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TARIFF AUTHORITY FOR MAJOR PORTS

G.No.202 New Delhi, 15 July 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 Kandla Port Trust as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports

Case No.TAMP/61/2009-KPT

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 July 2014)

This Order relates to the extension of the validity of the existing Scale of Rates of the Kandla Port Trust (KPT).

2. The existing Scale of Rates (SOR) of the KPT was last approved by this Authority vide Order No. TAMP/61/2009-KPT dated 18 January 2011 which was notified in the Gazette of India on 22 February 2011. The Order prescribes the validity of the SOR till 31 March 2013. This Authority has extended the validity of SOR of KPT on couple of occasions; the last being till 30 June 2014 vide Order dated 4 April 2014.

3.1. The proposal filed by the KPT vide its letter dated 3 January 2013 for revision of SOR is registered as tariff case and is taken on consultation with stakeholders. A detailed questionnaire has been issued to the port on 17 April 2013 seeking additional information / clarification. The KPT, vide its letter dated 7 August 2013, has submitted that it is updating the cost statements based on Annual Accounts for the year 2012-13 and it will take time for obtaining consent of the trade and approval of its Board.

3.2. Subsequently, the KPT, vide its letter dated 26 November 2013, *inter alia*, stated that the port has reformulated its proposal updating financial results of 2012-13 and circulated it to users for consultation. After seeking approval of its Board, the KPT had agreed to submit its revised proposal after seeking approval of its Board in the ensuing meeting. In view of that the port had requested not to close the case.

3.3. Considering the request of the KPT, this Authority decided to grant time till 15 February 2014 to KPT to file its proposal.

4. The KPT now, vide its letter dated 16 May 2014, while attaching the minutes of its Board Meeting held on 24 March 2014, has requested this Authority to keep in abeyance its proposal for revision of its SOR and has simultaneously requested to extend the validity of its existing SOR.

5.1. With reference to the request of the KPT to keep in abeyance its proposal for revision of its SOR, this Authority has passed a separate Order No. TAMP/ 73/2012-KPT dated 04 July 2014.

5.2. In the meantime, the extended validity of the existing SOR of KPT expires on 30 June 2014. Considering the fact that the KPT is yet to file its revised proposal, the existing SOR of KPT needs to be extended beyond 30 June 2014 as requested by the KPT. This Authority, therefore, extends the validity of the existing SOR of KPT from the date of its expiry till 30 September 2014 or till the effective date of implementation of the revised Scale of Rates, whichever is earlier.

5.3. If any additional surplus over and above the admissible cost and permissible return emerges for the period post 1 April 2013, during the review of its performance, such additional surplus will be set off fully in the tariff to be determined.

(T.S. Balasubramanian)
Member (Finance)