calculated on the basis of MOS guidelines which had indicated life of 10 years for fire equipments. The depreciation is recalculated @ 11.31% per annum as per the Schedule No.XIV of the Company's Act 1956 (as per Clause 2.7.1 of the TAMP's tariff guidelines of 2005).  The depreciation has been reworked based on the straight line method @ 11.31% as per the Schedule No.XIV of the Company's Act 1956.
	(f). The rate proposed by JNPT for hiring of fire tenders and trailer fire pump is on an hourly basis. Hence, the depreciation per day and maintenance cost per day considered by JNPT in its costing for fire tender and trailer fire pump should also be considered on an hourly basis.	The cost sheet has been reworked to arrive at hourly rate. The rate works out to Rs.2061 per hour. The rate being charged is only Rs.2000 per hour. The rates proposed to be charged are very much lower than the rates of Mumbai Fire Brigade. The port is entitled to charge cost +16% return as per the TAMP guidelines.
(v).	The JNPT has stated that its fire fighting unit includes one Ambulance. But, no hire charge for Ambulance is proposed by the port.	The fire tenders are sent at the request for the same from outside parties during emergencies. The ambulance is not normally accompanying the fire tender. The ambulance is provided only when there is a specific request for the same and some casualties have arisen.
(vi).	The JNPT to propose draft Scale of Rates for levy of the proposed charges.	The port has proposed draft Scale of Rates proposing rate of Rs.2000 per hour for Fire Tender Service Charge. It has not proposed charges for Manpower deployment and charges for Fire Fighting material.

4.2. The proposal of the JNPT includes rate for Trailer Fire Pump and rate for man power and fire fighting equipment & material charges. While the JNPT has specifically withdrawn its proposal for the rate for Trailer Fire Pump on the ground that the said pumps have been scrapped, the draft Scale of Rates later furnished by port under cover of its letter dated 23 September 2009 does not include the rates for man power and fire fighting equipment & material charges. The earlier proposed man power charges are as per the existing Scale of Rates of JNPT (Section 6.5 of Chapter-VI – Miscellaneous Charges).

5. A joint hearing in this case was held on 27 November 2009 in the office of this Authority. The JNPT and the users made their submissions.

6. The proceedings relating to consultation in this case are available on records at the office of this Authority. An excerpt of the comments received will be sent separately to the relevant parties. These details will also be made available at our website <http://tariffauthority.gov.in>.

7. With reference to the totality of information collected during the processing of this case, the following position emerges:

- (i). This proposal is not for fixation of charges for providing fire protection services but only to regularize the charges already being levied by the JNPT by including such rates in its existing Scale of Rates. These rates are reportedly being levied for a long time since the year 2003 and only after being questioned by some users, as admitted by the port itself, about the validity of the rates, the JNPT has submitted this proposal.

A major port trust has no statutory power to prescribe, suo-motu, its own tariff for any service provided by it. It is legally bound to levy charges as per the Scale of Rates approved by this Authority. The JNPT is advised to adhere to the tariff setting arrangement envisaged in the Statute. Since this case appears to be an omission and also in relation to optional services, this Authority is inclined to take a lenient view to condone the lapse and take up the case for consideration.

- (ii). The users have strongly resented for the levy of the charges for any accident or mishap that occurs within the terminal on the ground that the capital cost of the fire fighting equipments has been inbuilt into the cost of development of the port. While this contention is not substantiated with data, it has to be kept in view that the proposal of the port is for recovery of expenses for hiring out the fire fighting services and the JNPT has not claimed any return on the capital cost of the relevant assets in its costing for determination of the rates.

- (iii). The proposal of the JNPT is to fix hire charges when the port provides fire fighting facilities to organisations outside the port limits. Providing a service involves cost and as rightly observed by the Indian Merchants' Chamber (IMC), the cost of rendering the fire fighting services should be met by the concerned organizations, who requisition and avail the JNPT fire fighting service. Generally, the users who have participated in the proceedings in the case have no objection to the rates proposed by the JNPT when the port renders the services to the organisations which are situated outside the port limits. Incidentally, the hire charges prescribed in the Scale of Rates of New Mangalore Port Trust (NMPT) for Road Roller and Truck are also leviable when the services are made use by the parties for private use.

The port is responsible to tackle any untoward incident, which also includes fire, within its area of jurisdiction. The question is as to who has to bear the costs connected with such rendering of service. The JNPT without any hesitation is willing to bear the costs connected with fire fighting services, when it douses a fire that erupts for the reasons squarely attributable to the port. Its responsibility extends to the operations carried out by it. In respect of the places where JNPT does not operate, the charges notified will become payable only when the services are requisitioned by the user or the other terminal operators, CFSS, etc., There is an arrangement in the notified Scale of Rates of the Mumbai Port Trust (MBPT) to levy the charges only when the services are requisitioned by the users. Similar prescription is incorporated in the existing Scale of Rates alongwith the rates for the fire fighting services.

- (iv). The cost details furnished by the port are not found to be in the format prescribed by this Authority despite a request made to JNPT in this regard. Considering the schedule of rates charged by Mumbai Fire services and CIDCO and keeping in view that there is no pointed objection to the proposed rates, this Authority is inclined to consider to endorse the rates. This in no way should be construed as an incidental approval to the costing methodology adopted by the JNPT for determination of the proposed rates.

- (v). As brought out earlier, the JNPT had proposed in its initial proposal rates for hire of Fire Tender, Trailer Fire Pump, rates for deployment of manpower and charges

for fire fighting material. Stating that the Trailer Fire Pumps having outlived the economic life have been scrapped, the port has withdrawn the tariff item relating to Trailer Fire Pumps. Further, the draft Scale of Rates subsequently furnished by the JNPT, does not propose the tariff item relating to manpower charges and fire fighting material charges.

With reference to manpower charges, the proposal of the port was to levy the charges as per the prescription already available in the existing notified Scale of Rates of JNPT under Section 6.5 (Man Power hiring charges) in Chapter – VI (Miscellaneous charges) and hence the manpower charges are not notified again. The reasons for not considering the fire fighting material charges in the draft Scale of Rates remain unexplained. It is, therefore, sufficient to notify the proposed rate of Rs. 2,000/- per fire tender per hour and the charges will be levied for a minimum of 4 hours as proposed by JNPT. Incidentally, the proposed rate is seen to be lower than the rate of Rs. 3000/- per hour or part thereof reported by the Mumbai Fire Brigade.

- (vi). While responding to the proposal of the JNPT for levy of charges for rendering fire fighting services users have pointed out that the JNPT is lacking some facilities to handle hazardous containers. As a service provider and the public authority, the port is duty bound to ensure and possess all requisite facilities of mitigating disaster of whatsoever nature that may be common in the field of activity in which the port is engaged. The JNPT is advised to look into the deficiencies pointed out by the BCCI and MANSA.

8.1. In the result, and for the reasons given above, and based on a collective application of mind, the following provision is inserted in Chapter-VII (Miscellaneous Charges) in the existing Scale of Rates of JNPT:

“ 6.6. Mobile Fire Tender Service Charges

Sl. No.	Description	Rate per hour
1.	Fire Tender Service charge provided during emergency.	Rs.2000

Note:

1. Once the fire tender service is provided, the charges will be levied for minimum 4 hours.
2. The charge is payable only when the services are requisitioned by the users or terminal operators or CFSs etc.,”

8.2. The rate approved will come into force upon its notification in the Gazette of India since the rate is already in operation.

8.3. The JNPT is directed to amend its Scale of Rates suitably.

**( Rani Jadhav )**

Chairperson

**SUMMARY OF THE COMMENTS RECEIVED FROM THE PORT USERS / DIFFERENT USER ORGANISATIONS AND ARGUMENTS MADE IN THIS CASE DURING THE JOINT HEARING BEFORE THE AUTHORITY.**

No.TAMP/20/2008-JNPT

- proposal from the Jawaharlal Nehru Port Trust for fixing/ levying charges for providing fire protection / suppression/ Fire fighting services by JNPT's mobile fire fighting units.

A Summary of the comments received from the users / user organizations and comments of the Jawaharlal Nehru Port Trust (JNPT) on the comments of users are tabulated below:

Sl. No.	Comments of users / user organisations	Comments of JNPT on the comments of users vide its letters dated
1.	<p><b><u>Indian Merchants' Chamber (page no.34/C)</u></b>                      When the JNPT's fire fighting facilities and services are deployed to assist in calamities at premises other than of JN Port itself, the services for the same rendered should be compensated by the concerned users.</p>	JNPT has no comments to offer.
2.	<p><b><u>Nhava-Sheva International Container Terminal Ltd (page no.36/C)</u></b>                      It fully supports the JNPT's proposal and has no objection to the proposed charges.</p>	
3.	<p><b><u>Chief Commissioner of Customs (page no.40/C)</u></b>                      The Customs house does not have objection to the proposal for fixing and levying of charges for providing fire fighting services by the JNPT.</p>	
4.	<p><b><u>Bombay Chamber of Commerce &amp; Industry (page nos.41-42/C)</u></b></p>	The proposal is for levying the charges so that the fire tender is not called out without genuine needs / request. Even the two private terminals operating within the port premises have higher handling charges for hazardous container without providing any fire tenders.
	<p>(i). The port / terminal authorities, as a part of the basic facilities and infrastructure requirement, need to make adequate provisions for safety, without levying any charges to port users. JNPT's contention of handling hazardous cargo with the Liquid Bulk Terminal in the near vicinity and consequent levy of charges to port users is, therefore, unjustified.</p>	
	<p>(ii). It is the responsibility of the terminal at the JNPT to deploy necessary fire fighting units. The port users should not be penalized through levy of charges for any accident or mishap that occurs within the terminal.</p>	

	<p>(iii). The JNPT has quoted that most parties have made the necessary payments. However, some did so reluctantly. In most cases, the JNPT has drawn the amount from the deposits of customers, meant for vessel / container handling, without even seeking approval from concerned parties. This arbitrary approach adopted by JNPT is unjustified.</p>	
	<p>(iv). It has cited two instances where container was damaged while unloading from train at JNPT and at NSICT. In the former case, the JNPT disclaimed its responsibility while in latter case the JNPT held the NSICT responsible. In both these cases the JNPT had summoned fire fighting unit and claimed cost recovery from the customers. Though JNPT was responsible for the damage it has penalized the customers for consequential loss. This is unjustified and needs correction.</p>	<p>With regard to the two instances pointed out by the BCCI, the port has stated that the terminals have clearly mentioned that the damage was not because of them and therefore the respective agents have to be charged for fire services.</p>
	<p>(v). The JNPT has no specialized provision for hazardous cargo handling, neither it has made any provision for container pit for placing leaking containers. In the absence of such basic facilities and services, levy of additional hazardous cargo charges need not apply. Instead TAMP should advise the JNPT to refund hazardous cargo surcharges collected from the users. Justification should also be given in terms of additional service cost beak-up in lieu of which these charges have been levied.</p> <p>If TAMP permits JNPT to continue with the hazardous cargo traffic, then all costs towards handling of hazardous cargo should be borne by JNPT from the amount collected from tariff including any exigencies such as involving fire units. There is absolutely no merit in asking for a separate tariff for an emergency situation and damage on account of lack of services and facilities at JNPT. BCCI requests TAMP to dismiss JNPT's proposal.</p>	
<p><b>5.</b></p>	<p><b><u>Indian Oil Corporation (page no.49/C)</u></b></p>	
	<p>(i). As per the normal practice, we request for JNPT's assistance to all users who are based within the JNPT premises for providing the required fire fighting assistance at no additional cost, as it is the responsibility of the port authority to maintain the services under the safety rules and regulations.</p>	<p>JNPT has not furnished its comments.</p>

	(ii). In case their services are sought outside the JNPT premises, the charges as suggested / requested by JNPT may be approved.	
<b>6.</b>	<b><u>Mumbai &amp; Nhava-Sheava Ship-Agents Association (page no.51-52/C)</u></b>	
	(i). The safety and security function of the port and its assets is the fundamental duty of the port and in the development of the port such cost inputs have been inbuilt into the same as capital investment. Therefore, the need to again charge the users for fire services in case of emergency is not justified.	The proposal is for levying of the said charges on the port users for their fault like improper packing, poor condition of the container, bad stowage etc. If the cause of damage which results in requirement of such services is attributable to the port e.g. mishandling by the port, such services will not be charged to the port users.
	(ii). JNPT has accepted that there is an additional charge being levied for every hazardous cargo being handled. This additional charge has been built into each and every container to cover the cost of any exigency. The contention of JNPT that it does not cover the cost of providing fire services for any emergency, is surprising, because otherwise there is no other exigency envisaged.	Additional charge for handling a hazardous container is for the extra care the port has to take in terms of loading / discharging from / to vessel, trailer, stowing in port etc. This additional charge cannot cover the exigencies which are the result of negligence on the part of port users. In no case, wherein the terminal has mishandled a container, such charges are leviable.
	(iii). JNPT has stated that the fire services are deployed on the need felt by the terminal to tackle any exigent situation. Such exigent situation has mostly been the result of an accident or due to mishandling of a hazardous container by the terminal itself while within its control. Therefore, the need to raise a bill on the customer, is unjustified, considering the fact that the accident has been caused by the terminal and the fire services have also been called by the terminal to safeguard the assets in the port.	JNPT has deducted from the Deposit Account only when the users have not paid, despite several reminders, in those cases, wherein it was clearly established that the cause was not attributable to the port.  The basic idea of levying of such charges is that the users take due diligence by ensuring that their shipments are in good condition, properly packaged and stowed, so that chances of hazardous situation is minimized in the port. The port is not providing the fire service to make profit out of this.
	(iv). It has been verified from MBPT regarding services rendered in connection with fire fighting and we were advised that there are no such charges stipulated in their Scale of Rates and they do not recover any charges for the services rendered by their fire brigade services for the emergent situations arising out of operation on cargo/ container berths / vessels.	

(v). JNPT has sought to justify the charges by commenting that some customers have paid while some have not. All charges are debited from the customer unwillingly and under duress. Even those customers who had refused to pay the same have found that the amount has been deducted from their deposit account without authorization for the same from the account holder.

(vi). MANSA has recommended to dismiss the proposal and requested that all charges so recovered should be refunded to the Customers and JNPT to provide fire emergency services as and when required.

**7. Mumbai Fire Brigade (page no.54-57/C)**

It has furnished its circular to show the charges levied by it for providing the fire fighting services. The main charges are as follows:

JNPT has not furnished its comments.

Sl. No.	Description of items	Charges
1.	For hiring of fire engine (cost of repairing additional)	<u>Fees</u> Rs.3000 per first 3 hours or part thereof and Rs.1000 for each additional hours or fraction thereof (exclusive of charges for the attendance of staff). <u>Deposit</u> Rs.12,000 for first 6 hours or part thereof and Rs.6000 for additional 3 hours or fraction thereof.
2.	For hiring of special fire engine such as T.T.L.D.L 30&37 Snorkel unit for special work (cost of repairing additional)	<u>Fees</u> Rs.9000 per first 3 hours or part thereof and Rs.2500 for each additional hours or fraction thereof (exclusive of charges for the attendance of staff). <u>Deposit</u> Rs.35,000 for first 6 hours or part thereof and Rs.6000 for additional 3 hours or fraction thereof.
3.	For hiring of fire escape (cost of repairing additional)	<u>Fees</u> Rs.1000 per first 3 hours or part thereof and Rs.100 for each additional hours or fraction thereof (exclusive of charges for the attendance of staff). <u>Deposit</u> Rs.5,000 for first 6 hours or part thereof.
4.	Hiring of hoses length with coupling 50 feet each.	<u>Fees</u> Rs.100 per length of hose of 50 feet each for 6 hours or part thereof. <u>Deposit</u> Rs.1,000/-
5.	For providing services of officers and firemen charges to be recovered (a). For attendance duties extinguishing the fire, pumping out	<u>Fee</u> 1. D.F.O – Rs.1000/- 2. A.D.F.O – Rs.750/- 3. Station Officer – Rs.500/- 4. A.S.O – Rs.300/- 5. Sub-Officer-Rs.200/- 6. Driver operator-Rs.150/- 7. Leading fireman-Rs.120/- 8. Fireman – Rs.100/- For the first 3 hours or part

		water operation and house collapse in out side of city limit.	thereof 50% of these charges for each additional hours or part thereof. <u>Deposit</u> – Nil																												
		(b). For less strenuous duties such as taking out valuable and personal effect etc. with the help of ladders for both inside and outside the city limit.	<u>Fee</u> 1. D.F.O – Rs.450/- 2. A.D.F.O – Rs.400/- 3. Station Officer – Rs.350/- 4. A.S.O – Rs.250/- 5. Sub-Officer-Rs.150/- 6. Driver operator-Rs.120/- 7. Leading fireman-Rs.100/- 8. Fireman – Rs.80/- For the first 3 hours or part thereof 50% of these charges for each additional hours or part thereof. <u>Deposit</u> – Nil																												
8.	<p><b>CIDCO (page no.62/C)</b> It has furnished the tariff levied by CIDCO for proving fire fighting services, which are furnished below:</p> <table border="1" data-bbox="343 772 837 974"> <thead> <tr> <th>Sl. No.</th> <th>Description of items</th> <th>Charges</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Fire tender, water tanker, rescue tender and portable pump</td> <td>Rs.800/- for first three hours and 25% for next consecutive hours.</td> </tr> <tr> <td>2.</td> <td>Ambulance and fire jeep</td> <td>Rs.2/- per KM and Rs.5/- per hour</td> </tr> </tbody> </table> <table border="1" data-bbox="343 1041 837 1176"> <tbody> <tr> <td>3.</td> <td>Man power charges</td> <td></td> </tr> <tr> <td></td> <td>(a). Fire officer</td> <td>Rs.100 for first 3 hours and 25% for next consecutive hours.</td> </tr> </tbody> </table> <table border="1" data-bbox="343 1288 837 1556"> <tbody> <tr> <td></td> <td>(b). Sub officer</td> <td>Rs.40 for first 3 hours and 25% for next consecutive hours.</td> </tr> <tr> <td></td> <td>(c). Loading Fireman</td> <td>Rs.24 for first 3 hours and 25% for next consecutive hours.</td> </tr> <tr> <td></td> <td>(d). Driver cum operator</td> <td>Rs.32 for first 3 hours and 25% for next consecutive hours.</td> </tr> <tr> <td></td> <td>(e). Fireman</td> <td>Rs.20 for first 3 hours and 25% for next consecutive hours.</td> </tr> </tbody> </table> <p>Note: 1. The above tariff has been adopted by CIDCO fire service since 1983 and is not yet revised. 2. The above tariff is imposed only on commercial occupants. Residential occupants are not charges for fire fighting.</p>			Sl. No.	Description of items	Charges	1.	Fire tender, water tanker, rescue tender and portable pump	Rs.800/- for first three hours and 25% for next consecutive hours.	2.	Ambulance and fire jeep	Rs.2/- per KM and Rs.5/- per hour	3.	Man power charges			(a). Fire officer	Rs.100 for first 3 hours and 25% for next consecutive hours.		(b). Sub officer	Rs.40 for first 3 hours and 25% for next consecutive hours.		(c). Loading Fireman	Rs.24 for first 3 hours and 25% for next consecutive hours.		(d). Driver cum operator	Rs.32 for first 3 hours and 25% for next consecutive hours.		(e). Fireman	Rs.20 for first 3 hours and 25% for next consecutive hours.	--
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1.	Fire tender, water tanker, rescue tender and portable pump	Rs.800/- for first three hours and 25% for next consecutive hours.																													
2.	Ambulance and fire jeep	Rs.2/- per KM and Rs.5/- per hour																													
3.	Man power charges																														
	(a). Fire officer	Rs.100 for first 3 hours and 25% for next consecutive hours.																													
	(b). Sub officer	Rs.40 for first 3 hours and 25% for next consecutive hours.																													
	(c). Loading Fireman	Rs.24 for first 3 hours and 25% for next consecutive hours.																													
	(d). Driver cum operator	Rs.32 for first 3 hours and 25% for next consecutive hours.																													
	(e). Fireman	Rs.20 for first 3 hours and 25% for next consecutive hours.																													

2. A joint hearing in this case was held on 27 November 2009 in the office of the Authority. The JNPT and the users made the following submissions:

**Jawaharlal Nehru Port Trust (JNPT)**

- (i). We provide services to outsiders & other terminals when they require.
- (ii). The charge will be levied only when the cause of fire is not attributable to Port. Further, it is leviable only when we send our fire fighters outside port limits.
- (iii). Hazardous cargo premium is for different services. It is for the extra care to be provided in handling and storage.
- (iv). After we introduced these charges, the chemical containers move out from our premises at a faster rate.

**Bombay Chamber of Commerce and Industry (BCCI)**

- (i). Provision of fire fighting facility is incumbent upon Port. No where it is charged separately.
- (ii). Fire happens mainly when JNPT handles chemicals. JNPT do not have full-fledged facility to handle chemicals. They damage containers while they handle but require us to pay. Anomalous and double whammy!

**Container Shipping Lines Association (India) (CSLA)**

Provision of fire fighting facilities is part of the infrastructure. The other charges levied by the Port cover this expenses. Hazardous cargo also pays premium.

**Mumbai and Nhava-Sheva Ship-Agents' Association (MANSA)**

JNPT does not have separate yard for hazardous containers. JNPT does stevedoring also. Therefore, it is the responsibility of the Port to deliver the container safe.

**Nhava Sheva International Container Terminal Limited (NSICT)**

When we requisition for the facility from JNPT, we pay for it. We don't charge to our customers.

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