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Tariff Authority for Major Ports

G. No. 87

New Delhi, 19 May 2004

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 approves the proposal from the Cochin Port Trust (COPT) for re-introducing handling charges on ICD Container as in the Order appended hereto.

(A.L. Bongirwar)
Chairman

Tariff Authority for Major Ports

Case No. TAMP/13/2004-COPT

The Cochin Port Trust (COPT)

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Applicant

ORDER

(Passed on this 4th day of May 2004)

This case relates to a proposal received from the Cochin Port Trust (COPT) for re-introducing handling charges on ICD Container as per its pre-revised Scale of Rates.

2.1. This Authority had passed an Order on 16 December 2003 approving the general revision proposal of the COPT. This Order along with the (revised) Scale of Rates was notified in the Gazette of India on 14 January 2004 vide Gazette No. 14.

2.2. It may be relevant to mention that in the (revised) Scale of Rates, no rate is prescribed for handling ICD container by Rail under Chapter – IV Container Related Charges since the same was not included by the COPT in its proposal. The pre-revised SOR of 1999, however, contained rates for handling ICD container by rail.

3.1. The COPT vide its letter dated 17 February 2004 has stated that the tariff for this item was not included in its proposal since the Container Corporation of India (CONCOR) had proposed to transport the ICD Container from their Rail Terminal by road utilizing their own vehicle, in which they were required to pay only one lift off charge on the respective box at the Container Terminal. But, due to some reasons, the proposal of CONCOR could not be implemented.

3.2. In this backdrop, the COPT has requested this Authority to reintroduce handling charges on ICD Containers as per its pre-revised Scale of Rates. The COPT has also requested to re-introduce these rates retrospectively with effect from 29 January 2004 that is the effective date of implementation of the revised Scale of Rates.

4.1. Since the proposal of the COPT is to re-state the rate already existing in the pre-revised SOR, the usual consultative process was not considered necessary.

4.2. The proposal of the COPT is not for introduction of a new tariff item. The COPT has sought to re-introduce the earlier approved rate since a revised arrangement of handling ICD containers planned with CONCOR did not materialise. Since the operation earlier followed will continue to be in force for ICD containers, there may not be any objection to continue with the rate prescribed therefor in the 1999 Scale of Rates.

4.3. The COPT has sought retrospective approval of its proposal from the date of implementation of the general revision Order passed by this Authority. Since the operation is a continuous process and without any change at that, it is found reasonable to extend the pre-revised rate without any break. The request of the COPT for retrospective implementation of its proposal is, therefore, accepted.

5.1. In the result, and for the reason given above, and based on a collective application of mind, this Authority approves insertion of the following as Schedule 4.8. Handling Charges for ICD container by Rail under Chapter –IV Container Related Charges in the Scale of Rates of the COPT:

(in Rupees)

Particulars	20'		40'	
	Empty	Loaded	Empty	Loaded
Handling charges: ICD by Rail	500	800	750	1200

5.2. The rate will come into effect retrospectively from the effective date of implementation of the revised Scale of Rates approved vide Order dated 16 December 2003. The rates will be ceiling level in line the with the general policy decision already taken.

(**A.L. Bongirwar**)
Chairman