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TARIFF AUTHORITY FOR MAJOR PORTS

G.No. 390

New Delhi,

18 October 2018

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 tariff for 100 Tonne capacity Harbour Mobile Crane (HMC) installed by private operators at Paradip Port Trust, as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports
Case No. TAMP/30/2014-PPT

Paradip Port Trust

Applicant

QUORUM

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

ORDER

(Passed on this 3rd day of October 2018)

This case deals with the extension of the validity of the existing tariff for 100 Ton capacity Harbour Mobile Crane (HMC) installed by private operators at Paradip Port Trust (PPT).

2. Based on a proposal filed by the PPT, this Authority vide its Order no. TAMP/30/2014-PPT dated 28 November 2014 has fixed ceiling tariff for the use of HMC at the PPT, for common application, without reference to any particular service provider. This Order was notified in the Gazette of India on 5 January 2015 and had come into effect after expiry of 30 days from the date of notification of the Order i.e. 4 February 2015 and is valid for a period of three years i.e. upto 3 February 2018.

3. When the PPT vide its letter dated 13/15 February 2018, interalia, requested to extend the validity of the existing tariff of 100 tonne capacity HMC upto 03 August 2018, on the ground that preparation of fresh proposal for revision of tariff of 100 tonne capacity HMC is under process and will be finalised soon, this Authority vide its Order dated 19 March 2018 had extended the validity of the existing tariff of 100 tonne capacity HMC installed by private operators at PPT upto 3 August 2018 or till the effective date of implementation of new tariff to be fixed for 100 tonne capacity HMC based on the proposal to be filed by PPT, whichever is earlier. Vide the said Order, the PPT was also advised to file its proposal by 30 April 2018. This Order was notified in the Gazette of India on 3 April 2018 vide Gazette No. 139.

4. In this backdrop, the PPT has again vide its letter no. EM/WS/TECH/04/1853 dated 6 August 2018 made a request to extend the validity of the existing tariff for 100 tonne capacity HMC for another period of 6 month i.e. upto 3 February 2019 or till finalization of the new tariff, whichever is earlier on the ground that preparation of proposal to be filed by PPT is under process.

5.1. Since the validity of the existing tariff for 100 HMC has already expired on 3 August 2018 and considering the time required for processing the proposal (to be) filed by the PPT and in order to avoid a vacuum in the tariff, it is felt appropriate to extend the validity of the existing tariff for 100 HMC beyond 3 August 2018. The PPT has, however, not indicated the time by which it would submit its proposal.

5.2. A six month validity was granted to PPT on the earlier occasion relying on the port's submission vide its letter dated 15 February 2018 that preparation of proposal is under process and it will file the proposal soon. However, the PPT has not yet filed the proposal. At the same time, to avoid a vacuum in tariff, the Authority is constrained to extend the validity of the existing tariff for 100 HMC beyond 3 August 2018.

5.3. In the result, and for the reasons given above, and based on a collective application of mind, this Authority extends the validity of the existing tariff for 100 Ton capacity HMC installed by private operators at PPT upto 3 February 2019 or till the effective date of implementation of new tariff to be fixed for 100 tonne capacity HMC based on the proposal to be filed by PPT, whichever is earlier. The PPT is advised to file its proposal latest by 30 November 2018. The PPT may also note that any further request for extension of validity of the existing tariff for 100 Ton capacity HMC beyond 3 February 2019 would not be entertained.

(T.S. Balasubramanian)
Member (Finance)