

Ministry of Shipping issues direction to all Major Ports not to levy any penalties/charges/fees on any Port user for any delay caused due to COVID-19

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In wake of outbreak of COVID-19 and same being declared as Pandemic, the Government of India has imposed a lockdown for a period of 21 days to contain COVID-19 Pandemic in the country. Ministry of Home Affairs has issued an addendum, specifically giving exceptions to the operations of Seaports for cargo movement and inter-state movement of Goods/cargo for inland and exports to ensure regular supply of goods in the country.

In accordance to the above and on receipt of representations from various stakeholders, the Ministry of Shipping on 24th March, 2020, issued an advisory to all Major Trusts for invoking “Force Majeure” clause on Port activities and Port operations.

Ministry of Shipping has now issued specific guidelines to Major Ports on Exemptions/Remissions on penalties, demurrages charges, fee, rentals levied on any Port user for any delay in Berthing/Loading/Unloading operations or evacuation/arrival of cargo caused due to lockdown measures from 22nd March, 2020 to 14th April, 2020. Major Ports have also been allowed to extend the completion of any project under implementation in PPP mode or otherwise. Moreover, Major Ports can permit waiver of all penal consequences with deferment of performance obligations as per concession agreement on case to case basis, for existing and operational PPP Projects.

YB/AP

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