



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. LXV]

TUESDAY, FEBRUARY 27, 2024 / PHALGUNA 8, 1945

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-C

Statutory Rules and Orders (Other than those published in Parts I, I-A and I-L) made by Statutory Authorities other than the Government of Gujarat including those made by the Government of India, the High Courts, the Director of Municipalities, the Commissioner of Police, the Director of Prohibition and Excise, the District Magistrates and the Election Commission, Election Tribunals, Returning Officers and other authorities under the Election Commission.

GUJARAT MARITIME BOARD

NOTIFICATION

SECTOR – 10A, GANDHINAGAR, 27th February, 2024.

GUJARAT MARITIME BOARD ACT, 1981

No: GMB/T/1/2024/S.L./55 : In exercise of the powers conferred by sections 110 and 111 of the Gujarat Maritime Board Act, 1981 (Guj. 30 of 1981) and in supersession of the Gujarat Ports (Licensing of Persons Engaged in Loading and Unloading Vessels) Rules, 1969, the Gujarat Maritime Board, with the previous approval of the State Government, hereby makes the following regulations, namely:-

- 1. Short title and commencement:** These Regulations shall be called the Gujarat Ports (Licensing of Persons Engaged in Loading and Unloading Vessels) Regulations, 2024. They shall come into force on the date of their publication in the *Official Gazette* under Section 111(1) of the Gujarat Maritime Board Act, 1981.
- 2. Application:** These Regulations shall apply to all loading and unloading activities at ports under the jurisdiction of the Gujarat Maritime Board (GMB), except for the following, exempted activities:
 - a. Ship recycling and shipbuilding activities.
 - b. Where loading and unloading activities are undertaken by the Board itself at respective ports.
 - c. Loading and unloading activities related to defence vessels or fishing and associated activities.
 - d. Where the Board has issued an exemption certificate.

3. Definition: In this unless the context otherwise requires, :-

- a. **Act:** The Gujarat Maritime Board Act, 1981 (30 of 1981)
- b. **Applicant:** Any person, entity, or legal entity applying for a license under these regulations;
- c. **Board:** The Gujarat Maritime Board constituted under section 3 of the GMB Act, 1981.
- d. **Captive Jetty Operator:** Refers to an entity that operates a jetty or group of jetties or similar facilities (termed with whatsoever names) within a port or group of ports, typically under an agreement executed with the Gujarat Maritime Board (GMB) under the Build, Operate, Maintain, and Transfer (BOMT) model.
- e. **Categories of Licenses:** Different classifications of licenses issued by the Board for specific types of cargo handling activities;
- f. **Ceiling Handling Rate:** The maximum rate at which cargo handling services can be charged, determined by the Board to ensure fair pricing and competition among licensed stevedores;
- g. **Group of Ports:** Port or Group of Ports defined by the Government of Gujarat under section 37 of the Indian Port Act, 1908, or as per Appendix-II of the Schedule of Port Charges.
- h. **Licensee:** Any person, entity, or legal entity holding a valid license issued under these regulations.
- i. **Licensing Officer:** The Port Officer of the Group of Ports;
- j. **Port:** Port defined under the Gujarat Maritime Board Act, 1981.
- k. **Private Port Operator:** An entity engaged in the operation of a jetty or group of jetties or similar facilities (termed with whatsoever names) within a port or group of ports, operating under an agreement executed with the Gujarat Maritime Board (GMB) following the Build, Own, Operate, and Transfer (BOOT) model.
- l. **Stevedoring:** The act or process of loading and unloading vessels, including the lightening, transporting and handling and stowage of cargo inside the port area;
- m. **Vice Chairman and Chief Executive Officer (VC&CEO):** The designated authority appointed under sub-section 1(a) of section 17 of the GMB Act, 1981.

4. No person or entity to undertake stevedoring activities without a licence: No person or entity shall perform or undertake to perform stevedoring or cargo handling activities in the Port unless he has been issued a valid licence or has been exempted under these Regulations:

Provided that a person to whom a licence has been issued prior to the coming into force of these Regulations may continue to operate under the existing licence for a period of thirty days from the Effective Date of these Regulations; or till it obtains a license under these Regulations, whichever is earlier.

5. Categories of Licenses:

- a. The categorization of licenses by the Board, subject to introduction of new categories at a later date, shall be as under:
 - Category 1: License for handling Import/Export Cargo.
 - Category 2: License for handling Coastal Cargo.
 - Category 3: License for handling cargo from/to Sailing Vessels.

6. Criteria for issuance of licenses: A licence for carrying out stevedoring activities may be issued to an applicant who fulfils each of the following criteria:

- a. The applicant is a company registered under the Companies Act, 2013 (18 of 2013) or a partnership Firm, a Limited Liability Partnership or a person or any other legal entity;
- b. The applicant has employed, or submits an undertaking to employ forthwith, at least one supervisory personnel per vessel possessing a minimum of two years of experience in cargo handling or stowage. The profile of such personnel shall be attached to the application;
- c. The applicant shall, at the time of making an application under these Regulations, own; or commit of affidavit to own or hire/rent/lease/charter (called by any name whatsoever) the minimum required gears and types of equipment as specified in Appendix-1, which may be amended at the discretion of the Board from time to time.
- d. The applicant entity shall have a turnover of no less than ₹. 2 crores in each of the immediately preceding three Financial Years.

- e. The applicant shall deposit a non-interest bearing, refundable security deposit, as under:
 - I. ₹.15,00,000 for the application of a Category-1 license.
 - II. ₹.5,00,000 for the application of Category-2 license.
 - III. ₹.1,00,000 for the application of a Category-3 license.
 - IV. If an applicant is desirous of applying for any combination of the above mentioned categories collectively (or such other categories as may be identified by the Board from time to time), the higher of the applicable security deposit shall be payable by the applicant.
- f. It shall deposit a non-refundable application processing fee of ₹. 5,000/-(INR Five Thousand only).
- g. The applicant shall provide documentary evidence to establish that it has the requisite knowledge, experience and infrastructure required for loading and unloading vessels and performing stevedoring activities (if the applicant has previously worked as a stevedore). Illustratively, evidence may be in the form of a contract/work completion certificate/letter of intent (LoI)/or such similar document issued by the importer/exporter/port authority letter/steamship company/charterer for which stevedoring operations were conducted by the applicant.
- h. Unless otherwise stipulated by the Board, the fee for grant/renewal of the license shall be as defined in the Scheduled of Port Charges, as may be prevalent from time to time.
- i. The applicant, in Form – E, shall indemnify the Board against all third-party claims arising out of the operations performed by it; and shall further undertake to compensate the Board for any losses or damages (called by any name whatsoever) that may be suffered by the Board on account of the acts, omissions or conduct of the applicant.

7. Issue of license:

- a. Any applicant who desires to secure a license under these Regulations may, at any time, submit an application to the Licensing Officer in Form-A, along with the documents and the processing fees specified in these Regulations.
- b. If the Licensing Officer is satisfied that the applicant fulfils the criteria specified under regulation 6, he may issue a licence to the applicant in Form-C or otherwise communicate the order of rejection to the applicant, containing the reasons for such refusal.
- c. The licence shall be issued under sub- regulation (b) on submission of the security deposit specified in sub-regulation (e) of regulation 6 and payment of the processing fee and license fee as prescribed in sub- regulation (f) and (h) of regulation 6 respectively.

8. Validity of license:

- a. The Licensing Officer shall have the authority to grant the license for such duration as may be deemed fit and proper. However, the validity of a license shall not exceed a period of three years, to be reviewed by the Licensing Officer after every calendar year. Furthermore, the licenses shall, in the interest of standardization of date of renewal, be extended upto the nearest available 31st December not exceeding three years.

9. Renewal of license:

- a. An application for renewal of a license shall be submitted in Form-B, at least three months prior to the expiry of the said license, with the requisite documents along with the processing fee.
- b. The license may be renewed if the applicant fulfils the following conditions:–
 - I. Has complied with the terms and conditions of the license during the earlier license-period;
 - II. During the last license period, has,
 - 1. Handled a minimum of fifty thousand tonnes of cargo for category-1 license holder OR;
 - 2. Has handled a minimum of five thousand tonnes of cargo for category-2 license holder OR;
 - 3. Has handled a minimum of three sailing vessels handled for category-3 license holder
- c. If the Licensing officer is satisfied that the applicant has fulfilled the conditions stipulated in these Regulations, he may, after collecting the license fee, renew the licence for a further period not exceeding three years, or otherwise communicate the order of rejection to the applicant, with reasons for such refusal.

10. Issuance of duplicate license:

- a. In the event of loss or defacing of the original licence, a duplicate licence may be issued if an application in this regard is made to the Licensing Officer on payment of rupees two thousand and five hundred or such other amount as the Board may fix from time to time.

11. Procedure for Issuance of Exemption Certificate:

- a. An entity desirous of availing exemption for itself, for performing stevedoring and cargo handling activities captively, for its own operations, shall apply to the Licensing Officer in the form and manner as may be provided for such exemption, it being clarified that exemption certificate shall not be issued to an entity which is partly or wholly performing stevedoring and cargo handling activities for another entity.
- b. Exemption Certificates shall be issued to Captive Jetty Operators or Private Port Operators as per provision made under these regulations.
- c. Operators wishing to obtain an exemption certificate under these Regulations shall submit an application to the Licensing Officer in Form-F(I).
- d. The application for an exemption certificate shall be accompanied with the following documents:
 - I. A copy of the Agreement executed with the Board.
 - II. A notarized undertaking stating that cargo handling shall be carried out directly by the entity claiming exemption, and no third party shall be involved, either directly or indirectly, or partly or fully, in cargo handling and stevedoring operations.
- e. If the Licensing Officer is satisfied with the application and documents submitted by an application for seeking exemption, he may recommend the issuance of an exemption certificate to the Vice Chairman and Chief Executive Officer.
- f. The Vice Chairman and Chief Executive Officer shall consider the recommendation of the Licensing Officer, may call for such other and/or further information as may be deemed fit and proper; and, if deemed appropriate thereafter, issue the exemption certificate in Form - F(III)
- g. The exemption certificate shall specify the provisions of these Regulations, and only such provisions as are specified shall be exempted from applicability. The exemption certificate shall also stipulate the duration of exemption, and any additional conditions or requirements, as may be deemed fit and proper by the VC&CEO and the Licensing Officer.
- h. The exemption certificate shall be issued in a specific format as may be prescribed by the Board from time to time.
- i. The Operator, on receiving the exemption certificate, shall indemnify the Board against all third-party claims arising from its cargo handling operations and shall provide a notarized undertaking to comply with all required conditions of these regulations during the cargo handling operations, in the form and manner as may be prescribed by the Board. The operator shall furnish Indemnity Bond and Undertaking in Form - F(II)

12. Duties and responsibilities of Licensees:

Every Licensee shall perform the following duties and have the following responsibilities, -

- a. The Licensee shall carry out the operations using gear owned or hired by it, which have been duly tested and found suitable for handling various types of cargo. Furthermore, the licensee shall produce the gear equipment, along with necessary annealing and test certificates, for periodic inspection to; or whenever demanded by the Licensing Officer.
- b. The Licensee shall be responsible for carrying out lighterage operations or Direct Berthing Operations, as may be required.
- c. The Licensee shall provide the workers with necessary protective safety appliances appropriate for the type of cargo being handled and shall be solely responsible for any accidents or damages resulting from the use of any gear used by it and shall also ensure that casual workers deployed by it are covered by an insurance policy and receive other benefits as required under applicable laws.
- d. If any gear, plant, or other property of the Board is damaged during the course of the operations, the Licensee shall compensate the Board for such loss or damage (called by any name whatsoever), including but not limited to downtime of usability of port infrastructure damaged by the licensee. The extent of such compensation shall be decided by the Licensing Officer after evaluating the situation.
- e. The Licensee shall be responsible for employing at least one supervisor with experience of at least 2 years to supervise every vessel in respect to which it is undertaking stevedoring operations.

- f. The Licensee shall promptly provide any information requested by the Licensing Officer from time to time.
- g. The Licensee shall ensure that all dues owed to the Board are paid in full and in advance. Failure to do so may result in non-renewal or cancellation of the license under these regulations.
- h. The Licensee shall make adequate arrangements for ancillary operations, such as filling, stitching, breaking of cargo, stacking of cargo, stowage of cargo, etc., on-board vessels.
- i. The Licensee shall not assign, transfer, or otherwise part with any interest or benefit in or under the license to any other person or entity.
- j. The Licensee shall comply with all applicable directions, regulations, guidelines, legislations that may be issued by the Central Government or the State Government from time to time. This condition shall be strictly complied with by the Licensee in cases where the specific nature of cargo envisages compliance of specific prescriptions.
- k. The Licensee shall maintain proper documentation regarding payment of wharfage charges on a vessel-wise basis. These particulars; and other such information as may be required by the Board, shall be provided by the Licensee. This documentation shall be signed and certified by an Authorized Signatory of the Licensee. The Licensing Officer shall collate documentation for each Licensee and review it annually and/or before the renewal of the licensee.
- l. The Licensee shall comply with the terms and conditions of the license; and such other directions as may be issued from time to time.
- m. To submit a vessel-wise report in Form - D within 7 days of completion of loading / unloading of the vessel.
- n. The Licensee shall ensure that the cargo it handles is stored in an appropriate place allotted for the purpose of storage of cargo for particular vessels; and in an appropriate manner, as required under applicable laws, and in accordance with good industry practices. The Licensee shall also ensure that the cargo is stored at the plot specifically designated for the said purpose under the extant regulations, regulations and Standard Operating Procedures
- o. If the cargo is required to be directly transported outside the Customs Bonded Area by the licensee, the licensee shall be obligated to ensure that such cargo is transported outside the Customs Bonded Area only after compliance of all applicable laws; and after grant of all applicable permissions. Any breach by the licensee of this obligation shall entitle the Licensing Officer to forthwith suspend the license of the Licensee, in addition to such other and further steps / actions, as the Board is entitled to take under these Regulations.
- p. The Licensee shall provide periodic training in modern methods of cargo handling to personnel deployed for stevedoring handling activities to improve productivity, efficiency, and safety.

13. Prevention of Monopolistic Situation at the Port

- a. To prevent monopolistic situations at the port and promote healthy competition and a level playing field, the Board shall make necessary endeavours to the effect that a minimum of three stevedores are licensed to operate at each port under its jurisdiction.
- b. In the event that the number of licensed stevedores at a port falls below three, the Board may take the following actions, or such other actions / steps as may be deemed fit and proper:
 - I. The Board may appoint a qualified agency or entity to carry out cargo handling operations at the port on its behalf to maintain adequate competition and service availability.
 - II. The Board may, fix a ceiling handling rate that ensures fair pricing and competition among the licensed stevedores.
 - III. The Board may, either directly or through a designated agency, perform stevedoring and cargo handling operations for such time as may be deemed fit and proper.
- c. The Board shall frame guidelines to implement this regulation effectively. Such guidelines shall outline the procedures, timelines, and criteria for the appointment of agencies, and additional stevedores, and the determination of the ceiling handling rate.
- d. The Board shall periodically review and update its guidelines as necessary to maintain fair competition and prevent monopolistic situations at the port.
- e. The Board may take the above mentioned actions / steps; or such other and / or further actions / steps at any time, including when there are three or more Licensees at a Port.

14. Imposition of penalty and suspension or cancellation of licence:

1. The Licensing Officer may review the performance of the Licensees at any time or after any interval as may be decided and as may be deemed fit and proper, and may, by an order in writing, and for reasons to be recorded, impose a penalty or suspend or cancel the license issued by him on any of the following grounds, namely:–
 - a. The performance standards have not been achieved for a period of more than three months;
 - b. Handled cargo less than the volume as may be prescribed by the Board, consecutively for a period more than 2 years;
 - c. Convicted by a Court for any offence;
 - d. Contravened safety rules and failed to comply with the mandatory dock safety measures or other measures concerning environmental protection, safety and security;
 - e. Failed to adopt proper and safe handling methods;
 - f. Found guilty of misrepresentation or misstatement of material facts;
 - g. Adjudged insolvent, is facing proceedings for insolvency under applicable laws, or is in liquidation;
 - h. Transferred, officially or by informal operation, the licence or sub-contracted with any other person for operating the stevedoring handling activities, either directly or indirectly;
 - i. Failed to comply with security rules, instructions or International Ship and Port Facility Security Code and other directives that may be issued by the competent authorities from time to time;
 - j. Failed to submit daily performance report in the manner as may be prescribed from time to time, for a period exceeding such number days as may be prescribed by the Licensing Officer;
 - k. Illegal and Unfair trade practices, including but not limited to, delaying evacuation of cargo to continue to occupy a plot in concert with an Importer/Exporter and causing hurdles in the execution of stevedoring works by other Licensees;
 - l. Found guilty of misconduct which in the opinion of the licensing officer, warrants cancellation or suspension of license;
 - m. Causing obstruction in the unencumbered workings of the Port, including but not limited to such acts or omissions as may directly or indirectly lead to the creation of monopolistic situations or amount to unfair trade practices.
 - n. If the Licensee is penalized under the provisions of these Regulations.
2. Prior to cancellation or suspension of the License or imposition of any penalty, the Licensee shall be provided a reasonable opportunity of showing cause as to why the proposed action may not be taken.
3. A written order communicating the imposition of penalty/suspension/cancellation shall usually be issued within a period of 30 days from the date issuance of Show Cause Notice.

15. Appeal:

- a. Any person aggrieved by any order passed by the Licensing Officer under these Regulations may prefer an appeal, in writing and in such manner and form as may be prescribed, before the Vice Chairman and Chief Executive Officer within a period of 30 days from the date of receipt of the order of the Licensing Officer. The Vice Chairman and Chief Executive Officer shall decide such appeal, after giving the appellant an opportunity of being heard, preferably within a period of 6 months.

16. Treatment to forfeiture, Refund security deposit :

- a. In addition to charges, license fee and penalties payable by the Licensee under these Regulations, the Licensee shall pay in favour of the Board, a non interest bearing Security Deposit of an amount as may be prescribed by the Board from time to time.
- b. The security deposit paid by the applicant under these Regulations shall be entitled to be deducted without notice should the applicant fail to fulfill any of the terms and conditions of these Regulations. The Security Deposit shall also be liable to be forfeited if the Board suffers any losses, damages, charges or penalties attributable to the acts or omissions of the applicant / Licensee.
- c. In the event of non-payment of any charges or penalties owed to the licensing officer by the licensee, the licensing officer reserves the right to forfeit all or part of the security deposit, without prior intimation to the Licensee.

- d. If the amount payable by the licensee to the Board exceeds the security deposit, the licensee shall be liable to make payment of the remaining amount to the Board at such time as may be demanded by the Board. Failure to do so shall entitle the Board to suspend or terminate the license in addition to recovery of such amount from sale / auction of the machinery of the Licensee or under use by the Licensee and the withholding of No Dues Certificate (NDC) for specific consignments.
- e. Subject to any deductions in the manner prescribed in these Regulations, the balance security deposit shall be refunded by the Board without any interest :-
 - I. On the expiry of the period of license, when the licensee does not seek renewal;
 - II. On the refusal of the application for renewal of license;
 - III. On cancellation of license; and
 - IV. If the Licensee desires to foreclose the license issued to it and makes an application in writing to the Licensing Officer for foreclosure and refund of the security deposit.

17. Penalties:

In addition or alternate to the power of the Licensing Officer to terminate or suspend a license, for failure to comply with these Regulations or any directions that may be issued by the Board, penalties shall be imposed on the Licensee, as under:

- a. First breach: A Notice may be issued or penalty may be imposed (of up to ₹. 1,00,000/-), at the discretion of the Licensing Officer.
- b. 2nd, 3rd and 4th breaches: A penalty of ₹.2,00,000/- per breach shall be imposed and recovered from the PLD account or security deposit.
- c. 5th breach and onwards: a licensee will be suspended for the next 1 year to carry out handling activities at Port.
- d. The Board may modify the quantum of penalty payable for various categories of breaches from time to time.

18. Power of Vice Chairman and Chief Executive Officer:

The Vice Chairman and Chief Executive Officer shall have the following powers:

- a. To act as an Appellate Authority;
- b. To authorise an officer to monitor the effective implementation of these Regulations;
- c. To monitor the performance of licensees across all ports;
- d. To issue directions, guideline and compliance protocols for issues concerning cargo handling and storage, as may be deemed fit and proper;
- e. To conduct inquiries on issues related to noncompliance of these Regulations;
- f. To notify the ceiling of the handling rate or to appoint a stevedore on behalf of the Board.

19. Common Ownership or Control of Multiple Licensees

- a. If more than one Licensee is found to have been operating under common ownership or control on account of common directors, promoters, shareholders or partners, or for any other reason; all such entities shall be treated as a single licensee for the purposes of these Regulations at the respective Port(s). In such a scenario, the Licensing Officer shall be entitled to grant license only to one such applicant port wise, while rejecting the applications for issuance of license of other such related entities under common ownership or control.
- b. The Board shall be entitled to call for such information, documentation, records, undertakings, shareholding patterns, ownership structures, etc., as may be deemed fit and proper, to determine the ownership credentials of the Licensees.
- c. It shall be obligation of each such Licensee within the same group to disclose, in advance, at the time of making an Application under these Regulations, that it is part of the group, having common ownership or control. Failure to do so, or a deliberate attempt to suppress such information shall entitle the Board to suspend, terminate or blacklist such Licensee(s).

- d. The Board reserves the right to take appropriate action, including but not limited to imposition of penalties, suspension, or cancellation of licenses, or the blacklisting of licensees, if it is determined that entities within the group are operating with the intent of creating monopolistic, unfair trade or anti-competitive practices.

20. Savings:

Anything done or any action taken under the regime of The Gujarat Ports (Licensing of Persons engaged in Loading or Unloading Vessles) Rules, 1969. Power prior to the effective date of these Regulations shall be deemed to have been done under these Regulations.

On behalf of Gujarat Maritime Board,
Rajkumar Beniwal (IAS),
Vice Chairman and Chief Executive Officer.

Appendix - 1**Minimum Gear and Equipment Requirements****Category 1: License for handling Import/Export Cargo**

Direct Berthing Operation:

- Loaders: At least 10 units
- Excavators: At least 2 units
- Payloaders: At least 2 units

Lighterage Operation:

- Loaders: At least 10 units
- Excavators: At least 2 units
- Payloaders: At least 2 units
- Barges: At least 5 units

Category 2: License for handling Coastal Cargo

Direct Berthing Operation:

- Loaders: At least 2 units
- Excavators: At least 1 unit
- Payloaders: At least 1 unit

Lighterage Operation:

- Loaders: At least 2 units
- Excavators: At least 1 unit
- Payloaders: At least 1 unit
- Barges: At least 1 unit

Category 3: License for handling cargo from/to Sailing Vessels

No minimum equipment requirements.

1. Applicants must ensure that they own or hire the specified equipment in the quantities mentioned for the respective category and type of operation. The equipment should meet the safety and operational standards set by the Board. The Board reserves the right to revise these requirements based on industry standards and safety regulations. The Board shall also be entitled to issue directives concerning operating procedures, minimum requirements and safety, which shall be complied forthwith by all licensees.
2. Applicants are required to provide proof of ownership or hire agreements for the specified equipment as part of their license application.

Form A**APPLICATION FORM FOR THE ISSUE OR RENEWAL OF STEVEDORING LICENSE UNDER THE GUJARAT PORTS (LICENSING OF PERSONS ENGAGED IN LOADING AND UNLOADING VESSELS) REGULATION, 2024**

Sr. No.	Description	Details To Be Filled By The Applicant		
1	Name of the applicant			
2	Whether the applicant is a company registered under the Companies Act 2013 (18 of 2013) or a partnership firm, a limited liability partnership or a person or any other legal entity (documentary proof to be attached)			
3	Address for communication			
4	Applicant's GST No.			
5	Contact No. of applicant			
6	Name of the person to be contacted and Mobile No.			
7	E-mail and Fax No. of the applicant			
8	Period for which License is required			
9	Details of processing fees			
10	Mention the category for which license is required			
11	Name(s) of the Steamship or Company or Charterer of ship or owner of cargo, with whom the contract for stevedoring handling of cargo is finalised or is proposed to be entered into(enclose copy of contract). Approximate tonnage for each party is to be indicated.			
12	Previous experience in stevedoring activities (enclosed proof of the cargo and tonnage handled in the previous three years)			
13	Details of the turnover of the preceding three financial year	Year	Turnover	
14	Details of vessels handled and cargo handled during the preceding three years.	Year	Vessels Handled	Cargo Handled
15	Whether the applicant possesses equipment and gears required for stevedoring activities (enclosed list of equipment and gears with safety certificate)			

16	Whether the applicant has employed or is willing to give an undertaking to employ at least one supervisory personnel per vessel possessing a minimum of two years of experience in cargo handling or stowage required for undertaking the stevedoring activities (enclosed list of employees, their detailed profile including work experience)	
17	Whether the applicant is willing to pay security deposit.	

I / We, affirm that the particulars given above are absolutely true and correct; and without any manipulation or suppression..

I / We, agree to furnish any other information/produce any record as may be required by the Board.

I / We, agree to abide by the Gujarat Ports (Licensing of Persons Engaged In Loading and Unloading Vessels) Regulation, 2024 as amended from time to time and to comply with the directions issued by the Board from time to time.

I / We hereby undertake that no other applicant or existing Licensee has common ownership or control on account common directors, promoters, shareholders or partners, or for any any other reason with us.

Place: _____

Signature of applicant_____

Date: _____

with Official Seal

Documents Enclosed	Please Tick
Copy of the Partnership Deed if the applicant is a partnership firm	
Copy of the Articles of Association if the applicant is registered as a Co-operative Society / Trust etc.	
Copy of the Memorandum of Association if the applicant is registered as a Co-operative Society / Trust etc.	
Certificate of Incorporation if the applicant is a company	
Bio-data of promoters of Company / Directors of Firm / Owner or Association	
Previous experience in stevedoring activities	
Documentary evidence of the Steamship or Company or Charterer of ship or owner of cargo, with whom the contract for stevedoring handling of cargo is finalised	
Evidence of preceding three financial years turnover	
Evidence of equipment and gears for stevedoring activities	
Profiles of supervisory personnel for cargo handling activities	
Evidence of processing fees payment	
Copy of the Income Tax return for the last 3 years, and information related to ITR, mentioning income and tax paid respectively	
Annual Reports of the last 3 years	
Signed and Notarised indemnity bond as per Form - E	
Documentary evidence of Cargo loaded and unloaded in preceding three years	

For GMB Port Office Use Only

Licensing Officer's Recommendations

The following requisite documents have been submitted by the applicant and are found to be in order

Documents Enclosed	Please Tick	Page No.
Copy of the Partnership Deed if the applicant is a partnership firm		
Copy of the Articles of Association if the applicant is registered as a Co-operative Society/Trust etc.		
Copy of the Memorandum of Association if the applicant is registered as a Co-operative Society/Trust etc.		
Certificate of Incorporation if the applicant is a company		
Bio-data of promoters of Company / Directors of Firm / Owner or Association		
Previous experience in stevedoring activities		
Documentary evidence of the Steamship or Company or Charterer of ship or owner of cargo, with whom the contract for stevedoring handling of cargo is finalised		
Evidence of preceding three financial years turnover		
Evidence of equipment and gears for stevedoring activities		
Profiles of supervisory personnel for cargo handling activities		
Evidence of processing fees payment		
Copy of the Income Tax return for the last 3 years, and information related to ITR, mentioning income and tax paid respectively		
Annual Reports of the last 3 years		
Signed and Notarised indemnity bond as per Form - E		
Documentary evidence of Cargo loaded and unloaded in preceding three years		

Particulars	Compliance Yes/No	Remarks
Has the applicant provided all required documents as per the requirement of this regulation?		
Does applicant possess the minimum required gears and equipment as per Appendix –I		
Does applicant have sufficient and experienced manpower as per regulation?		
Does applicant possess a good past record?		
Does the applicant possess knowledge about loading and unloading operation?		
Has applicant given any guarantee of minimum cargo handling during the period of licensee? If yes, specify in remarks.		
Has applicant given any guarantee to achieve minimum loading or discharge rate for various categories of cargo? If yes, please specify in remarks.		

Recommendation

Signature: _____

Form - B**Standard Format for Renewal of Stevedoring Licence**

To,

The Licensing Officer,

_____ (Port Office)

GMB

Date:

Subject: Application for renewal of Stevedoring license for _____ Port

Sir,

I / We apply for renewal of a license for loading and unloading vessels at the Port of _____. The requisite Particulars for the purpose are given below. I / We undertake to pay the requisite license fee on demand.

Sr. No.	Particulars	Information
1	Name of the license holder	
2	Address of the license holder	
3	Port location	
4	Category of licence	
5	Current licence details	
6	License expiry date	
7	License holder's GST No.	
8	Performance during the last license period (As per category)	
9	IT return of preceding three years	
10	Documentary evidence indicating experience	
11	Documentary evidence for Cargo loaded or unloaded in preceding three years	
12	Whether Stevedores possess minimum equipment/gear either owned or hired	
13	Whether Stevedores shall undertake to employ : at least one supervisory personnel with minimum of two years vessel wise cargo handling/stowage experience. The profiles have to be enclosed along with the application.	
14	Whether license processing fees are paid	
15	Signed and Notarised indemnity bond as per Form - E	

All the particulars given above are correct and nothing has been concealed or misrepresented and if any facts are found wrong, incorrect, or concealed, Gujarat Maritime Board shall be at the liberty to decline our request for renewal of stevedoring license.

You are requested to please renew the stevedoring license as detailed out.

Yours Sincerely,

For _____

Signature: _____

(Licensee / Partner(s) / Authorized Representative)

Address: _____

Phone No. _____

Email id _____

For GMB Use Only**Licensing Officer Recommendations**

The following requisite information has been submitted by the applicant in the proposal and is found to be in order.

Sr. No.	Particulars	Information as per proposal by Licensing Officer	Annexure
1	License expiry date		
2	Was the license fee paid on time?		
3	Any pending recovery from applicant?		
4	Has there been any complaint against the applicant?		
5	If yes, mention the same		
6	Has the applicant adhered to the land / plot / godown guidelines of GMB?		
7	If no, then what is the issue against the applicant?		
8	Any changes in the details provided by the applicant during the grant of stevedoring license?		
9	If yes, then what are the changes?		
10	Has the licensee adhered to the terms and conditions of previous license ?		
11	Has the licensee performed as per category during the last license period		

Recommendations:

--

Signature: _____

Stamp

Form - C**Stevedoring License**

Port of _____

Gujarat Maritime Board

[Office's Address]

[City, State]

Stevedoring License

License No. _____

Date: _____

Category: Category _____

Period of Validity: From _____ to _____

Application Fee Paid: ₹. _____ (Receipt No. _____)

Security Deposit Paid: ₹. _____ (Receipt No. _____)

License Fee Paid: ₹. _____ (Receipt No. _____)

To: Shri / Messers _____

You are hereby granted a license to load and unload cargo from vessels at _____ port, located in the port of _____, in accordance with the Gujarat Ports (Licensing of Persons Engaged in Loading and Unloading Vessels) Regulation, 2024.

This license remains valid until _____ or until cancelled by the Licensing Officer, whichever occurs earlier.

Licensing Officer / Authorized Officer

Gujarat Maritime Board

Form - D**Vessel Completion Report**

Port Name	
Port Location	
Importer/Exporter Name	
Licensee Name	
License Number	
Berth Detail	1. _____ 2. _____ 3. _____
Vessel Name	
Vessel GRT	
Vessel Type	Geared/Non Geared
Details of Supervisory Personnel	
Operation Type	Direct Berthing / Lighterage Operation
Cargo Details	- Cargo Description: _____ - Cargo Type: _____ - Lighterage Cargo / Direct Berthing Cargo (Please Tick) - Cargo Quantity (in Metric Tons): _____
Equipments used during operation	Yes/No If yes, Detail of Ship Crane: _____ Number of Barge: _____ Number of Floating Crane: _____
Shore Equipments used during operation	Yes/No If yes, Number of Truck: _____ Number of Loader: _____ Number of Payloader: _____ Number of Excavator: _____
Arrival Date and Time	
Operation Commencement Date and Time	
Date and Time for the first lot arrived in the Port <u>or</u> Unloaded on the Berth	

Operation Completion Date and Time	
Date and Time for the last lot evacuated from the Port or Loaded on the Ship	
Departure Date and Time	
Storage Description	
Storage Location	
Storage Duration	
Additional Remarks/Notes	

Declaration

I hereby declare that the information provided in this Form D is accurate and complete to the best of my knowledge. I understand that any discrepancies or false information may result in penalties or license-related actions in accordance with the regulations.

Signature: _____

Date: _____

[Licensee Seal/Stamp]

Form - E**INDEMNITY BOND****[To be furnished in the stamp paper of Rs 300/-]****INDENTURE OF INDEMNITY****This Indenture of Indemnity (hereinafter referred to as the "Bond") is furnished by:**

[Name of Licensee/License Holder], a company registered under the Companies Act, 2013 (18 of 2013) [or relevant legal entity details] and having its registered office at [Registered Office Address], hereinafter referred to as the "Licensee," which expression shall, unless repugnant to the context or meaning thereof, be deemed to mean and include its successors, legal representatives, and assigns.

In favour of -

Gujarat Maritime Board (GMB), a statutory body constituted under the Gujarat Maritime Board Act, 1981, having its registered office at [GMB Office Address], hereinafter referred to as the "GMB."

WHEREAS, the Licensee has applied for and been granted/renewed a license by the GMB under the Gujarat Ports (Licensing of Persons Engaged in Loading and Unloading Vessels) Regulation, 2024.

NOW, THEREFORE, in consideration of the grant of the said license by the GMB and other good and valuable consideration, the parties hereto hereby agree as follows:

1. The Licensee undertakes to fully indemnify the GMB against all claims, actions, suits, demands, costs, charges, losses, damages or expenses arising out of the operations carried out by the Licensee under the license issued in accordance with the Regulations.
2. The Licensee shall not, directly or indirectly, hold the GMB responsible for any loss, injury, damage, or any claim arising due to the operations conducted by the Licensee at the port.
3. This Bond shall remain in full force and effect as long as the license issued to the Licensee by the GMB remains in force.

IN WITNESS WHEREOF, the Licensee has executed this Bond as of the date first above written.

[Seal/Stamp of Licensee]**Authorized Signatory:** [Name of Authorized Signatory]**Designation:** [Designation of Signatory]**Date:** [Date of Execution]**Witness 1:** Name: [Name of Witness 1] Address: [Address of Witness 1]**Witness 2:** Name: [Name of Witness 2] Address: [Address of Witness 2]

FORM- F(I)**Application for Exemption Certificate****Under sub-regulation (c) of regulation (11) of the Gujarat Ports
(Licensing of Persons Engaged in Loading and Unloading Vessels) Regulation, 2024**

[Date: _____]

To,

The Licensing Officer,

[Gujarat Maritime Board/Licensing Authority Address]

Dear Sir/Madam,

I, [Applicant's Full Name], on behalf of [Captive Jetty Operator/Private Port Operator], hereby submit my application for an Exemption Certificate under the Gujarat Ports (Licensing of Persons Engaged in Loading and Unloading Vessels) Regulation, 2024. I request an exemption for the following cargo handling activities at the port:

1. Port of Operation: [Name of Port]
2. Structures (Specify all, if there are more than one):
3. Nature of Cargo Handling Activities: [Describe the specific cargo handling activities]

Please find enclosed the following documents to support my application:

- A. A copy of the Agreement executed with the Board.
- B. Indemnity Bond & Undertaking
- C. [Other required documents, if any]

I declare that the cargo handling activities will be carried out by ourselves, and no third party shall be involved, either partly or fully, in cargo handling operations.

I request that my application be reviewed and considered for the issuance of an Exemption Certificate as per the provisions of the regulations. I am committed to complying with all necessary conditions and requirements as specified by the Gujarat Maritime Board or Licensing Authority.

Thank you for considering my application. I look forward to a favourable response.

Yours faithfully,

[Applicant's Signature]

[Full Name of Applicant]

[Position]

[Company Name]

[Contact Information: Address, Phone, Email]

FORM-F(II)**Indemnity Bond & Undertaking****Under sub- regulation (i) of regulation (11) of the Gujarat Ports
(Licensing of Persons Engaged in Loading and Unloading Vessels) Regulation, 2024****[To be furnished Notarized on the stamp paper of Rs 300/-]**

[Date: _____]

I, [Name of Operator], on behalf of [Captive Jetty Operator/Private Port Operator], hereby undertake to comply with the conditions and requirements specified in the Exemption Certificate issued to us by the Gujarat Maritime Board/ Licensing Authority under the Gujarat Ports (Licensing of Persons Engaged in Loading and Unloading Vessels) Regulation, 2024.

I further undertake to indemnify the Gujarat Maritime Board/ Licensing Authority against all third-party claims that may arise from our cargo handling operations, which are subject to this exemption certificate.

I have read and understood the conditions of the exemption and hereby agree to abide by them.

Name of Operator: _____

Signature: _____

Date: _____

[Seal/Stamp of the Operator, if applicable]

FORM- F(III)**Exemption Certificate****Under sub- regulation (f) of regulation (11) of the Gujarat Ports (Licensing of Persons Engaged in Loading and Unloading Vessels) Regulation, 2024**

[Date: _____]

This is to certify that [Name of Captive Jetty Operator/Private Port Operator], having its principal place of business at [Operator's Address], is hereby granted an exemption certificate for the cargo handling activities at [Name of Port]:

1. Nature of Cargo Handling Activities: [Describe the specific cargo handling activities]
2. Structure Name (Specify all, in case of more than one):
3. Duration of Exemption: [Start Date - End Date]

The loading and unloading activities at _____name of structure/s_____ under the jurisdiction of _____ Group of Ports are exempted from the provisions of the Gujarat Ports (Licensing of Persons Engaged in Loading and Unloading Vessels) Regulation, 2024, subject to the following conditions:

1. The exemptee shall carry out cargo handling activities in a safe and secure manner, adhering to all applicable safety standards and regulations. They shall implement and maintain appropriate safety measures to prevent accidents or incidents during cargo handling operations.
2. The exemptee shall strictly adhere to all prevailing acts, rules, and regulations issued by the Government of Gujarat, relevant to the handling of specific commodities. This includes but is not limited to environmental regulations, customs regulations, and any specific regulations related to the handling of hazardous materials.
3. The exemptee shall carry out cargo handling themselves and shall not engage any third party, either partially or fully, in cargo handling operations.
4. In the event that the exemptee engages a third-party stevedore, they shall ensure that the stevedore possesses a valid license issued under the Gujarat Ports (Licensing of Persons Engaged in Loading and Unloading Vessels) Regulation, 2024. The stevedore must meet all the criteria for obtaining and maintaining such a license.
5. The exemptee shall maintain accurate records of all cargo handling operations, including cargo types, quantities, and any incidents or accidents. These records shall be made available to the Gujarat Maritime Board/Licensing Authority upon request. The exemptee shall also promptly report any non-compliance with the terms of this Exemption Certificate.
6. The exemptee shall comply with all environmental regulations and standards, particularly those related to the handling of hazardous or environmentally sensitive cargo. They shall take measures to prevent pollution and environmental harm during cargo handling operations.
7. The exemptee shall maintain public liability insurance coverage to compensate third parties for any injury, loss, or damage arising from their cargo handling activities. Proof of insurance coverage shall be provided to the Gujarat Maritime Board/Licensing Authority and kept current throughout the duration of the exemption.
8. The Gujarat Maritime Board/Licensing Authority reserves the right to conduct regular inspections and audits of the exemptee's cargo handling operations to ensure compliance with these conditions.
9. The exemptee shall promptly notify the Gujarat Maritime Board/ Licensing Authority of any changes in their cargo handling activities, business structure, or any other relevant changes that may affect their eligibility for this exemption.
10. The exemptee shall indemnify the Gujarat Maritime Board/Licensing Authority against all third-party claims that may arise from their cargo handling operations, including but not limited to injuries, losses, damages, and environmental harm.

This exemption certificate is issued in accordance with the said regulations and will remain valid for the specified duration, subject to the operator's compliance with the conditions mentioned above.

[Seal/Stamp of the Gujarat Maritime Board/Licensing Authority]

Signature: _____

Name: _____

Title: _____

Date: _____

