

In association with R L Institute of Nautical Sciences, Madurai, Tamil Nadu. RNI No. TNENG/2012/41759

Friday , November 18, 2022 Voyage 11 Wave 120

Published & Released on Every Monday, Wednesday and Friday



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**FIEO** mounts largest contingent of Indian.....

## Speed and Performance Claim and Wrongful Arrest



Dr. (Capt.) Vivek Jain

n a new case, Eastern Pacific Chartering Inc v Pola Maritime Ltd (The Divinegate) – [2022] EWHC 2095 (Comm), Queen's Bench Division, Commercial Court, issues of speed and consumption were revisited by High Court after many years. It clarified the confusion that used to exist as a few arbitrators will take into account positive current and a few would not allow it provided the clause on speed and performance in a charter party is silent on positive current.

#### **FACTS AND RELEVANT LAW**

By a trip time charter party, on standard NYPE 1946 form, dated 18 September 2019, MV Divinegate was chartered by the Claimant, the Disponent Owner, to the Defendant for the carriage of cargo via the Baltic sea to the Mississippi River in the USA.

#### • The relevant clauses were:

Clause 8 set provides claimants' obligations as regards

## By Dr. (Capt.) Vivek Jain, Barrister (England), Master Mariner, LLB (Lon.), LLM (Lon.), **BVC (Lon.), MBA (Norway)**

vessel's state, performance, and obligation to comply with the defendant's instructions, subject to there being "no adverse currents"

- Clause 15 provided that time lost and the cost of extra fuel was to be deducted from the hire.
- On 21 September 2019, the vessel was delivered to the charter party at Rotterdam and thereafter proceeded to Riga and completed loading there on 3 October 2019.
- The Charterers instructed to steam at eco-speed.
- On 5th October, the vessel bunkered at Skaw in Shetland Island,
- The Vessel proceeded from October and reached New Orleans on 27 October. Discharge was completed on 1 November.
- The vessel was inspected in New Orleans and was found to have "considerable marine growth (barnacles) on her visible hull area ..." and thereafter redelivered to the Owners on 3 November 2019.

#### **DISPUTE**

Weather routing company, AWT, of the Disponent Owners reported that there had been a loss of time of 1.15 hours and no overconsumption of heavy fuel oil and marine gas oil.

Charterers' weather routing company, StormGeo showed a loss of time of 22.73 hours

- and a statement that a claim was made by them that they would be making a claim under clause 15.
- The Claimants claimed that it was entitled to recover outstanding hire, bunkers. and expenses totaling some USD99,982.79 and disputed any deduction from hire under Clause 15.

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Sagar Sandesh Friday, November 18, 2022

## **Speed and Performance Claim and Wrongful Arrest**

- The Charterers sent The Claimants arrested describing letter their position before arbitration was commenced 17 2020 January and included:
- they Asserted that 51.4 hours had been lost because of the master's failure to proceed with utmost despatch accordance with the defendant's instructions; and
- a further 32.2 hours had been lost by reason of hull fouling; and
- o they further counterclaim USD72, 629.01 damages in tort of the on grounds Claimant's allegedly wrongful arrest of their time chartered vessel;
- overall, they asserted USD59, 129.25 was due to them

- a vessel, thinking that the Defendants were the beneficial owners of the arrested vessel, but it turned out that the Defendants were just time charterer to secure their claim.
- arbitration counterclaim for slow steaming succeeded to the extent of a loss of time of 16 hours that fell to be deducted from hire but could not succeed on wrongful arrest claim

#### HELD

- Conventional means of establishing that a vessel had not achieved warranted speed and performance was the 'good weather method".
- There was no good weather period on this voyage and the Claimant was entitled to benefit of the doubt.
- The good weather method had been tried and tested, and was the established starting point to decide the cases and the "RPM" method alone cannot be deciding method as suggested by Charterers as do not take into account weather conditions as agreed in the charter party. RPM method alone is not a good method as compared to the conventional method the 'RPM because method' incorrectly assumed that resistance on the hull would be the same whether the engine was being run at lower or higher RPM. For non-engineers, a small explanation is that to run a vessel at a particular • warranted speed as provided in the charter
- party, the vessel has to maintain a particular RPM and if the records highlighted have suggested lower RPM, then an argument arise that vessel never intended to perform on the warranted speed pursuant to the charter • party.
- It was not appropriate as a matter of law and . practice for positive currents to be taken into account in favor of the Defendant in assessing performance, unless charter party wording demand that.
- However, adverse currents could provide a defense to the Owners against delay as distinct from positive currents.
- Having reviewed the conflicting expert evidence, the judge

found that there had been underperformance against the performance warranty giving rise to a loss of time of 16 hours. Logbook evidence regarding weather was taken into account to analyze the issues.

FROM PAGE -2

- Evidence of hull fouling impacting speed was not found reliable.
- Claim for wrongful arrest was dismissed Defendant failed establish that proceedings to arrest the vessel were commenced in bad faith involving implied malice with gross negligence (crassa negligentia). In this case, there was a lack of clarity in the public domain about the beneficial interest of the vessel and it protected the Owners.



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#### **MARINE NEWS**



## Malabar Exercises conclude off the Japanese Coast on Nov 15th



Malabar Exercises

NFW DFI HI Sagar Sandesh News Bureau

edition 26th of the Multinational Maritime Exercise **MALABAR** 

culminated in the seas off Japan further prominence with joining of on November 15th. This edition also marked the 30th anniversary of the exercise and was hosted by the Japanese Maritime Self **Defense Force.** 

The Indian Navy represented by Eastern Fleet ships Shivalik and Kamorta led by Rear Admiral Sanjay Bhalla, Officer Flag **Commanding** Eastern Fleet. Malabar series of exercises began in 1992 as a bilateral exercise between the navies of India and US and gained the Navies of Australia and Japan.

The sea phase of MALABAR 22 was conducted over a period of five days near Yokosuka and witnessed live weapon firings, surface, anti-air and anti-submarine warfare drills and tactical procedures. Another highlight of the sea phase was the conduct of War at Sea exercise which enabled all four navies to consolidate interoperability and hone their tactical skills.

high-tempo saw the participation of eleven surface ships including a nuclear powered aircraft carrier with its integral air elements, along with four long-range maritime patrol aircraft, integral helicopters and two submarines. The exercise also involved exchange of 'Sea Riders' between various participating ships.

Apart from operational drills and exercises, the bilateral logistics support agreements between the participating countries were validated during this edition of exercise Malabar.

The exercise helped enhance understanding of each other's operational methodologies and ability to co-operate to tackle myriad Maritime challenges.

#### **MINISTRY NEWS**

NEW DELHI Sagar Sandesh News Service

Minister Commerce Industry, Consumer Affairs, Food and Public Distribution and Textiles, Shri PiyushGoyal today 'Scale' and 'Speed' will make a difference to India's growth story. Quoting PM Shri Narendra Modi, Minister highlighted

the scale at which India offers opportunity and the speed with which India is adopting technology and integrating with a global economy.

He was addressing Consumer Electronics and Appliances Manufacturers Association (CEAMA) 43rd Annual Function ACE Dialogues 2022 in New Delhi today.

> Minister The

## Scale' and 'Speed' will make a difference to **India's growth story: Minister Goyal**



Minister Goyal

**₩ Sagar Sandes** 

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SAGAR SANDESH - Maritime Tabloid English Weekly Thrice E-Paper

Published by Dr R Lakshmipathy (Owner) on behalf of

Professional Publications (P) Ltd, "Sriram", 27, Sathyasai Nagar, Madurai - 625 003. Published at "Lakshmi", 21, Sathyasai Nagar, Madurai - 625 003, Tamilnadu.

RNI No. TNENG/2012/41759.

congratulated the Award winners and appreciated the Industry for their passion and commitment to contribute to India's growth story, and taking it towards the path of self-reliant and selfconfident Economy. He particularly lauded LED manufacturers their contribution in India's LED success. He said that the entire nation adopted LED, and highlighted that India was able to roll out LED bulbs to the length and breadth of the country in just four years.

Addressing gathering he said India with 1.4 billion people today provides the largest market opportunity available anywhere in the world. This is the calling card,

Shri Goyal said, because of which world wants to engage with India today. They recognise that India offers a huge opportunity in terms of market.

Shri Goyal highlighted that developed countries of the world are now keen to do free trade agreements or comprehensive economic partnerships with India.

Shri Goyal said India taking over the presidency of the G 20 is a matter of pride for us. Shri Goyal said India is a 'SMART' country. Elaborating on it, he said 'S' stands sustainability. **Sustainability** should be the hallmark of the consumer **electronics** industry.

'M' stands for India's

manufacturing capabilities, can we manufacture high quality products, we become recognized globally, can we adopt and Implement world quality standards, he added.

'A' stands for Atmanirbhar Bharat. We must encourage the ecosystem component in India to become an atmanirbhar consumer electronics manufacturing

'R' stands for Rating. He asked the industry to consider having quality ratings with the Made in India label on selfregulation principles. He asked to encourage people to adopt modern standards and buy high quality goods.

'T'stands for technology. It will determine the success of our industry. We must look at new emerging trends and pick up the contemporary trends at early stages.

Shri Goyal concluded by saying that the industry will truly become the flag bearers of new prosperous India, which will provide job opportunities to every single child born in India, and produce world class products in India.

Sagar Sandesh Friday, November 18, 2022

#### **MARINE NEWS**



Failure is a lesson learned; success is a lesson applied."

## **Country wide Coastal Defense Exercises Commence**



'Pan-India' Coastal Defense Exercise 'Sea Vigil-22'

NFW DFI HI Sagar Sandesh News Bureau

he third edition of the ↓ 'Pan-India' Coastal Defense Exercise 'Sea Vigil-22' is being conducted on from November15 and would last for two days. This National Level Coastal Defense Exercise conceptualized in 2018 to validate various measures that have been instituted towards enhancing Maritime Security since Pakistan '26/11 when sponsored terrorists attacked Mumbai killing hundreds of civilians.

Coastal Security being a major sub-set of Coastal Defense construct, the concept of 'Sea Vigil' is to activate the Coastal Security apparatus

across India and assess the overarching Coastal Defense mechanism. The exercise will be undertaken along the entire 7516 km coastline and Exclusive Economic Zone of India and will involve all the Coastal States and Union territories along with other maritime stakeholders, including the fishing and coastal communities. The exercise is being conducted by the Indian Navy in coordination with the Coast Guard and other ministries entrusted with the task of maritime activities.

The scale and conceptual expanse of the exercise is unprecedented in terms of the geographical extent, the number of stakeholders involved, the number of units participating and in terms of the objectives to be met. The exercise is a build up towards the major Theatre Level Readiness Operational Exercise (TROPEX), which the Indian Navy conducts every two years.

Sea Vigil and TROPEX together will cover the entire spectrum Maritime Security challenges. While smaller scale exercises are conducted in Coastal States regularly, including exercises combined amongst adjoining states, the conduct of exercise Sea Vigil at the national level is aimed to serve a larger purpose. It provides opportunity, at the apex level, to assess preparedness in the domain of Maritime Security and Coastal Defense.

**Exercise Sea Vigil-22 will** provide realistic assessment of our strengths and weaknesses thus will help in further strengthening Maritime and National Security.

## Novel lashing-free container carrier design approved

**NEW DELHI** Sagar Sandesh News Service

he Liberian Registry, the world's second largest ship registry, has informed that it collaborated closely with HHI and ABS from the regulatory compliance perspective for HHI's innovative container ship design.

**Hyundai Heavy Industries** recently (HHI) nounced that it has obtained Design Approval for the 'Lashing Free Container Ship' from the American Bureau of Shipping (ABS) and the Liberian **International** Ship & **Corporate** Registry (LISCR).

This design eliminates

hatch covers and lashing bridges that are essential to very large container ships, and develops a new product called a portable bench to expand the cell guide, which could only be installed inside the cargo hold, to the outside. It has the advantage of eliminating the fastening work, which is the main concern of shipping industries, and blocking the risk of cargo loss at the source, highlighted a release.

Breaking the stereotype that hatch covers and lashing bridges are essential for large container ships, HHI developed the world's first portable bench that replaces existing functions and eliminates fastening works.



HHI's lashing-free carrier design approved by Liberian Registry

Currently, it has completed domestic and international patent applications for core technology, trademark and design under the name of 'SkyBenchV2'.

The portable bench, designed to be loaded and unloaded like a general container with a Shore to Ship Crane, is designed to replace the hatch cover function and maximise its utility for land and sea transportation and warehousing. It can standardised to be applicable regardless of the size of the vessel and the location of the cargo hold, thereby reducing production and transportation costs.

Mr Thomas Klenum, Executive Vice President, Innovation & Regulatory Affairs, Liberian Registry, commented: lashing-free container ship design not only enhances the safety and environmental protection, but also offers improved operational efficiency for container loading/ unloading operations. With this successful project, HHI demonstrates that new technologies and innovative design solutions provides enhanced safety competitive advantages."

Until recently, incomplete lashing systems had been cited as the main cause of container collapse and loss accidents that caused huge economic losses to shipping companies during container ship operations.

This design maximises convenience unloading and logistics operations by eliminating lashing operations fasten containers loaded on the top of the deck. By preventing accidents in rough seas at the source, it is possible to prevent the loss of the upper deck container, and it is expected to contribute to the safety of sailors by dangerous eliminating fastening work. At the same time, it reduces maintenance costs fastening devices, which consumables, are release added.

## **Coast guard apprehend fishermen smuggling** tendu leaves worth Rs 2 crores

TUTICORIN Sagar Sandesh News Service

ndian coast guard ship Vajra apprehended 2 Indian fishing boats and 2 sri Lankan boats engaged in smuggling of tendu leaves near international maritime while patrolling in gulf of Mannar on November 14th.

The 2 sri Lankan fishing boats were apprehended after a hot pursuit as they were fleeing at high speed to cross the international

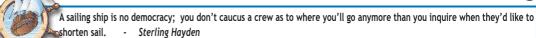
boundary line (IMBL), maritime boundary line (IMBL).

104 bags of tendu leaves (approx. 2.8 tons) worth rs 2 crores recovered from boats. All 4 boats have been brought to tuticorin harbour and handed over to local authorities for legal action.



ICG apprehend fishermen smuggling tendu leaves

#### SHIPPING (REGIONAL/INTERNATIONAL)



## **Spot Container Shipping Freight Rates Nose Dive Again**



Carriers have been blanking sailings in an effort to stem the rate of spot decline, which appeared to have been having some success until last week.

Sagar Sandesh News Service

The rate of decline of L average spot rates had slowed in recent weeks giving some hope to container lines that they had stemmed the downwards tide, however, the latest indices from the Shanghai Containerized Freight Index (SCFI) and Drewry showed an acceleration again over the last seven

The SCFI, published on Friday 11 Nov, was down 8.6% on the previous week 1,443.29 points. Back in January hit record highs breaching the 5,000 points

The picture was similar for Drewry's composite **World Container Index** (WCI) which decreased by 9% to \$2,773.49 per feu. The index is 70% lower than the same time a year ago and 73% below the peak last September of \$10,377.

The WCI now sits at 26% below the five-year average \$3,759 per feu, which Drewry said indicates a return to normal pricing. It does though remain 115% higher than pre-pandemic levels of \$1,420 in 2019.

The Asia – Europe led the fall in spot rates with Shanghai - Rotterdam and Shanghai - Genoa both down 15% last week \$3,126 and \$3,494 per feu respectively. The decrease was less marked on the transpacific where Shanghai – Los Angeles where rates fell 4 % to \$2,262 per feu. Looking ahead the analyst is expecting more of the same and said: "Drewry expects smaller week-on-week reductions in rates in the next few weeks."

While shipping lines continue to report stellar Q3 profits on the back of long-term contract rates the continued plunge in spot rates is forcing renegotiations of existing contracts, and placing lines firmly on the back foot in negotiating next year's contracts.

Carriers have been blanking sailings in an effort to stem the rate of spot decline, which appeared to have been having some success until last week.

## Key shipping routes at risk from climate change disruption, report finds

**NEW DELHI** Sagar Sandesh News Service

everal of the world's shipping lanes, including the Suez and Panama Canals, are at risk of disruption from climate changerelated perils, a new report from global broker Marsh and climate risk analysis firm Cross Dependency Initiative (XDI) finds.

An increase in coastal inundation where the sea level rises high enough to flood infrastructure – and extreme heat are among the effects of climate change likely to have a significant impact on waterways that are vital for global trade, the report says.

Taking the Suez Canal as a case study, the report modelled risks at four ports and along the canal waterway in 2020, 2050 and 2100, based on a global average



The effects of climate change likely to have a significant impact on waterways that are vital for global trade, the report says.

temperature increase of 3.7°C above pre-industrial levels.

According to the model, the **Suez Canal Container Port in the** north has the highest exposure to physical climate-related risks and may see these double between 2020 and 2100, driven largely by coastal inundation. The three other ports will also be affected to varying degrees, with risks to infrastructure and port operations, including the loading of cargo.

The report also modelled extreme wind and heat events, finding that extreme wind events would increase marginally over the century. Extreme heat events reaching 45°C are likely to double by 2050 and increase seven-fold by 2100. Consequences of high temperatures include changes to sea salinity and density, which in turn influences engine cooling on ships, while dryer soil can make sandstorms more likely, with the potential to affect visibility.

"The Ever Given event has demonstrated how weather events can threaten critical trade routes, disrupting canal operations and global supply chains," the report says.

Egypt's coastal shoreline and the Nile Delta are particularly at

Viability-gap funding for shipbuilding projects soon: Sonowal

risk from rising sea levels, while the country is also likely to see an increase in desertification and drought, as well as in the intensity and frequency of sandstorms and dust storms."We are in the situation now where further escalation of extreme weather from climate change is locked in, so understanding the risks that poses to existing and future infrastructure is critical to economic and social stability," adds Rohan Hamden, CEO of XDI.

Significant changes in the Suez Canal's infrastructure could be required to enable its resilience as the effects of climate change worsen, the report says.

The report suggests several physical measures to mitigate the risks, including raising or hardening the banks or widening

#### **MARINE NEWS**

Sagar Sandesh News Service

The government plans funding (VGF) to gap capital cut costs for shipbuilding projects, Union minister for ports, shipping and waterways SarbanandaSonowal said.

In an interview, Sonowal said the government also plans to boost the inland waterways network,

develop mega seaports, and a trans-shipment hub in Greater Nicobar. The government's plans to develop three mega ports, he said. Edited excerpts:

How will you support ship manufacturing? Is a VGF scheme being looked

We are planning (a VGF scheme). To inspire our investors in this sector, we will have to go for these kinds of policy incentives. It will be done in a PPP mode because even in Sagarmala also, we are inviting private players. So far, in Sagarmala, more than ₹24,000 crore have come from private entrepreneurs. So our policy is not only to develop the port but also how we can develop shipbuilding in the country.

What are the other shipbuilding projects?

We have started the

Hooghly unit of Cochin have taken tech support **Shipyard.** It is dedicated to inland cargo vessels, and every year 8-10 vessels will be manufactured. We



Minister Sonowal

from DST in Germany for low-draft vessels. It has an investment of ₹180 crore. We are also going to develop a shiprepairing facility in Pandu, Guwahati. In addition, we have done MoU with IHC Netherlands that will allow Cochin Shipyard to manufacture large 12,000 cu. m dredgers. It will be the first time such a large dredger has been made in India.

## **CONTAINER TERMINAL NEWS**



## **Main Contract on Chabahar Port Expected To Be Signed Soon**



Shahid Beheshti Chabahar port

terminal

Sagar Sandesh News Service

India and Iran are expected to sign the main contract on the long-term use of the all-important Chabahar port within the next few months.

According SarbanandaSonowal, Union Minister for Ports, Shipping and Waterways, Iranian officials are expected to visit the country 'within the next one month" to work out the modalities.

Two months post the visit, the

#### main contract is expected to be signed.

Meanwhile, India continues to equip and operate the container and multi-purpose terminals at Chabahar Port as per the existing arrangements, Sonowal added.

India took up the development of the Shahid Beheshti terminal under a tripartite agreement on Chahbahar signed with Iran and Afghanistan in May 2016.

Afghanistan is effectively no longer part of the arrangements since the takeover of the country by the Taliban last year. India pledged it would invest \$85 million in the terminal and has so far supplied cranes and other equipment worth a few million.

#### **International Arbitration Clause**

Those in the know say, the issue holding up the signing of the main contract agreement was the International Arbitration Clause. which Iran wanted India to remove from the agreement.

"Indian and Iranian sides have deliberated on the issue and both have agreed to retain International Arbitration provisions," Minister said.

## **Chittagong Port Now Capable of Releasing Ship in 48 Hours**

**NEW DELHI** Sagar Sandesh News Service

Port hittagong Authority has recently increased its container handling capacity reduced container handling time and the time for loading and unloading of containers.

'We are now completing the unloading and the loading of import and export containers

bigger-size vessels within 48 hours. Earlier it took 72 hours,' CPA chairman Rear Admiral M Shahjahan said.

Recently, he informed, CPA has procured two new tugboats to facilitate ships' larger smooth movement in the port channel and enhance the port's cargo handling capacity.

'The two vessels have enhanced the port's capacity of loading and unloading



**Chittagong Port** 

from comparatively large ships. They have also facilitated berthing and departure from the port by larger container vessels,' he added.

Shahjahan M that the port experienced over 13 per cent year-onyear growth in container handling in the past year, which means that the country's foreign trade returned to its original track after the pandemic.

The success of the port achievement is possible increasing foreign trade in recent years and government steps infrastructural development

with logistics supply, he added.

He said that the addition of the new equipment had given an impetus to the yard management system at the port alongside boosting container handling capacity.

#### He hoped that the position of Chattogram Port on Lloyd's List would advance further.

Chattogram port has been gradually advancing its position on Lloyd's List as one of the world's busiest ports since 2014.

**NEW DELHI** Sagar Sandesh News Service

yprus-headquartered digital eLearning provider OneLearn Global (OLG) has rolled out an all-in-one digital evaluation solution enabling organisations to gather information and evaluate the competencies of seafarers in a single location.

The Seafarer Evaluation App (SEA) comprises two tools: CompetenSEA, designed to evaluate the knowledge and competencies of seafarers and define their suitability for a particular position; and FluenSEA, and to ensure that seafarers

## SEAFARER NEWS Seafarer evaluation app launches

seafarers in maritime English.

According to OLG, companies can use the app to generate reports that summarise candidates' competencies, measure seafarers against industry standards, produce certificates for each seafarer, customise the assessments, and gain a more comprehensive view of the knowledge base of their workforce.

"OneLearnGlobal's Seafarer Evaluation App (SEA) gives forward-thinking managers powerful tool to measure the competency of their workforce,

used to evaluate the knowledge of have the knowledge and training to do their job. Skilled and knowledgeable seafarers are the future of the maritime industry," said Abhinava Narayana, chief executive of OLG.

> CompetenSEA can also be used for pre-hiring decisions to shortlist candidates for a position as well as for continuous training and development by regularly measuring the competency levels of an individual.

> Each assessment draws on a pool of 6,000 questions covering various Standards of Training, Certification and Watchkeeping (STCW) knowledge areas to



Pic: OneLearn Global •••••

create a unique test relevant to a candidate's type of vessel, department, and rank. While the system comes pre-packaged with questions, companies can also add in any custom question banks and administer any assessments they wish, the company said.



'News is what somebody somewhere wants to suppress; all the rest is Lord Northcliffe

## Nine Russian banks open special vostro accounts for trade in rupee



**NEW DELH** Sagar Sandesh News Service

s many as nine special vostro accounts have been opened with two Indian banks after permission from the Reserve Bank of India to facilitate overseas trade in rupee, a top government been opened. One in Uco

official said on Tuesday 15 Bank, one in Sber, one in securities to help popularise Nov.

Sberbank and VTB Bank — the largest and second-largest banks of Russia, respectively — are the first foreign lenders to receive the approval after the RBI announced the guidelines on overseas trade in the rupee in July.

Another Russian bank Gazprom – which does not have its bank in India – has also opened this account with Kolkata-based Uco

"Nine accounts have

VTB and 6 with IndusInd Bank. These six are different Russian banks,"Commerce **Secretary Sunil Barthwal** told reporters in New Delhi.

The move to open the special vostro account clears the deck settlement of payments in rupee for trade between India and Russia, enabling cross-border trade in the Indian currency, which the RBI is keen to promote.

The RBI has allowed the special vostro accounts to invest the surplus balance Indian government the new arrangement.

Bank UCO already has a vostro accountbased facility in Iran. Gazprombank, or GPB, is a privately-owned Russian lender and the third-largest bank in the country by assets.

Last month, **RBI** and finance ministry asked the top management of banks and representatives of trade bodies to push export and import transactions in the rupee. They want banks in India to connect with

their foreign counterparts for opening special rupee vostro accounts to facilitate cross-border trade in the Indian currency rather than the popular mode of the US dollar.

On when the rupee trade will begin with Russia, the secretary said there is a process involved in it and hopefully it would materialise soon.

said"We Barthwal want to promote rupee trade because that is in the nation's interest. We would also not be looking unnecessarily for dollars. To the extent, rupee trade is possible, we will go for it."

## **Customs pavilion inaugurated at the India International fair**

**NEW DELHI** Sagar Sandesh News Bureau

he Central Board of Indirect Taxes and Customs (CBIC)which handles customs issues in Ports and airports has set up "GST and Customs Pavilion" at 41st India International Trade Fair with the theme of "60 Years of Customs Act. 1962".

pavilion The Inaugurated by Mr.Vivek Johri, Chairman, CBIC, in presence of Mr. Alok Shukla, Member (IT & TS), Ms. Rama Mathew, Member (GST), CBIC, officers, senior taxpayers and the public

in general. MrJohri also unveiled a logo on the occasion of completion of 60 years of Customs Act.

Speaking on MrVivekJohri occasion, highlighted the various measures taken by the Customs Department for making customs processes hassle free and automated by introducing the state the art technology. MrJohriemphasised that Customs Department has a dual role to play as facilitator in compliance matters and also as sentinel of economic frontiers of the nation which is well reflected in the tagline "Sevarth Raksharth" of



The pavilion was inaugurated by MrVivekJohri, Chairman,

the logo. Shri Johri also mentioned about the, first of its kind, special counter set up at GST & Customs Pavilion on the career opportunities in CBIC.

The Chairman also spoke to the officers deployed at the help desk and stressed that the resolution of tax payers issues should be the topmost priority.

On this occasion, 4 tutorial videos on GST & Customs processes were also released for taxpayers' GST awareness. Customs Pavilion, running in Hall No. 5 of the ITPO Complex, PragatiMaidan, has six Helpdesks manned by experts from GST, Customs, GST Network, and ICEGATE to helpguide the taxpayers and public regarding Rules/ Processes and to address their issues on the spot. Besides showcasing the achievements and special initiatives of GST and Customs department in the

field of tax administration, and taxpayers' facilitation and process automation on various digital screens, there is a special counter for sale of souvenirs/ merchandise of Dharohar (National Museum Customs & GST, Goa).

There will be several theme-based seminars for the representatives of Trade and Industry dealing in International Trade.

Special Counter set up for guiding the youth about the career opportunities in A Customs & GST Department. CBIC publications and brochures various topics are also available for free circulation and download.

## SYMCON executed their first export order of 20'feet Dry Cargo Containers to Singapore

**NEW DELHI** Sagar Sandesh News Service

t's time for India to supply the Containers to the World" said Prime Minister Shri Narendra Modi recently and SYMCON has taken it upon themselves to make our Honorable Prime Minister's vision a reality!

SYMCON bagged an order from a Singapore based Shipping Line for supply of Standard 20' Feet Dry Cargo Containers and has successfully supplied the 1st batch.

It is indeed a remarkable achievement.

Generally customized containers that are not readily available in China are ordered from India and elsewhere but the regular standard containers, typically used by Shipping Lines and NVOCCs are ordered from China as they are available 'off the shelf' and at very cheap prices as compared to India.

**SYMCON** is very grateful to its client's to be considered for standard

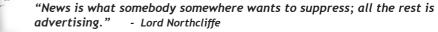
20' Feet Dry Cargo Containers competing with China in quality and of course pricing.

It is also learnt that the Indian Government is working on a production-linked incentive (PLI) scheme for manufacturing shipping-grade containers and the scheme will be announced in the budget for FY 24. If this scheme is successfully implemented then we can compete much better with China, said a company release.



20'feet dry cargo containers

## PORTS (REGIONAL/INTERNATIONAL)





### Kollam Port yet to take off due to immigration issues



**Kollam Port** 

Tiruvananthapuram Sagar Sandesh News Service

The full-fledged Kollam Port in Southern Kerala is hardly used by the EXIM trade despite its potential and robust port infrastructure. The port has not been able to conduct business due to lack of immigration check post to be put up by the Union Home ministry.

Indications are the immigration facility will come up in next six months and facilitate the functioning of the port.

The Port has a

alongside berth of 180 meters length good enough to accommodate big commercial vessels. The port has a strong infrastructure, which includes container-handling crane, a 5-ton Hydra-825 mobile crane, a forklift, a weighing machine, a vessel traffic monitoring system, and a warehouse. The port will be able to support the incoming cargo and passenger ships efficiently, Kerala Maritime Board sources were quoted by a local newspaper.

Kollam district adjoining Tamil Nadu has a thriving industrial culture. Cashews, tiles, coir, and fisheries are a few industries in the district.

However, despite its substantial commercial potential, the setting up of the immigration checkpoint (ICP) has not taken place. The port has to be notified under the Foreigner's Act

only after establishing an ICP. Only then the port will be permitted to function as an immigration checkpoint and allow ships to enter the port.

Bureau of Immigration during their last three inspections pointed out that the Kollam port currently lacks some amenities and security measures required by the International Ship and Port Facility Security (ISPS) Code, a regulatory framework for ensuring maritime security.

## Pipavav Port plans to develop Rs 800 crore jetty

NEW DELHI Sagar Sandesh News Service

JakobFriis Sorensen,
Managing Director
of Gujarat Pipavav Port
Limited (GPPL) said that
the board of GPPL has
approved development of
the VLCS jetty to handle
more cargo at the Pipavav
port. The decision has
been taken in view of
increasing demand for

Liquified Petroleum Gas (LPG) in coming days in India, said Sorensen.

The company has taken the decision for the new liquid cargo jetty at a time when the 30-year-lease of the Pipavav port is due to expire in September 2028.

GPPL has also applied for the extension of lease before Gujarat



VLCS jetty approved a Pipavav Port

Maritime Board (GMB) and is awaiting further communication from

GMB. As per norms GMB can extend the lease by another 20 years," the GPPL MD said. Following the outbreak of the Russia-Ukraine war, exports of wheat, rice and guar gum have also commenced from Pipavav port. Additionally the port is also handling coal and minerals. Exports of Maruti Suzuki cars have also resumed from the port. Tata Motors has also started exporting cars in small quantities from the port.

The port's current annual cargo handling capacity includes 1.35 million TEU containers, 4 million metric tons of dry bulk, 2 million metric tons of liquid bulk and 250,000 passenger cars. GPPL has become the first port in India to be connected to Dedicated Freight Corridor (DFC). It has also set up a joint venture company Pipavav Railway Corporation Limited (PRCL) with the Ministry of Railways a year ago.

# Adani forms JV with Gadot Chemical Terminals in Israel to buy Haifa Port



Haifa Port

NEW DELHI Sagar Sandesh News Service

Adani Ports and Special Economic Zone (APSEZ) on Monday 14 Nov announced the setting up of a joint venture company with Gadot Chemical Terminals Ltd in Israel.

"The company has incorporated a joint venture company with Gadot Chemical Terminals (1985)Ltd in Israel namely 'Mediterranean International Ports A.D.G.D Ltd' on November 13, 2022," APSEZ said in a BSE filing.

It said Mediterranean has been incorporated as a joint venture company with Gadot Chemical Terminals (1985) Ltd for the acquisition of Haifa Port Company which currently operates Haifa Port in Israel.

Adani Ports and Special Economic Zones, the flagship transportation arm of the diversified Adani group, is India's largest private ports and Logistics Company.

## JN Port's throughput continues surge



JNPA performance Oct 2022

NEW DELHI Sagar Sandesh News Service

Maintaining its increase in container throughput as well as overall cargo handling, Jawaharlal Nehru Port Authority (JNPA), India's best-performing port,

registered a rise of 8.72% in container handling from April to October 2022.

Besides, the increase was 10.29% in total cargo handling to the corresponding period in FY'22, as per a communique.

### PORTS (REGIONAL/INTERNATIONAL)



The agreement was signed in the presence of Shri Sanjay Sethi, IAS, Chairman, JNPA, Shri UnmeshSharadWagh, IRS, Dy. Chairman, JNPA, Shri Dhruv Krishna Kotak, MD, J M Baxi Group and all the HODs of JNPA.

**NEW DELHI** Sagar Sandesh News Service

Tawaharlal Nehru Port J Authority (JNPA), India's best performing Port, signed a concession agreement with JM Baxi

Ports and Logistics Ltd. on 15th November 2022, to Upgrade, Equip and O&M of Shallow Water Berth (SWB) and Coastal Berth (CB) Terminals through PPP mode. JNPA is India's 100% first Landlord Major Port. The SWB and CB terminals will be upgraded and managed by an SPV named "Nhava Distribution Terminal Private Limited" formed by J M Baxi group.

Speaking at the occasion Shri Sanjay Sethi, IAS, **JNPA** Chairman. "SWB and CB will now be a PPP terminal, the successful bidder being J M Baxi group. The concessionaire has Upgrade, equip, Operate, maintain and transfer this terminal at the end of the Concession period of 30 years. The terminal will be developed in one single phase of 3 years. JNPA will continue to develop provide supporting infrastructure facilities.

Many of the major global ports are today landlord facilities, whose kev responsibilities include marketing. JNPA will now be taking up marketing in a more streamlined manner. with the Authority doing common port business development."

The 4 million metric tonnes per annum (MMTA) capacity shallow water berth (SWB) has a length of 445 meters of which 125 m has been developed as Ro-Ro Terminal. The SWB can accommodate vessels up to 30,000 DT making it the most preferred facility for Coastal as well as foreign cargo... The USP of this multi-purpose clean cargo terminal is the ability to connect coastal containers Ro-Ro through ships, revolutionizing the waterbased logistics eco-system of NhavaSheva making it the most connected hub in the country. This opens up massive last-mile solutions and broadens access to the hinterland. At a time when the GoI is focusing on increasing the modal share of coastal cargo, and industries looking at greener options, this new infrastructure can play a crucial role.

JNPA has developed the coastal berth with a vision to provide a dedicated berth for coastal cargo in order to boost coastal shipping. The project was partly funded under the 'Sagarmala' program of the Ministry of Ports, Shipping, and Waterways to provide a boost to coastal cargo movement.

## **Cargo Ship Service Yet to Get Customs Approval at Vizhinjam Port**

NFW DFI HI Sagar Sandesh News Service

The inordinate delay in getting clearance from the Customs has come as major let-down for Kerala Maritime Board's efforts to resume cargo ship service from the existing Vizhinjam port to Mali to promote international shipping. The board has taken all measures to start the ship service and has also managed to get a ship from a private player. Only the clearance from the Customs is needed now to start the service.

The board gave a request to the customs in this regard in September last year, but the agency is yet to reply despite several reminders

The search for a new private player ended up in Anand Freight Overseas Service Limited and the



Only the clearance from the Customs is needed now to start the service.

board entered into a pact with the firm for availing the ship service. "We have requested the customs to grant consent for conducting the service, but no reply has been given so far. It should not be delayed as it is highly beneficial for the exporters and a good source of revenue for the government," said TP Salim Kumar IRS, chief executive officer of Kerala Maritime Board.

However, the officers of the board have learned unofficially that their request has been kept on hold by the customs citing that the port lacks International Ship and Port Facility Security Code

"ISPS code is not mandatory for giving consent for the shipping service as no rule stipulates it. It should be noted that permission was granted to conduct the service from 2007 to 2017 and a Customs officer was appointed on duty during the period," pointed out a board official.

The board officials said they have also taken measures to get ISPS code for the port.

#### **LOGISTICS NEWS**

## **Additional Discount on Rail Freight of Empty Containers Repositioning Based** on Incremental Imports

**NEW DELHI** Sagar Sandesh News Service

ith a view to support EXIM trade at various hinterland terminals, CONCOR is pleased to offer an Additional Discount scheme on empty containers moved from various Gateway Ports/Portside CFSs to hinterland terminals for export purpose based on the incremental import volumes offered by the shipping lines.

#### The highlights of the scheme are as given below:

The average import loaded volume of any shipping booked line from various gateway Ports to hinterland terminals on monthly basis from November 2020 to March 2021 and November 2021 to March 2022 will be considered for ascertaining the incremental March 2023.

import volume for the respective months from November 2022 to March 2023.

- For incremental the volume of import so offered by any shipping line in any month, they will be offered an additional discount by way of refund of average empty rail freight collected towards repositioning of empty containers from various Gateway Ports/Portside CFSs to hinterland terminals/CRTs/Pvt sidings during the same month.
- The refund of empty rail freight will be done on weighted average basis for freight collected towards empty containers repositioned from various Gateway Ports/Portside CFSs to hinterland locations during the month.
- The scheme is offered for a period from November 2022 to

## TRADE BODY NEWS



"Worrying will never change the outcome"

## Justice for seafarers in Newcastle: Stolen wages and human rights abuses aboard 'Costanza' uncovered by ITF inspectors



Seafarers

**NEW DELHI** Sagar Sandesh News Service

arlier this week, ITF inspectors performing random inspections at the Port of Newcastle discovered a shocking case of wage theft and human rights abuse aboard the bulk cargo ship Costanza, with Seafarer Connect, a project by the crew members denied their legal right to shore-leave and robbed of US\$66,500 (AU\$100,000) in wages owed to them over three months says a release on Nov 14.

#### AMSA detained the ship

As a consequence of the ITF inspectorate's findings, the Safety Australian Maritime Authority (AMSA) detained the ship in Newcastle and has enforced compliance with Australian and international laws.

The ITF also arranged for access to free, high-speed WiFi via

Tas Bull Seafarers Foundation to provide reliable, fast and free WiFi to visiting seafarers.

The issue of seafarers being denied shore-leave is under heavy scrutiny by the ITF and AMSA, with there being no legal basis for preventing crew from taking time off while at port to disembark and enjoy some respite away from the ship.

Speaking after the shore-leave fiasco was eventually resolved, the ITF Australian coordinator Ian Bray said "This disgraceful episode leaves significant, unanswered questions about the fundamental rights of seafarers being denied in the Port of Newcastle as well as the role of organisations like Mission to Seafarers in delivering or failing to deliver the means to access such leave entitlements."

Mr Bray also expressed disappointment with the role played by coal terminal operator, Newcastle Coal Infrastructure Group (NCIG); "We had an obstructionist and uncooperative terminal operator in NCIG hampering our progress...!"

The ITF Inspectorate in Australia is now calling on AMSA to investigate who at the Port of Newcastle, NCIG or the shipping line itself interfered at the last minute in the lawful right of seafarers to access shore-leave...

#### **IMO NEWS**

NEW DELHI Sagar Sandesh News Service

Kochi **7** isiting the Metro, Water the United Nations wing of International Maritime Organization were all praises for the initiative and believes it could pave the future in a blue economy.

The water metro launched by Kochi corporation has been making waves in building sustainable blue economy and envisioning a lower carbon future. On November 14, the International Maritime Organization (IMO), an apex body under the United Nations responsible for international

## **Kochi Water Metro Would Steer Greener Future** with Sustainable Mobility, Says IMO

shipping and enforcing International Maritime law, visited the Kochi Water Metro and were all praises about it.

Speaking about the visit, IMO department of partnership and projects chief Jose Mathieckal said that the purpose of their visit was to learn about the impressive achievement of Kerala in terms of the water metro, a pioneering initiative in sustainable urban water transport. He added that they want to show others across the world that it is possible have commercial viability, environmental



IMO and Kochi Water Metro

sustainability, and societal impact through services.

The official visit was conducted as a part of the Green Voyage 2050, a project partnered between the Norway Government and the IMO. The project was launched to transform

the shipping industry for lower carbon and a greener future. India happened to be among the few selected lead countries in the project and was chosen to conduct pilot projects related to Green Shipping.

Impressed by initiative, the officials expressed their wish to see the water metro service expand to the other states of the country as well. Such a move is expected to decarbonise the maritime sector and help India meet its Paris goals.

Bringing back traditional transportation system in a revamped

the **KMRL** introduced the Water Metro project

They have identified over 15 routes connecting ten islands along a span of 78 km. Along these lines, over 78 electrically propelled hybrid ferries are employed and are expected to benefit more than 1,00,000 islanders.

Managing director of KMRL, LoknathBehera, also suggested that the Metro is expected to run entirely on solar energy by the year 2024, making it even more sustainable. "The metro rail requires 20MW of energy, and we already generating are through 12MW solar plants", he added while talking about making the energy switch.

### **LOGISTICS NEWS**

Aviation Minister inaugurates direct flight from Hubli to Delhi

## **Hubli gets Direct Air Connectivity to National Capital**

inister of Civil Aviation, **IVI** Jyotiraditya M Scindia, inaugurated a direct flight from Hubli in Northern Karnataka bordering Goa to Delhi, on November 15th. The fight will operate all seven days a week..

Sagar Sandesh News Bureau

IndiGo's Flight will depart from

Delhi at 1000 hrs. and arrive in Hubli at 1245 hrs. The return Flight will depart from Hubli at 1315 hrs. and arrive in Delhi at 1545 hrs.

In his inaugural address, Minister of Civil Aviation, Jyotiraditya said that Hubli airport works as a gateway for the residents of Northern Karnataka and Southern Maharashtra.

The new terminal building in Hubli airport has been developed. The Instrument Landing System installed and the runway is being further extended. Hubli's FTO will be operationalized from next year. The Minister also appreciated **Hubli Airport's performance** with regard to the use of renewable energy.

Sagar Sandesh Friday , November 18, 2022

## LOGISTICS (ROAD/RAIL/AVIATION)



A Smooth Sea Never Made a Skilled Sailor. - John George Hermanson

### **CONCOR Starts Reefer Train from ICD Bali to JNPA**



There was an over 50% increase in fisheries exports from Goa in 2021-22 compared to the previous year

NEW DELHI Sagar Sandesh News Service

The first-ever Reefer export train from ICD

Balli, Goa terminal was received at JNPT. The transit time from final departure at Balli till placement at Port was less than 22 hours.

There was an over 50% increase in fisheries exports from Goa in 2021-22 compared to the previous year.

Goa has exported 36,057 tonne of fish bringing in Rs 730 crore during the financial year 2021-22. In 2020-21, the state exported

16,549 tonne of fish, which brought in a revenue of Rs 435.25 lakh.

Majority of the exports — 29,426 tonne — in 2021-22 were to South East Asia. The USA and China were also major buyers with 1,569 tonne shipped to the USA and 2,593 tonne to China.

Compared to this, exports to South East Asia stood at 9,055 tonne in 2020-21. However, besides South East Asia, Goa also

saw large orders from the European Union (EU) and the Middle East besides China that year.

Frozen fish accounts for the highest quantity of seafood exported to various nations yearly. In 2021-22, 28,104 tonne of frozen fish were exported compared to 7,909 tonne the previous financial year.

Other types of seafood exported are shrimps, frozen cuttlefish and frozen squid, among others.

While fish exports to the Middle East and the European Union dropped, exports to Japan, South East Asia and the USA increased steadily last year.

Fish export details are monitored the Marine **Products Export Development Authority** (MPEDA). Earlier Goa used to have its own MPEDA office in Panaji. Halarnkar said in the legislative assembly question (LAQ) that the export details are being monitored by MPEDA, Mangalore in Karnataka which functions under the department of commerce, government of India.

# Gwalior gets another air connectivity this time to Mumbai

NEW DELHI Sagar Sandesh News Bureau

Civil aviation minister Jyotir Aditya Scindia's home town Gwalior will have direct air connectivity to commercial capital Mumbai on a daily basis for the first time. Mr.Scindia inaugurated a direct flight route from Mumbai to Gwalior on November 15th.

# The operation of this new route will enhance connectivity and promote trade, commerce, and tourism between these cities.

In his inaugural address, Minister of Civil Aviation, Jyotiraditya M. Scindia said that the launch of air connectivity between the economic capital of India, Mumbai, and Gwalior, a storehouse of history and culture, is a big step towards the Government's vision of connecting every corner of the country through air services

Minister further emphasized the growing potential of Gwalior as a hub for industrialization, and that the new air route will provide a time-saving travel option to citizens and promote new opportunities for employment and entrepreneurship.

On this occasion, Union Agriculture Minister Shri Narendra



Civil aviation minister Jyotir Aditya Scindia

Singh Tomar said that efforts of Union Civil Aviation Minister JyotiradityaScindia have led to increase in civil aviation facilities in the region. Mr.Tomar who also belongs to Madhya Pradesh said that Gwalior airport is also being constructed in a new way which is an achievement for all of us. He said that start of these new flights between Gwalior and Mumbai will give an impetus to Gwalior's development and business relations between the two cities.

Aviation industry sources said ever since MrScindia took over the ministry 2 years ago, he has ensured that Gwalior is connected to various cities including Delhi, Indore, Pune and other cities in North India. Airports in Madhya Pradeshand Maharashtra including Indore, has been his focus ever he became the civil aviation minister.

#### **VESSEL SCHEDULES**

For the benefits of our Readers the Schedules will be available in the form of a comprehensive map with a hyperlink to the web portals of Respective Ports and their Terminals.

To know the details for any Port or Terminal, You are just required to log on to www.porttoport.in and click the tool vessel position / Ports and terminal.



## **EXIM TREND**



"News is what somebody somewhere wants to suppress; all the rest is

## FIEO mounts largest contingent of Indian Companies to tap the huge potential offered by India-Australia ECTA: Dr A Sakthivel, President, FIEO



Dr A Sakthivel, President, FIEO. ••••••

Sagar Sandesh News Service

TIEO supported by AEPC,  $\Gamma$  CLE and HEPC is currently participating in the International Sourcing Expo in Melbourne with

over 140 Indian companies. This is the biggest participation by Indian exhibitors in Australia, said Dr A Sakthivel, President, FIEO.

enthusiasm of Indian exhibitors and more importantly from the serious buyers from Australia is clearly an indication that the ECTA between the two countries will be extremely successful. We are also aiming to raise the participation to over 200 companies in the next edition of the show, added Dr Sakthivel.

The Australian economy, like ours, has not been affected much from the pandemic and consumerism is on the rise to add to the demand, observed FIEO Chief. Buyers are just waiting for ECTA to be ratified by the Australian Government so that tariff benefits may flow to them. Despite having tariff disadvantage with countries having FTA with Australia, our exports grew by over 100% in 2021-22. Once FTA benefits are notified, we can look for greater penetration of Indian goods into Australian markets.

Engineering, Electronics, Auto components, Pharma, Gems Jewellery, Apparel, Made ups, Leather, Handloom and Handicrafts are set to gain post ECTA. Education, IT & ITES, Tourism and Health are the services are likely to grow with joint venture opportunities as well, President, FIEO.

Indian manufacturing exports will also be benefited from duty free imports of coal, alumina, manganese ore, copper, bauxite and non-ferrous metals etc.

We are confident that our bilateral merchandise trade will reach US\$ 50 Bn in the next three years, much before the target set, while signing the

## 4 states are expected to take India to five trillion dollar economy says a study

NEW DELHI Sagar Sandesh News Bureau

aharashtra, **Tamil IV** Nadu, Uttar Pradesh and Karnataka will be the top contributors

Of India's Gross Domestic Product which will assist the country's march to becoming the five trillion US dollar economy, a report by a research team of the State bank of India said.

**Surprisingly Gujarat** where major infrastructure investments are taking place in the last eight years is not included as a contributing state according to the study

The research paper suggested a slew initiatives including more public spending on critical infrastructure and rolling out a suite of labor and legal reforms, especially in select Coastal Economic Zones (CEZs) to create a more liberal environment. business (Bulk of the investments on infrastructure of the central government went to landlocked BJP ruled states according to industry sources)

According to research by the country's biggest bank, share of manufacturing sector should increase to 22 per



cent from the current 15 per cent and the country will require "more globally competitive large firms to help accelerate growth" in the next six years

The outstanding bank credit needs to expand from the current level should expand to Rs276 lakh crore. Public sector banks, the backbone of India's banking sector. could

supply Rs88 lakh crore of and allied sector, 17 per credit and Rs115 lakh crore of deposits in the next three vears.

The document pointed out that India is currently where China was in 2007 and needs to grow at 9 per cent annually to reach 5 trillion US dollars in 2027-28 with factors such as ease of doing business, enhanced competitive and innovation index rankings, and the massive infrastructure push having the ability to change the business landscape.

SBI's research projected that in the 5 trillion US dollars economy, sector would services contribute 55 per cent of the GDP, and agriculture cent of the economy.

India should focus on rapid development of clean energy sources by increasing investment and reducing import duties as it has potential to generate 500 GW of power from non-fossil sources by 2030 from the present level of 160 GW.

It also pitched for creating a level playing field for companies, linking incentives such as credit, taxation, access to land, with actual outcomes, pushing mid-sized firms to grow and driving a more approach constructive towards dispute resolution.

## **US Slowdown Hits Noida Apparel Companies**

Sagar Sandesh News Service

The economic slowdown I in the US has hard hit apparel exporters from Noida, whose payments of Rs 3,000 crore have got stuck as buyers from the US have asked them to delay shipments. The exporters said the US buyers have asked them

to ship the consignments that were supposed to leave in September during December-January period.

Noida-based apparel exporters generally make fashionable apparels priced at \$8-10 per piece, unlike Tirupur exporters who make basic items in the range of \$4-5 per piece for overseas markets.

"Orders have slowed

down from the US and also from Europe. The US is the biggest market for us. The buyers were not keen to pick up the orders that were supposed to leave in the month of September. This has created a lot of financial problems for the apparel exporters based in Noida," said LalitThukral, president, Noida Apparel Export Cluster (NAEC).



US biggest market for Noida apparel exporters; US buyers not keen for orders