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TARIFF AUTHORITY FOR MAJOR PORTS

G. No. : 149

New Delhi, 20 August 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 of the Visakha Container Terminal Private Limited (VCTPL) for fixation of charge for weighment at its Container Terminal in the Visakhapatnam Port as in the Order appended hereto.

(A.L. Bongirwar)
Chairman

Tariff Authority for Major Ports
Case No. TAMP/28/2004-VCTPL

Visakha Container Terminal Private Limited - - - -

Applicant

ORDER

(Passed on this 10th day of August 2004)

This case relates to a proposal received from the Visakha Container Terminal Private Limited (VCTPL) for fixation of charge for weighment at its Container Terminal in the Visakhapatnam Port.

2. The VCTPL has made the following main points in the proposal:

- (i). A weigh bridge has been installed at its terminal for the benefit of the port users for weighing trailer / trucks. It has proposed to levy weighment charge of Rs.100/- per weighment of trailer / truck with or without container / cargo for this service. The proposed charge is an additional service and optional in nature.
- (ii). The charges prescribed in Scale of Rates of the VPT is Rs. 20.00 per weighment. The proposed charge is high as compared to VPT since the utilisation of weighbridge at its terminal will be very less.
- (iii). In this backdrop, it has, requested to accord approval to the proposed charges of Rs. 100.00 per weighment for the service to be rendered at its terminal.

3.1. In accordance with the consultation process prescribed, the proposal of the VCTPL was forwarded to the VPT and the concerned users organisation seeking their comments by 13 July 2004. No objection has been raised from any user organisations except from the Visakhapatnam Customs Clearing Agents' Association (VCCAA).

3.2. The VCCAA has pointed out that the proposed charge appears to be higher than the charges levied by most of the private weigh bridges at the level of Rs. 30/- for weighment of lorry and Rs. 50/- for a trailer. It has also admitted that the traffic at the VCTPL for weighment of containerised cargo will be seldom, however, recognising that the VCTPL has to recover the investment on this account, a reasonable rate may be fixed. The VPT has not furnished any specific comments on the proposal but it has only conveyed the views of some members of the trade that the proposed charge for weighment is very exorbitant.

4.1. In response to the comments of the VCCAA, the VCTPL has reiterated the points made in its proposal that proposed rate is arrived at taking into consideration the fact that the usage of the weigh bridge at its terminal will be very rare unlike the utilisation at the VPT and other private weigh bridges. In fact, in the last three months only 5 containers have availed this facility. It has again emphasised that this is an optional charge and the trade always have the option of availing this service elsewhere.

4.2. Since the tariff item in consideration is for an optional service and most of the user organisations consulted have not conveyed any objection, joint hearing in this case has not been considered necessary.

5.1. It may be relevant to mention that the charges for weigh bridge at other ports like Tuticorin Port Trust and Cochin Port Trust is around Rs. 3 per tonne for weighing bulk cargo, for other cargo it is Rs.7/- per tonne at Cochin Port Trust and at the Kandla Port Trust it is Rs.20/- for

use of weigh bridge by small vehicles and Rs.40/- for use of weigh bridge by trailers and other large vehicles and for issue of weighment certificate additional Rs.50/- is leviable. As against this, the rate proposed by the VCTPL is per trailer / truck irrespective of quantum of cargo/ container loaded in it and the proposed charge also includes issue of requisite certificate.

5.2. In any case, this is not a significant tariff item. As reported by the VCTPL the proposed tariff item is for an optional service and the users already have a choice of availing this service elsewhere also. In view of the fact that the proposed tariff item is not mandatory but only an optional service, this Authority has no reservation to approve the rate proposed by the VCTPL.

6.1. In the result, and for the reasons given above, and based on a collective application of mind, this Authority approves the insertion of the following items in the existing Scale of Rates of the VCTPL:

(i). **Insert item number 1.24 under Schedule 1.10 – Additional charge:**

“

Item No.	Particulars	Rate in Rs. (per weighment)
1.24	<i>Weighment charges for weighment of Trailer / Truck with or without container / cargo</i>	<i>Rs. 100.00</i>

”

(ii). **Insert Note number (15) under the Schedule 1.10 – Additional charge:**

“(15). *Weighment charge:*

The service of weighment of trailer / truck is an optional service and shall be offered on the request of the users. The charge includes issuing of the requisite certificate with the weight indicated on it. ”

6.2. The rate approved shall come into effect after 15 days from the date of notification of this Order in the Gazette of India.

(A.L. Bongirwar)
Chairman