(Published in Part - III Section 4 of the Gazette of India, Extraordinary)

TARIFF AUTHORITY FOR MAJOR PORTS

G.No. 274 **New Delhi,** **04 July 2016**

NOTIFICATION

In exercise of the powers conferred by Section 48 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 the Bharat Petroleum Corporation Limited in the Jawaharlal Nehru Port Trust as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports
Case No. TAMP/68/2012-BPCL

The Bharat Petroleum Corporation Limited - - - Applicant

QUORUM

(i). Shri. T.S. Balasubramanian, Member (Finance)
(ii). Shri. Rajat Sachar, Member (Economic)

O R D E R
(Passed on this 21 day of June 2016)

This case relates to the extension of the validity of the existing Scale of Rates of the Bharat Petroleum Corporation Limited (BPCL) in the Jawaharlal Nehru Port Trust.

2.1. The existing Scale of Rates (SOR) of BPCL was first approved by this Authority vide Order No. TAMP/68/2012-BPCL dated 4 August 2014 which was notified in the Gazette of India on 19 August 2014. The Order prescribed the validity of the SOR till 31 March 2016.

2.2. Based on the request made by the BPCL vide its letter dated 9 March 2016, this Authority vide its Order dated 30 March 2016 had extended the validity of the existing SOR of BPCL from the date of its expiry till 30 June 2016. This Order was notified in the Gazette of India dated 25 April 2016 vide Gazette No. 152.

3. Now, the BPCL vide its letter dated 16 June 2016 has stated that, they are still in the process of formulating their proposal and that they will be completing the aforesaid working and would be submitting by 15 July 2016. In this context, the BPCL has also requested us to grant the extension of rates till 31 August 2016.

4.1. The BPCL is yet to file its proposal. It has sought time till 15 July 2016 to file its proposal. The proposal to be filed by BPCL has to be scrutinized and taken on consultation with the relevant stake holders. Given that it would take time after the receipt of proposal for the case to mature for final disposal and recognizing that the extended validity of the existing SOR of BPCL expires on 30 June 2016, it is necessary to extend the validity of the existing SOR of BPCL beyond 30 June 2016.

4.2. In this connection, it is relevant to mention here that the BPCL has sought extension of time upto 31 August 2016. However, considering the consultation procedure involved, it is felt appropriate to extend the validity upto 30 September 2016. Nevertheless, in the event of final disposal of the BPCL case earlier, the rates to be fixed for BPCL may come into effect earlier than 30 September 2016.

4.3. In view of the above position, this Authority extends the validity of the existing SOR of BPCL upto 30 September 2016 or till the effective date of implementation of the revised SOR, whichever is earlier. The BPCL is advised to file its proposal positively by 15 July 2016, as agreed by it.

5. If any additional surplus over and above the admissible cost and permissible return emerges for the period post 1 April 2016, during the review of its performance, such additional surplus will be set off fully in the tariff to be determined.

(T.S. Balasubramanian)
Member (Finance)