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

Tariff Authority for Major Ports

G.No. 178 **Mumbai,** **18 May 2015**

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 … **Applicant**

QUORUM

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

O R D E R
(Passed on this 15th day of May 2015)

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

2.1. The composite rate for deployment of on-board labour of CHD at KPT was last revised by this Authority vide Order No.TAMP/41/2012-KPT dated 13 August 2013. The validity of the composite rates for on-board labour charges of CHD at KPT was prescribed till 31 March 2015.

2.2. Subsequently, this Authority passed an Order No.TAMP/41/2012-KPT dated 4 August 2014 amending the note under Clause 3 of Chapter-III and the said amendment was made effective from the date the Order of 13 August 2013 came into effect.

3. Since the validity of the on-board labour charges for CHD was to expire on 31 March 2015, the KPT vide its letter dated 21 March 2015 has sought extension of the validity of the existing composite rates for on-board labour charges for CHD at the KPT. The KPT has also submitted that its proposal for revision rates for the said subject is under preparation and will take some time for finalization.

4.1. Since the validity of the existing composite rate for on-board labour charges of CHD at the KPT has expired on 31 March 2015 and considering the position that the KPT is yet to submit its proposal which is under preparation and in final stage as reported by the KPT and also taking into account the time that may be required to dispose of the proposal after its receipt from the KPT, it is necessary to extend the validity of the existing composite rates for on-board labour charges of CHD of KPT.

4.2. Clause 8.4 of the Tariff Policy for Major Ports, 2015 issued by the Ministry of Shipping (MOS) for tariff determination of Major Port Trusts stipulates that the Major Ports shall charge only for services provided for them. It further states that no notional booking of labour and other similar notional charges would be permitted. The KPT is, therefore, advised to comply with the said Clause of Tariff Policy, 2015 while applying the CHD levy.

5. In the result, and for the reason given above, and based on a collective application of mind, this Authority extends the validity of the existing composite rates for on-board labour charges of CHD of the KPT from the date of expiry for a period of six months i.e. till 30 September 2015 or date of effect of notification of the revised rates (to be) approved by this Authority based on the tariff proposal to be filed by the KPT, whichever is earlier. The KPT is 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 and also taking into consideration of Working Guidelines 2015 to operationalise the Tariff Policy for Major Port Trusts, 2015 which will be notified in due course of time.

(T.S. Balasubramanian)
Member (Finance)