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TARIFF AUTHORITY FOR MAJOR PORTS

G.No. 20 **New Delhi,** **18 January 2017**

NOTIFICATION

In exercise of the powers conferred under Sections 48 and 50 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 Paradip Port Trust as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports

Case No.TAMP/62/2009-PPT

The Paradip Port Trust --- Applicant

QUORUM

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

O R D E R

(Passed on this 4th day of January 2017)

This case relates to the extension of the validity of the existing Scale of Rates (SOR) of the Paradip Port Trust (PPT).

2.1. This Authority had approved the SOR of the PPT vide its Order No. TAMP/62/2009-PPT dated 25 March 2011 which was notified in the Gazette of India on 23 May 2011 vide Gazette no. 111. The Order prescribed the validity of the SOR till 31 March 2013.

2.2. Thereafter, this Authority had extended the validity of SOR of PPT upto 31 March 2014 vide its Order dated 10 January 2014 for the reason stated therein. Vide the said Order the PPT was also directed by this Authority to file its general revision proposal by 31 January 2014.

2.3. Since the proposal was not received, the PPT was reminded to file its revised proposal vide our letter dated 17 February 2014. Correspondence were exchanged with PPT advising port to file its revised proposal. Nevertheless, the validity of the SOR was extended by this Authority at periodic intervals vide Orders dated 4 April 2014, 4 July 2014, 30 September 2014, 2 January 2015, 28 April 2015, 10 November 2015 and 6 May 2016 to avoid a vacuum in tariff and for the reasons cited in the said Order. While extending the validity at each occasion, the PPT was advised by this Authority to file the general revision proposal immediately.

2.4. In the meanwhile, the Tariff Policy, 2015, applicable for Major Port Trusts has come into effect from 13 January 2015. Consequently, as stipulated in Clause 1.5 of the Tariff Policy, the Authority in June 2015 has issued the Working Guidelines to operationalize the said Tariff Policy, 2015. The PPT was being advised on regular intervals to file a revised proposal in accordance with the new Tariff policy of 2015.

2.5. Thereafter, The PPT has communicated vide its letter no. FA/RE/90/2015/1289 dated 29 September 2016 to us stating that it is in the process of formulating its proposal and would send its proposal to TAMP. Thus, to avoid a vacuum in the tariff, this Authority on the last occasion had extended the validity of SOR of PPT upto 31 December 2016 vide its Order dated 7 October 2016. This Order was notified in the Gazette of India on 28 October 2016 vide Gazette No. 392.

3. In this backdrop, the PPT has filed its proposal for general revision of its Scale of Rates, following Tariff Policy 2015 vide its letter No. FA/RE/802/Pt.I/2015/1599 dated 6 December 2016. The proposal has been taken up on consultation and a joint hearing on the case in reference is to be set up.

4.1. Since the validity of SOR of PPT has already expired on 31 December 2016 and considering the time required for processing the general revision proposal filed by the PPT and in order to avoid a vacuum in the SOR of PPT, it is felt appropriate to extend the validity of the existing SOR beyond 31 December 2016.

4.2. In view of the above position, this Authority extends the validity of the existing SOR of PPT upto 31 March 2017 or till the effective date of implementation of the revised SOR, whichever is earlier.

(T.S. Balasubramanian)
Member (Finance)