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TARIFF AUTHORITY FOR MAJOR PORTS

G.No. 309

New Delhi,

3 November 2014

NOTIFICATION

In exercise of the powers conferred under 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 South West Port Limited for multipurpose bulk cargo terminal at berth nos. 5A and 6A in the Mormugao Port Trust as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports
Case No. TAMP/12/2010-SWPL

QUORUM

- (i). Shri. T.S. Balasubramanian, Member (Finance)
- (ii). Shri. Chandra Bhan Singh, Member (Economic)

ORDER

(Passed on this 30th day of September 2014)

This case relates to extension of the validity of the existing Scale of Rates (SOR) of South West Port Limited (SWPL) for the multipurpose bulk cargo terminal at berth nos.5A and 6A in the Mormugao Port Trust.

2. The existing SOR for the said multipurpose cargo terminal was last approved by this Authority vide Order No. TAMP/12/2010-SWPL dated 3 November 2010 which was notified in the Gazette of India on 30 December 2010. The Order prescribed the validity of the SOR till 31 March 2013. This Authority has extended the validity of SOR of SWPL on couple of occasions; the last extension being till 30 September 2014 vide Order dated 4 July 2014.

3.1. The proposal filed by the SWPL vide its letters dated 30 April 2013 along with its letter dated 17 May 2013 has been taken on consultation with relevant users/user Associations. The additional information/ clarification sought from SWPL vide our letter dated 4 June 2014 is awaited.

3.2. Joint hearing, as part of the consultative process, was held on 20 June 2014. As decided at the joint hearing, the SWPL vide our letter dated 26 June 2014 was advised, *inter alia*, to file its revised proposal, if any, as well as to furnish reply to the queries raised vide our letter of even number dated 4 June 2014 latest by 18 July 2014, as agreed by it.

3.3. After reminders dated 22 July 2014 and 13 August 2014, the SWPL vide its letter dated 1 September 2014 submitted that due to certain pending issues / uncertainties the SWPL is unable to finalise business plan and submit revised proposal. In view of that the SWPL has sought additional time of one month till 30 September 2014 for submission of revised tariff proposal. In view of the submissions made by the SWPL, it was granted time till 30 September 2014 to file its revised proposal vide our letter dated 4 September 2014. It was also communicated to SWPL that if requisite information/revised proposal is not received from SWPL by 30 September 2014, this Authority would proceed ahead with the case based on the available information. The revised proposal agreed to be filed by SWPL and response to the queries raised vide our letter dated 4 June 2014 is still awaited.

4. Considering the present position, it will take some more time for the case to come up for final consideration by this Authority. In the meantime, the extended validity of the existing SOR of SWPL expired on 30 September 2014. Recognising the time required for the case to come up for final consideration, this Authority extends the validity of the existing SOR of the SWPL from the date of its expiry till 31 December 2014 or till the effective date of implementation of the revised Scale of Rates, whichever is earlier.

5. If any additional surplus over and above the admissible cost and permissible return emerges for the period post 1 April 2013, 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)