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Tariff Authority for Major Ports

G. No. : 164

New Delhi, 7 October 2004

NOTIFICATION

In exercise of the powers conferred by Section 49 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports closes the case relating to the proposal received from the Kolkata Port Trust for revision of Schedule of Rent for Land and Buildings of Kolkata Port Trust at Haldia as in the Order appended hereto.

(A.L. Bongirwar)
Chairman

Tariff Authority for Major Ports

Case No. TAMP/66/2003-KOPT

The Kolkata Port Trust

Applicant

ORDER

(Passed on this 30th day of September 2004)

This case relates to a proposal from the Kolkata Port Trust (KOPT) for revision of Schedule of Rent for Land and Buildings of KOPT at Haldia. The KOPT proposal was registered as a tariff case and further processed following the consultative procedure prescribed.

2. Subsequently the KOPT vide its letter dated 11 August 2004 proposed certain amendments to the existing Rent Schedule for Land and Buildings of KOPT at Haldia.

3. In the meanwhile, the Government of India in the Ministry of Shipping announced Land Policy for Major Ports (except Mumbai and Kolkata) in March 2004. The Ministry of Shipping (MOS) vide its letter dated 26 July 2004 has further clarified that the Land Policy for KOPT and MBPT is under consideration and the lands of KOPT situated at Haldia will be covered by the Land Policy of KOPT whenever finalized. The KOPT was advised to review its proposal in reference in the light of the Land Policy for Major Ports applicable for KOPT and file a fresh proposal before this Authority. The KOPT has agreed to revise its proposal in reference on receipt of the Land Policy from MOS.

4. Since the new policy applicable to KOPT lands is to be announced by the Government soon, it will be appropriate to fix schedule of rents in line with such policy decisions. The KOPT has also agreed to revise its proposal accordingly. That being so, the case in reference is closed. After the new land policy is announced the KOPT should file its proposal for a review of the existing rates. The KOPT is granted 60 days' time from the date Government announces the new policy to file such a proposal.

5. The proposal of KOPT includes reduction in the existing rates in some cases. The decision to close the case should not come in the way of KOPT implementing such reduced rates, if it desires so, in view of the general policy decision already taken to declare all the rates fixed by this Authority as ceiling rates.

6. The KOPT has subsequently proposed amendments to some of the existing conditionalities based on the land policy for major ports (other than KOPT and MBPT) already announced by the Government. In line with the decision to take up review of rates after the new land policy for KOPT is announced by Government, the amendments to conditionalities can also be taken up for consideration in the proceeding to be initiated based on a revised proposal to be filed by the port.

(A.L. Bongirwar)
Chairman