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Tariff Authority for Major Ports

G.No.391 **New Delhi,** **8 December 2015**

NOTIFICATION

In exercise of the powers conferred by Sections 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 of Cochin Port Trust (COPT), as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports

Case No. TAMP/49/2011-COPT

The Cochin Port Trust **- - -** **Applicant**

O R D E R

(Passed on this 10th day of November 2015)

This Order relates to the extension of the validity of the existing Scale of Rates of the Cochin Port Trust (COPT).

2. The existing SOR of the COPT was last approved by this Authority vide Order No. TAMP/49/2011-COPT dated 1 April 2013 which was notified in the Gazette of India on 10 June 2013, with a validity till 31 March 2015. This Authority has extended the validity of SOR of COPT till
30 September 2015 vide Order dated 28 April 2015.

3. The COPT had filed its proposal for revision of its SOR under 2005 guidelines vide its letter dated 3 November 2014. The proposal was taken up for consultation with the relevant stakeholders.

4.1 In the meantime, the Ministry of Shipping (MOS), vide its letter No. 8(1)/2014-TAMP dated 13 January 2015 has issued the new "Policy for determination of Tariff for Major Port Trusts, 2015" which was notified in the Gazette of India vide Gazette No. 30 dated 27 January 2015 by this Authority. The new "Policy for determination of Tariff for Major Port Trusts, 2015" has come into effect from 13 January 2015.

4.2. The tariff fixation process envisaged in the new Tariff Policy of 2015 for Major Port Trust by MOS, is significantly different from the tariff fixation method stipulated in the Tariff Guidelines of 2005. Hence, the proposal filed by COPT could not be processed under 2005 guidelines. In view of this, this Authority vide its Order dated 13 February 2015 had closed the COPT proposal dated 3 November 2014 filed under 2005 guidelines for general revision of its Scale of Rates. The COPT was advised to file a revised proposal in accordance with the new Tariff policy of 2015 announced by the MOS.

5. As per Clause 1.5 of Tariff Policy, 2015, this Authority has notified working guidelines to operationalise the Tariff Policy, 2015 in consultation with all Major Port Trusts in the Gazette of India on 4 June 2015 vide Gazette No.207.

6.1. Now, the COPT vide its letter No.FD/Costing/Revision of SOR-2015-18/2015 dated 27 July 2015 has filed its proposal for revision of its SOR under new Tariff Policy for Major Port Trusts, 2015. The proposal dated 27 July 2015 filed by the COPT for revision of SOR has already been taken on consultation. Joint hearing was held on 27 October 2015. Additional information / clarification on a few points has been sought from the COPT. Reply of the COPT is awaited.

6.2. On receipt of the information / clarification by the COPT, the proposal requires to be processed further which will take some time for the case to mature for consideration of this Authority.

6.3. Since the extended validity of the existing SOR of COPT has expired on 30 September 2015 and recognising that it will take some time for the case to mature for consideration of this Authority, this Authority extends the validity of the existing SOR of COPT from the date of its expiry till 31 December 2015 or till the effective date of implementation of the revised Scale of Rates under new Tariff Policy, 2015, whichever is earlier.

6.4. The treatment of additional surplus, if any, accruing to COPT for the period beyond 1 April 2015 will be governed by the new Tariff Policy for Major Port Trusts, 2015.

(T.S. Balasubramanian)
Member (Finance)