

(Published in Part - III Section 4 of the Gazette of India, Extraordinary)
TARIFF AUTHORITY FOR MAJOR PORTS

G.No. 535

New Delhi,

01 November 2021

NOTIFICATION

In exercise of the powers conferred by Section 49 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby disposes of the proposal received from Mumbai Port Trust (MBPT) for fixation of Schedule of Rates for way leave / special way leave fees of MBPT for the period 01 October 2017 to 30 September 2022, as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports

Case No. TAMP/49/2021-MBPT

Mumbai Port Trust

- - -

Applicant

QUORUM

- (i). Shri. T.S. Balasubramanian, Member (Finance)
- (ii). Shri. Sunil Kumar Singh, Member (Economic)

O R D E R

(Passed on this 25th day of October 2021)

This case relates to a proposal received from Mumbai Port Trust (MBPT) vide its letter No.FA/OEA-L/21(90)/Gen/229 dated 07 September 2021 seeking approval for fixation of Schedule of Rates (SOR) for way leave / special way leave fees of MBPT for the period from 01.10.2017 to 30.09.2022.

2. The proposal of MBPT is based on the amended Land Policy Guidelines, 2015. The proposal was taken on consultation with the relevant users/ tenants/ lessees. Users/ User organization have made their submissions during the proceeding of the case. The MBPT has responded to the comments of users/ users organizations. A joint hearing on the case in reference was held on 14 October 2021 through Video Conferencing. At the joint hearing, the MBPT and the users/ user organizations have made their submissions.

3. With reference to the totality of information collected during the processing of the case and based on a collective application of mind, this Authority has passed a speaking Order disposing of the proposal filed by the MBPT for fixation of Schedule of Rates for way leave / special way leave fees of MBPT for the period from 01.10.2017 to 30.09.2022.

4. This Authority desires that the following Way leave Schedule for MBPT prescribing Schedule of way leave charges for the 17 Ready Reckoner Zones for Cargo Operated and associated pipelines and for 31 Ready Reckoner Zones for Non Cargo Operated Pipelines of MBPT for the period 01 October 2017 may be notified without waiting for notification of the Speaking Order:

“

**SCHEDULE OF WAY LEAVE CHARGES OF MUMBAI PORT TRUST
FOR THE PERIOD FROM 01.10.2017 TO 30.09.2022**

(i). Special Way Leave rates as on 01.10.2017 for Cargo Operated pipelines etc.

Sr.No	Division/ Village Name	R R Zone No.	Rate per Sq. meter per month applicable for over – ground pipeline / cable as on 1.10.2017 (to be charged for FSI=1) (in ₹.)
1	Colaba	1/3	1,400.00
		1/3A	1,196.50
		1/6	983.00
		1/6A	943.00
2	Fort	2/9	750.00
		2/12	1,149.00
		2/13	915.50
		2/22	506.50
		2/23	485.00
		2/34	492.50
3	Princess Dock	3/35	392.00
		3/35B	389.50
		3/36	282.00
		3/36A	492.50
4	Malabar Hill	7/64	1287.50
		7/66	1960.50
5	Mazgaon	10/78A	258.00
		10/78B	187.50
		10/79	348.50
		10/79A	140.50
		10/80	135.50
6	Parel Sewri	11/84	475.50
		11/84A	282.00
		11/85	156.50
		11/85A	196.00
		11/86	131.00
7	Worli	13/97	567.50
8	Dadar Naigaum	14/101	201.00
		14/101A	326.00
9	Matunga	16/110	453.50
10	Mahim	17/116	608.50
		17/119	493.00
11	Mahul	90/419	97.00

Sr.No	Division/ Village Name	R R Zone No.	Rate per Sq. meter per month applicable for over – ground pipeline / cable as on 1.10.2017 (to be charged for FSI=1) (in ₹.)
12	Ambapada	96/436	226.00
13	Govandi/Deonar	100/471	533.00
14	Govandi/Borla	99/463	282.00
15	Titwala (Kdmc)	26/81	111.25
16	Kanhoji Angre		22.50
17	Jawahar Dweep	90/419	97.00

Notes:

- Above rates are exclusive of all Taxes (GST, Taxes, etc.), Service Charges, Penalties, and Interest etc. Same are separately payable by lessees, as may be applicable.
- The Special Way Leave fee for Optical Fiber Cable will be applicable as per the above rates but taking the width subject to a minimum of half a meter for computation instead of 1 mtr.
- In the event of failure of achieve Minimum Guarantee Throughput (MGT), the user should compensate the port by paying additional wharf age charges for the shortfall quantity.
- Other aspects related to Right of Way permission will be dealt with as per the extant Land Policy Guidelines.
- Way Leave/ Special Way Leave fee, whether demanded or not, shall be paid by the lessees/ tenants/ licensees on or before the 15th day of each month succeeding that for which Way Leave / Special Way Leave fee is due.
- The way leave formulae will be as under.
Way Leave fee per month on land =

$$\frac{\text{Length of pipeline} \times (\text{External dia including insulation} + 600 \text{ mm})}{1000} \times \text{rate applicable}$$

(Subject to minimum width of 1 meter)

Way Leave fee per month on trestle =

$$\frac{\text{Length of pipeline} \times (\text{External dia including insulation})}{300} \times \text{rate applicable}$$
- Way leave fees will increase by 4% every October. First such 4% increase will be effected from 1.10.2018.
- For the purpose of Right of way leave charges, the area occupied by pipelines other than those on trestle shall be calculated based on the width (subject to minimum of 1 meter) and length of those pipelines.
- Charges for way leave for occupation of air space, underground, seabed and below seabed will be 50% of the above rates. License fee for water area would be 50% of the license fee of abutting land. The way leave fee for the service shall be based on the full rates.
- Interest will not be applicable on the differential areas due to revision till raising of demand notice. If the party fails to pay as per the demand / invoice within 3 months from the receipt of demand notice / invoice, interest will be applicable at 18% per annum as per existing policy or as may be decided by Board from time to time.

(ii). Special Way Leave rates as on 01.10.2017 for non-cargo operated pipeline etc.

Sr. No.	Ready Reckoner Zone	Unit No.	Division	Rate per Sq. meter per month applicable for over – ground pipeline / cable as on 1.10.2017 (to be charged for FSI=1) (in ₹.)
A	B	C	D	G
1.	14/101	Unit 1	Dadar- Naigaum	201.00
2.	90/419 (PirPau)	Unit 1,14	Mahul	97.00
3.	10/79	Unit 2, 6,7	Mazgaon	348.50
4.	10/80	Unit 4,7,8,9,13	Mazgaon	135.50
5.	2/13	Unit 9,11,15	Fort	915.50
6.	2/22	Unit 11	Fort	506.50
7.	17/119,	Unit 14	Mahim	493.00
8	17/116	Unit 14	Mahim	608.50
9.	14/101A	Unit-1	Dadar-Naigaum	326.00
10.	11/86	Unit-1,5,13	Parel –Sewree	131.00
11.	11/85A	Unit-3	Parel–Sewree	196.00
12.	11/85	Unit-4,5,13	Parel –Sewree	156.50
13.	11/84	Unit-2	Parel –Sewree	475.50
14.	11/84A	Unit-2	Parel –Sewree	282.00
15.	10/79A	Unit-3	Mazgaon Divi	140.50
16.	10/78A	Unit-6,8	Mazgaon	258.00
17.	10/78B	Unit-8	Mazgaon	187.50
18.	3/36	Unit-9,14	Elphiston,Mallet Bunder	
	3/36	Unit -14	Ferry Wharf,Princess Dock.	282.00
19.	3/35	Unit-9,10,14	S D /Bunder	392.00
20.	3/35B	Unit-9,10	Princes Dock	389.50
21.	2/23	Unit-9,11,15	Mody Bay ,fort,Indira Dock	485.00
22.	2/9	Unit-11	Fort	750.00
23.	2/12	Unit-12,	Wellington Estate, Apollo Bunder, Fort	1,149.00
24.	1/6A	Unit-14,12	Jamsadji Bunder, Colaba	943.00
	1/6A	Unit-12 &14	Sassoon Dock (inside), Colaba	943.00
	1/6A	Unit -12	Apollo Estate	943.00
25.	1/3	Unit-12	Apollo Estate, Colaba	1,400.00
26.	1/3A	Unit-12	Colaba	1,196.50
27.	1/4	Unit-15	Pilot Bunder, Colaba	
28.	100/471	Unit-5	Govandi/Deonar	533.00
29.	99/463	Unit-5	Govandi/Borla	282.00
30.	26/81(Thane -Kalyan RR)	Unit-5	Titwala	111.25
31.	Jawahar Deep (Island) & land under reclamation	Unit-12,14	Nearest Zone 90/419	97.00

(All the rates for land values has been rounded to the nearest ₹.. 10/-)

Notes:

1. Above rates are exclusive of all Taxes (GST, Taxes, etc.), Service Charges, Penalties, and Interest etc. Same are separately payable by lessees, as may be applicable.
2. The Special Way Leave fee for Optical Fiber Cable will be applicable as per the above rates but taking the width subject to a minimum of half a meter for computation instead of 1 mtr.
3. Other aspects related to Right of Way permission will be dealt with as per the extant Land Policy Guidelines.
4. Way Leave/ Special Way Leave fee, whether demanded or not, shall be paid by the lessees/ tenants/ licensees on or before the 15th day of each month succeeding that for which Way Leave / Special Way Leave fee is due.
5. The way leave formulae will be as under.

Way Leave fee per month on land =

$$\text{Length of pipeline} \times \frac{(\text{External dia including insulation} + 600 \text{ mm})}{1000} \times \text{rate applicable}$$

(Subject to minimum width of 1 meter)

Way Leave fee per month on trestle =

$$\text{Length of pipeline} \times \frac{(\text{External dia including insulation})}{300} \times \text{rate applicable}$$

6. Way leave fees will increase by 4% every October. First such 4% increase will be effected from 1.10.2018.
7. For the purpose of Right of way leave charges, the area occupied by pipelines other than those on trestle shall be calculated based on the width (subject to minimum of 1 meter) and length of those pipelines.
8. Charges for way leave for occupation of air space, underground, seabed and below seabed will be 50% of the above rates. License fee for water area would be 50% of the license fee of abutting land. The way leave fee for the service shall be based on the full rates.
9. Interest will not be applicable on the differential areas due to revision till raising of demand notice. If the party fails to pay as per the demand / invoice within 3 months from the receipt of demand notice / invoice, interest will be applicable at 18% per annum as per existing policy or as may be decided by Board from time to time.

”

5. The Speaking Order passed by this Authority will be intimated separately and communicated to the MBPT and the relevant tenants/ lessees in due course of time.

(T.S. Balasubramanian)
Member (Finance)