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TARIFF AUTHORITY FOR MAJOR PORTS

G. No. 147

New Delhi,

19 May 2014

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 Scale of Rates of Vizag Seaport Private Limited as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports
Case No.TAMP/5/2011-VSPL

The Vizag Seaport Private Limited

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Applicant

QUORUM

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

ORDER

(Passed on this 4th day of April 2014)

This case relates to the extension of the validity of the existing Scale of Rates of the Vizag Seaport Private Limited (VSPL) for the vessels handled by it at berth EQ-8 and EQ-9 at the Visakhapatnam Port Trust.

2.1. The existing Scale of Rates (SOR) of VSPL was last approved by this Authority vide Order No.TAMP/5/2011-VSPL dated 11 October 2011 which was notified in the Gazette of India on 22 November 2011. The Order prescribes the validity of the SOR till 31 March 2014.

2.2. The VSPL has challenged the said Order dated 11 October 2011 in the Hon'ble High Court of Andhra Pradesh to the extent of the tariff fixed for the Harbour Mobile Crane. The Hon'ble High Court has permitted the VSPL to levy the pre-revised rate of ₹72.75 per tonne instead of ₹36.70 per tonne approved by this Authority for the Harbour Mobile Crane until further orders.

3. The VSPL has on its own filed the proposal for revision of the SOR vide its letter dated 10 March 2014. As stated above, only tariff item of HMC approved in the last Order is challenged by VSPL. All other tariff items are levied by VSPL as per the Order dated 11 October 2011. In view of the above position and also recognising the fact that the VSPL has itself filed a proposal for revision of its Scale of Rates the validity of which has expired on 31 March 2014, the proposal of VSPL has been registered as tariff case and taken on consultation with the concerned users. The VSPL vide its letter dated 25 March 2014 has made a request to extend the validity of the existing SOR till revised tariff is notified.

4. As mentioned above, the proposal of the VSPL has been taken up for consultation with the concerned users. The proposal is to be scrutinized internally. Further, joint hearing as part of the consultative process is to be set up. In view of that it will take some time for the case to mature for final consideration of this Authority.

5.1. The validity of the existing SOR of VSPL expired on 31 March 2014. In view of the position brought out in para 4 above, it will take time for this case to mature for final consideration. This Authority, therefore, extends the validity of the existing SOR except the validity for its rate of Harbour Mobile Crane which is subjudice from the date of its expiry till 30 June 2014 or till the effective date of implementation of the revised Scale of Rates, whichever is earlier.

5.2. If any surplus over and above the admissible cost and permissible return emerges for the period post 1 April 2014, 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)