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TARIFF AUTHORITY FOR MAJOR PORTS

G No. 182

New Delhi, 29 August 2012

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

(Rani Jadhav)
Chairperson

Tariff Authority for Major Ports
Case No.TAMP/37/2007-KPT

Kandla Port Trust

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Applicant

ORDER

(Passed on 8th day of August 2012)

This case deals with the extension of the validity of the existing composite rate for on-board labour in lieu of levy & other charges of Cargo Handling Division of Kandla Port Trust (KDLB).

2.1. This Authority has passed an Order No.TAMP/37/2007-KPT dated 25 March 2011 approving the proposal of Kandla Port Trust to fix the composite rate for on-board labour in lieu of levy of other charges of its cargo handling division on a commodity wise per tonne basis for a period of one year i.e. upto 31 March 2012. The charges were incorporated as clause 3 in Chapter III of the KPT's Scale of Rates. This Order was notified in the Gazette of India Extraordinary (Part III Section 4) on 5 May 2011 vide Gazette No. 94.

2.2. The KPT did not file its proposal in time and instead expressed certain difficulties in finalising its proposal. Based on the request made by KPT, this Authority has passed an Order No. TAMP/37/2007-KPT dated 9 April 2012 extending the validity of existing composite rate for on-board labour in lieu of levy and other charges of Cargo Handling Division beyond 31 March 2012 upto 30 June 2012 subject to the condition that the additional surplus, if any, that may accrue to KPT during the extended period of validity will be adjusted fully in the tariff to be fixed, and advised KPT to file the proposal for fixation of rates for on-board labour by 30 April 2012. This Order was notified in the Gazette of India Extraordinary (Part III Section 4) on 25 April 2012 vide Gazette No.107.

3. The KPT vide its letter dated 6 June 2012 has submitted the proposal for fixation of composite rate for on-board labour in lieu of levy and other charges of Cargo Handling Division. The proposal dated 6 June 2012 of KPT has been taken on consultation with the relevant users.

4. In this backdrop, the KPT vide its letter no.FA/COST/1021-CHD/1858 dated 22 June 2012 has stated that since it will take some time for approval of rates, it has requested to allow it to continue to collect at existing rate provisionally for a further period till the rates are approved by the Authority.

5. Given that the proposal of KPT has recently been taken on consultation with the relevant users, it may take some more time for the case to mature for final consideration of this Authority. It is, therefore, necessary to extend the validity of the composite rate for on-board labour in lieu of levy and other charges of Cargo Handling Division of Kandla Port Trust beyond 30 June 2012.

6. Since the validity of the rates expires on 30 June 2012 and recognizing the time required for finalizing the case, the validity of the existing composite rate for on-board labour in lieu of levy and other charges of Cargo Handling Division of Kandla Port is extended beyond 30 June 2012 up to 31 October 2012, or till the effective date of implementation of the revised composite rate for on board labour in lieu of levy and other charges of Cargo Handling Division, whichever is earlier subject to the condition that the additional surplus, if any, that may accrue to KPT beyond 31 March 2012 will be adjusted fully in the tariff to be fixed.

(Rani Jadhav)
Chairperson