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TARIFF AUTHORITY FOR MAJOR PORTS

GNo. 249

New Delhi

18 December, 2009

NOTIFICATION

In exercise of the powers conferred under Sections 48, 49 and 50 of the Major Port Trust Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby disposes of the proposal from the Mumbai Port Trust for revision / review of its Scale of Rates as in the Order appended hereto.

(Rani Jadhav)
Chairman

Tariff Authority for Major Ports
Case No. TAMP/6/2009-MBPT

The Mumbai Port Trust

Applicant

ORDER

(Passed on this 27th day of November 2009)

This case relates to the proposal from the Mumbai Port Trust (MBPT) for revision / review of its Scale of Rates

2.1. This Authority vide Order dated 28 September 2006 had notified the Scale of Rates of Mumbai Port Trust (MBPT) with a validity period till 31 March 2009.

2.2. By letter dated 30 January 2009 MBPT filed its proposal for general revision of its Scale of Rates effective from 1 April 2009. This proposal was taken on consultation with the relevant users / user organizations. The validity of the existing Scale of Rates was also extended till 31 March 2010 vide this Authority's Orders dated 27 March 2009, 28 July 2009 and 23 October 2009.

2.3. MBPT vide letter dated 31 March 2009 sought permission for continuation of the existing SOR till 31 December 2009 and to withdraw its proposal dated 30 January 2009 for various reasons.

2.4. Since the review of MBPT's Scale of Rates is already due and formal proceedings have already been initiated, this Authority took the view that it would be appropriate to conclude the proceedings only after hearing the concerned parties. MBPT was informed accordingly and advised to update its proposal, if considered necessary.

3.1. MBPT under letters dated 30 October 2009 and 31 October 2009 has submitted a revised proposal for general revision of its Scale of Rates. This was followed by the Port's letter dated 9 November 2009, wherein it has requested this Authority to treat its proposal dated 30 October 2009 as a fresh proposal.

3.2. It is noteworthy that the Board of Trustees of MBPT vide its Resolution No. 34 dated 24 March 2009 has resolved to withdraw its proposal dated 30 January 2009.

3.3. Since the Port has filed a new proposal, it is necessary to initiate fresh consultation proceedings. No useful purpose would be served by treating the new proposal as part of the earlier proceedings.

4. In the result, and for the reasons given above and based on a collective application of mind, this Authority closes the proceedings relating to the proposal dated 30 January 2009 filed by MBPT treating it as withdrawn.

(Rani Jadhav)
Chairman