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TARIFF AUTHORITY FOR MAJOR PORTS

GNo.22

New Delhi,

24 February 2009

NOTIFICATION

In exercise of the powers conferred under Section 48 of the Major Port Trust Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby disposes of the proposal of the Jawaharlal Nehru Port Trust for fixation of charges for Inter Terminal Rail Handling Operations of ICD containers at the container terminals in JNPT as in the Order appended hereto

(Brahm Dutt)
Chairman

Tariff Authority for Major Ports
Case No. TAMP/23/2007-JNPT

The Jawaharlal Nehru Trust

...

Applicant

ORDER

(Passed on this 12th day of February 2009)

This case relates to fixation of charges for Inter Terminal Rail Handling Operations (ITRHO) of ICD Containers at Jawaharlal Nehru Port Trust (JNPT).

2. This Authority vide its Order dated 30 September 2008 had extended the validity of the ITRHO rate of Rs.400 per TEU at JNPT upto 31 December 2008 and had advised JNPT to file a proposal for fixation of ITRHO, by 15 November 2008.

3. The JNPT vide its letter dated 24 November 2008 has made the following main submissions:

(i). The details of mixed container handling from June 2008 to October 2008 are as follows:

Month	TEUs handled at JNPT		
	Total	Mixed	% of Mixed
June 2008	85424	22236	26.03%
July 2008	97434	23613	24.23%
August 2008	91272	24836	27.21%
September 2008	92560	32940	35.59%
October 2008	87214	32103	36.81%
Average	90780	27146	29.90%

(ii). As submitted in July 2008, JNPT does not maintain separate activity wise costing for each activity or services rendered.

(iii). JNPT has submitted its tariff revision proposal to TAMP which seeks an increase of 18% in the container related tariff. This proposal contains details of cost and income in respect of container terminal, which includes ITRHO in respect of the financial year 2007-08.

(iv). The tariff of ITRHO may be continued to be levied beyond 31 December 2008 after factoring the details submitted by JNPT, Nhava Sheva International Container Terminal Limited (NSICT) and Gateway Terminals India Private Limited (GTIPL) in their respective proposals for general revision of Scale of Rates.

4. The rate of Rs.400/- per TEU was approved by this Authority subject to review based on the cost details. The Authority vide its Orders dated 28 June 2007, 28 January 2008, 22 April 2008 and 30 September 2008 had, *interalia*, advised JNPT to file a detailed proposal with cost analysis.

5. The JNPT in its general revision proposal filed recently for review of its Scale of Rates has, *interalia*, proposed a common rate for levy of ITRHO at its terminal and at the container terminals operated by the other two private operators. A rate for ITRHO (to be) approved in the Scale of Rates of JNPT based on its cost of operations will not be applicable to the other container terminals. Since the JNPT has proposed a common rate for ITRHO, this Authority has vide letter dated 21 January 2009 advised JNPT to file a separate proposal for a common rate for ITRHO leviable at JNPT, NSICT and GTIPL based on the standard cost of operations for the additional movement of ICD containers moved by rail supported by rate analysis and documentary evidence latest by 20 February 2009.

Considering the time required for processing the proposal to be filed by JNPT for prescribing a common rate for ITRHO, this Authority, decides to extend the validity of the existing rate of Rs.400/- per TEU till 30 April 2009 or till the effective date of implementation of the Order to be passed on the proposal to be received from JNPT, whichever is earlier.

(Brahm Dutt)
Chairman