



GUJARAT MARITIME BOARD

Circular No. GMB/COVID-19/Force Majeure/2020/01

DATE: 25 March 2020

ONGOING FORCE MAJEURE ON ACCOUNT OF THE NOVEL CORONAVIRUS (COVID-19) PANDEMIC

Gujarat Maritime Board ("GMB"), constituted under the provisions of the Gujarat Maritime Board Act, 1981 is vested with the administration, management and control of Minor Ports in the State of Gujarat and the State's waterfront. GMB is committed to ensuring that the State's coastline and Ports within its control remain completely operational looking to the fact that Port Services are Essential Services.

The Novel Coronavirus (COVID-19) outbreak, declared as "Pandemic" by the World Health Organisation ("WHO") is an extraordinary event and a circumstance beyond human control. On 24 March 2020, the Hon'ble Prime Minister of India has called upon the Nation to follow the containment measures to stop the spread of COVID-19.

Contemporaneously, -

- A. The Ministry of Home Affairs has issued Order No. 40-3/2020-DM-I(A), dated 24 March 2020 invoking the provisions of the Disaster Management Act, 2005;
- B. The Ministry of Home Affairs has issued Order No. 40-3/2020-D, dated 24 March 2020, issuing Guidelines on measures to be taken by bodies such as GMB for containment of COVID-19;
- C. The General Administration Department, Government of Gujarat has issued Notification No. Notif-102020-501-T, dated 25.03.2020, whereby all officers of the Government of Gujarat except those providing essential services are directed remain closed till 31 March 2020, till which time, essential/urgent activities be performed through minimal/skeleton staff;
- D. The Ministry of Shipping has issued a Circular No. PD-13/33/2020-PPP/e-339106, dated 24 March 2020, to all Major Ports, ordering the Major Ports to consider COVID-19 as a valid ground for invoking Force Majeure on port activities and port operations;
- E. The General Administration Department, Government of Gujarat has issued Notification No. Notif-102020-501-T, dated 24 March 2020, directing all offices of the Government of Gujarat, including GMB, to remain closed till 31 March 2020, till which time, essential/urgent activities be performed through minimal/skeleton staff; and
- F. The Home Department, Government of Gujarat has issued Notification No. GG/20/2020/V-1/KAV/102020/482, dated 23 March 2020, issuing measure under the provisions of the Epidemic Diseases Act, 1897 and the Gujarat Epidemic Diseases COVID-19 Regulations, 2020.

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In the interest of preserving the health and well-being of all individuals working at and in the Port infrastructure of the State of Gujarat, GMB shall perform only essential/urgent functions till further notice, while continuing its endeavour to ensure that the impact of COVID-19 on the State's Port and Maritime apparatus is negligible and is minimised.

Resultantly, *Force Majeure Event* is hereby notified by the Gujarat Maritime Board for all its contracts, deliverables, promises, assurances, events and occurrences (called by any name whatsoever). GMB will review the present notification of *Force Majeure* from time to time and till such time as a written notification of Cessation of *Force Majeure* is issued, the present intimation shall stand. Contract-specific separate intimations in this regard may or may not be issued.

Gujarat Maritime Board requests all stakeholders to sincerely implement the preventive and precautionary measures directed by the Government of India and the Government of Gujarat.

This is issued with the approval of VC&CEO, GMB.

For Gujarat Maritime Board



Authorised Signatory

To,

- All HOD, GMB, Gandhinagar
- All Port Officer, GMB

Copy Submitted to Vice Chairman and Chief Executive Officer, GMB for information Please.