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Tariff Authority for Major Ports

G.No. 234

New Delhi,

28 May 2016

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 composite rate for on-board labour in lieu of levy and other charges to Cargo Handling Division of Kandla Port Trust as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports
Case No. TAMP/41/2012-KPT

Kandla Port Trust

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Applicant

QUORUM

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

ORDER

(Passed on this 6th day of May, 2016)

This case relates to a proposal received from the Kandla Port Trust (KPT) for extension of validity of per tonne rate for on-board labour in lieu of levy and other charges of Cargo Handling Division (CHD) of the KPT.

2. The composite rate for on-board labour in lieu of levy and other charges of CHD of KPT was last revised by the Authority vide Order No.TAMP/41/2012-KPT on 13 August 2013. The Order has notified in Gazette of India vide Notification no.229 dated 02 September 2013. The Order prescribed the validity of the composite rates for deployment of on-board labour of CHD at KPT till 31 March 2015.

3.1. Thereafter, the Authority has, based on the request made by the KPT, extended the validity of the existing composite rate for on-board labour in lieu of levy and other charges of CHD of KPT vide its Order dated 15 May 2015 from the date of expiry till 30 September 2015 or date of effect of notification of the received rates based on the tariff proposal (to be) filed by KPT, whichever is earlier. While extending the validity, the KPT was advised to file its proposal for revision of composite rates for on-board labour charges rates for CHD latest by 30 June 2015 following the applicable Tariff Policy, 2015 for Major Port Trusts, which is effective from 13 January 2015 as agreed by the port.

3.2. The validity of existing composite rate for on-board labour in lieu of levy and other charges of CHD of KPT was last extended based on the request of KPT by the Authority vide its Order No.TAMP/20/2010-KPT dated 27 February 2016 from the date of expiry till 31 March 2016 or date of effect of notification of the revised rates based on the tariff proposal (to be) filed by the KPT, whichever is earlier.

4.1. Now, the KPT vide its letter dated 06 April 2016 has stated that revision of Composite rates for On-board labour charges has been incorporated in the proposal of General Revision of Scale of Rates (SOR) which has already sent to TAMP on 22 February 2016. Hence, KPT has requested to grant extension of the validity of the exiting composite rate for on-board labour charges of Cargo Handling Division till the General Revision of Scale of Rates, as per New Tariff Policy, 2015 is approved by the Authority.

4.2. In this connection, it is relevant here to mention that as stated by the KPT, the KPT vide its letter dated 22 February 2016 has filed its proposal for general revision of its Scale of Rates duly proposing to maintain the status quo in the tariff of CHD.

4.3. The validity of the existing composite rate for on-board labour charges of CHD at the KPT has expired on 31 March 2016. In view of the submissions made by the KPT and recognizing that port has included the rates of CHD in its general revision proposal, this Authority extends the validity of the existing rates for deployment of on board labour of CHD beyond the date of its expiry till 30 June 2016 or till the date of effect of notification of the revised rates based on the tariff proposal filed by the KPT, whichever is earlier. This is in line with the decision taken by the Authority of extending the general SOR of KPT till 30 June 2016.

4.4. As per clause 8.4 of the new Tariff Policy for Major Port Trust, 2015 the Major Ports shall charge only for services provided by them. No notional booking of labour and other similar notional charges would be permitted. The KPT is, therefore, directed to comply with the Tariff Policy, 2015 while applying the rate for CHD for the extended period.

5. In the result, and for the reason given above, and based on collective application of mind, this Authority extends the validity of the existing composite rates, as per request of KPT, for on-board labour charges of CHD beyond 31 March 2016 for further three months i.e. till 30 June 2016 or till the date of effect of notification of the rates based on the tariff proposal filed by the KPT, whichever is earlier.

(T.S. Balasubramanian)
Member (Finance)