



SOUTH WEST PORT LTD.

Regd. Off.: 1st Floor Port Users Complex,
Harbour, Mormugao, Goa - 403 803, India

CIN No. : U45203GA1997PLC002369

Phone : 0832-252 3000

Fax : 0832-252 3006

Website: www.jsw.in

By Regd. Post A.D./email/fax

NOTICE

March 27th 2020,

To WHOMSOEVER IT MAY CONCERN

SUBJECT: DECLARATION OF “FORCE MAJEURE EVENT” AT SOUTH WEST PORT LTD. GOA (‘PORT’) DUE TO THE COVID-19 PANDEMIC CAUSED BY ‘NOVEL CORONAVIRUS’.

Whereas you are aware, that there has been a major global disruption in consequence of the COVID-19 pandemic, including in India. This outbreak of COVID-19 has been declared as a “Global Pandemic” by the World Health Organization (WHO). The Ministry of Shipping, (Director General of Shipping) has also issued directives prescribing several preventive measures for the sea ports to control the spread of COVID-19. The COVID-19 pandemic has already impacted and shall continue to have material and adverse effect on almost every business in India and the economy as a whole. The prevailing extraordinary circumstances and the repercussions thereof are self-explanatory.

Whereas on March 24th, 2020 the Hon’ble Prime Minister of India has further promulgated the decision communicating the complete lockdown of the entire Nation for a period of Twenty-One (21) days, whilst in pursuance thereof the Ministry of Home Affairs, Government of India *vide* its order dated March 24th 2020, have further directed the various ministries and State Governments to effect complete closure and suspension *inter alia* of various activities, establishments and services, requiring a strict implementation thereof, for containment of COVID-19 epidemic in the country.

In view above, the State Government further to the promulgation of its various directives and the District administration in executing the same have exercised drastic measures effecting a complete lockdown of the areas, public roads etc. which has resulted into unprecedented constraints *inter alia* on the movement and accessibility of men and material to and from the Port. Under these circumstances, the performance of our logistics and operations (including but not limited to loading/unloading and receipt and dispatches) are severely and adversely affected. Whilst, we are precluded by such supervening circumstances, thus hindering the performance and discharging of our functions and continuance of our Port operations.

In view of the aforesaid COVID-19 pandemic, we are invoking the Force Majeure provisions and are notifying you of the said “Force Majeure Event”. We are constrained to state that all the contractual obligations under the contract/(s) executed with you, shall stand forthwith suspended and waived till further communication/(s) by us. Kindly note that during the



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subsistence of the said Force Majeure, We stand discharged from the performance of any of our obligations and shall not be responsible and/or liable for any claims, liabilities, delays, demurrages, of any nature whatsoever including but not limited to any pre-berthing delays, etc. and accordingly the discharge rate guaranteed under any agreement/(s) shall not be applicable for any vessels to be handled at the Port or for any delay, discontinuance or disturbance in the Port services Please consider this communication as our notice for "Force Majeure" effective from 00:00 hrs. from March 25th, 2020.

We may notify any cessation of the said Force Majeure event based on further notifications/directives from the Central and/or State Government, and the changes in the prevailing circumstances.

You are advised to take requisite measures, at your own costs and expenses, to mitigate any risks and consequences.

This is for your kind information and record. Your kind cooperation and conviviality in the circumstances aforesaid is solicited.

Yours Sincerely,
For, South West Port Limited

Authorized Signatory & Unit Head