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TARIFF AUTHORITY FOR MAJOR PORTS

G. No. 143 **New Delhi,** **19 May 2014**

NOTIFICATION

In exercise of the powers conferred under Sections 48, 49 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

QUORUM

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

O R D E R

(Passed on this 4th day of April 2014)

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

2. The existing Scale of Rates (SOR) of the PPT was last approved by this Authority vide Order No. TAMP/62/2009-PPT dated 25 March 2011 which was notified in the Gazette of India on 23 May 2011. The Order prescribes the validity of the SOR till 31 March 2013. This Authority has further extended the validity of the existing SOR of PPT till 31 March 2014 vide its Order dated 10 January 2014.

3. The PPT has filed its proposal for revision of the existing SOR on 27 August 2012 which was registered as tariff case and taken on consultation. The proposal has been internally scrutinized and joint hearing in this case was held on 25 February 2013.

4.1. When the case was being firmed up for final consideration of this Authority, the PPT, vide its communication dated 30 October 2013, submitted that as the financial year 2012-13 was already over and the actual figures for the year 2012-13 are available which may have to be considered since the cargo mix estimated to be handled has undergone a change and the oil cargo has increased substantially. Moreover, due to severe cyclone on 12 October 2013, port has suffered damages to its properties which is estimated to be around ₹82.71 crores. The PPT has stated that if its request to Government of India for a grant to restore the damages caused is not considered, the PPT will have to meet the restoration cost from its internal resources which will affect its internal resources.

4.2. In view of the above position, the PPT has sought three months' time to submit a revised proposal for general revision of its SOR and has requested for continuation of levy of tariff as per existing SOR. For the reasons stated by PPT, it was allowed time till 31 January 2014 to file its revised proposal. Since the proposal was not received, the PPT was reminded to file its revised proposal vide our letter dated 17 February 2014. Since the PPT has not responded, it is being reminded to file its revised proposal immediately.

5. Recognizing that the PPT is yet to file its revised proposal it will take time for the case to mature for final consideration after receipt of the revised proposal (to be) filed by the PPT. This Authority, therefore, extends the validity of the existing SOR of the PPT from the date of its expiry till 30 June 2014 or till the effective date of implementation of the revised Scale of Rates, whichever is earlier.

6. If any additional surplus over and above the admissible cost and permissible return accrues to the PPT post 1 April 2013, during the review of its performance, such additional surplus will be fully adjusted in the tariff to be fixed for the next cycle.

(T.S. Balasubramanian)
Member (Finance)