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TARIFF AUTHORITY FOR MAJOR PORTS

GNo.135 **New Delhi,** **16 August 2008**

NOTIFICATION

In exercise of the powers conferred by Section 48, 49 and 50 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby extends the validity of the existing Scale of Rates at Chennai Port Trust beyond 31 March 2008, as in the Order appended thereto.

(Brahm Dutt)
Chairman

Tariff Authority for Major Ports

Case No. TAMP/36/2005-CHPT

Chennai Port Trust **- - - -** **Applicant**

O R D E R

(Passed on this 14th day of July 2008)

This Authority had passed an Order on 7 March 2006 disposing of the proposal from the Chennai Port Trust (CHPT) for general revision of its Scale of Rates (SOR). This Order was notified in the Gazette of India Extraordinary (Part III Section 4) on 30 March 2006 vide Gazette No.51. The revised SOR has come into effect from 29 April 2006 with a validity period upto 31 March 2008.

2. Clause 3.1.2 of the revised tariff guidelines requires the major ports to forward their proposal for review of the existing tariff at least 3 months before expiry of their validity. In the CHPT case, a proposal for review of the existing tariff should have been filed by 31 December 2007.

3. When reminded in this regard, the CHPT vide its letter dated 16 April 2008 has stated that the validity of its Scale of Rates expires on 28 April 2008 and action is being taken by the port to file a fresh proposal for general revision of its Scale of Rates. It has also requested this Authority to extend the validity of the existing tariff for a period of 6 months, from 29 April 2008 to 28 September 2008.

4. It appears from the CHPT communication in reference that the CHPT has mentioned the date of expiry of its existing tariff as 28 April 2008 without noticing the specific date of 31 March 2008 fixed by this Authority vide Order dated 7 March 2006. The CHPT has not committed a specific date by which it will file the proposal before this Authority.

5. Since the validity of the existing Scale of Rates of CHPT has already expired on 31 March 2008, this Authority is inclined to extend the validity of the existing Scale of Rates of CHPT for a period of six months, as requested by the port, till 30 September 2008. The CHPT is directed to file its proposal for general revision of its Scale of Rates immediately.

6. Surplus over and above the admissible cost and permissible return accruing for the period after 1 April 2008 will be set-off fully, in the tariff to be fixed for the next cycle.

(Brahm Dutt)
Chairman