(Published in Part - III Section 4 of the Gazette of India, Extraordinary)

TARIFF AUTHORITY FOR MAJOR PORTS

G.No. 437 **New Delhi,** **08 October, 2021**

NOTIFICATION

In exercise of the powers conferred under 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 upfront tariff for Stevedoring and Shore Handling operation including Stevedoring operation for anchorage discharge and barge handling at Haldia Dock Complex (HDC) of Syama Prasad Mookerjee Port (SPMP) for period upto 27 December 2021, as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports

No. TAMP/79/2016–KOPT

Syama Prasad Mookerjee Port --- Applicant

QUORUM:

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

O R D E R

(Passed on this 15th day of September 2021)

This case relates to the extension of the validity of the existing upfront tariff for Stevedoring and Shore Handling operation including Stevedoring operation for anchorage discharge and barge handling at Haldia Dock Complex (HDC) of Syama Prasad Mookerjee Port (SPMP).

2.1. The existing upfront tariff for stevedoring and shore handling operations at HDC was approved by this Authority vide its Order No. TAMP/79/2016-KOPT dated 19 January 2018. This Order was notified in the Gazette of India on 26 February 2018 vide Gazette No. 76. The upfront tariff had come into effect after expiry of 30 days from the date of notification of the Order in the Gazette of India and was valid for 3 years i.e. upto 27 March 2021.

2.2. Vide the above said Order, the SPMP was advised to file a proposal for fixation of upfront tariff for Stevedoring operations for anchorage discharge and barge handling at HDC, within 3 months from the notification of the Order in the Gazette of India. Subsequently, the SPMP filed a proposal for above said facility and this Authority has passed an Order No. TAMP/8/2019-KOPT dated 14 June 2019. The said order was notified in the Gazette of India on 11 June 2019 vide Gazette No. 246. The said charges came into effect after expiry of 15 days from the date of notification of the Order in the Gazette of India and its validity shall remain co-terminus with the validity of the existing charges for the stevedoring and shore handling operations as approved for HDC of SPMP, upto 27 March 2021

3.1. In this backdrop, the HDC of SPMP vide its letter no. GM(T)/42/1022 dated 21 April 2021 has made the following submissions:

(i). The upfront tariff for Stevedoring and Shore Handling operation at HDC was approved by TAMP vide Order No. TAMP/79/2016-KOPT dated 19 January 2018 and notified in the Gazette of India (GOI) vide G. No. 76 dated 26 February 2018. Further, the Upfront Tariff for stevedoring operations for anchorage discharge and barge handling at HDC was approved by TAMP vide Order No. TAMP/8/2019-KOPT dated 14 June 2019 and notified in the GOI vide G. No. 246 dated 11 July 2019 and both the TAMP Orders were valid upto 27 March 2021.

(ii). Due to ongoing pandemic situation in which various difficulties faced by the Trade, the current labour rates, equipment hire charges & various other ancillary expenses connected with the cargo handling operation in the port could not be gathered from the concerned agencies for calculating the fresh proposed rates. As understood, some more time will be required to collect the necessary information from the trade both formally as well as informally to finalize the rates to be proposed for approval.

(iii). Under the circumstances, it is requested to extend the validity of the Upfront Tariff for Stevedoring and Shore Handling operation including anchorage discharge and barge handling at HDC, for a further period of 6 months i.e. 28 March 2021 to 27 September 2021 or till the effective date of implementation of the revised Scale of Rates (SOR) of Upfront Tariff, whichever is earlier..

(iv). Further, it is also stated that new rates shall be proposed soon with the approval of the Board of Trustees, the existing rates as indexed w.e.f. 01 April 2020 is proposed to be continued during the extension period with no further indexation in April 2021.

3.2. Accordingly, SPMP has requested to extend the validity of the existing upfront tariff for Stevedoring and Shore handling operation including anchorage discharge and barge handling at HDC of SPMP for a period of 6 months w.e.f. 28 March 2021 till 27 September 2021.

3.3. Subsequently, at our request, the SPMP vide its e-mail dated 21 June 2021 has forwarded a copy of the Draft Board Proceedings of the Meeting of the Board of the Trustees of SPMP held on 10 June 2021 and conveyed that the matter was discussed and approved by its Board of Trustees.

4.1. Since the validity of the upfront tariff for Stevedoring and Shore handling operation including anchorage discharge and barge handling at HDC has already expired and based the submissions made by SPMP and considering the time required for HDC of SPMP to file its proposal and the time required for processing the proposal to be filed by the SPMP and in order to avoid a vacuum in the levy of the upfront tariff for Stevedoring and Shore handling operation including anchorage discharge and barge handling at HDC of SPMP, it is felt appropriate to extend the validity of the existing upfront tariff beyond 27 March 2021.

4.2. However, given that the extension of validity period upto 27 September 2021 as requested by HDC will soon expire, this Authority based on its collective application of mind, extends the validity of the existing upfront tariff for Stevedoring and Shore handling operation including Stevedoring operations for anchorage discharge and barge handling at HDC of SPMP for a period 9 months from 28 March 2021 to 27 December 2021 or till approval of new upfront tariff for Stevedoring and Shore handling operation including Stevedoring operation for anchorage discharge and barge handling based on the proposal to be filed by the SPMP, whichever is earlier.

(T.S. Balasubramanian)
Member (Finance)