

(To be published in Part - III Section 4 of the Gazette of India, Extraordinary)

## **TARIFF AUTHORITY FOR MAJOR PORTS**

G. No. 135

New Delhi, 2 September 2003

### **NOTIFICATION**

In compliance of a direction issued by the Government of India under Section 111 of the Major Port Trusts Act, 1963 (38 of 1963) and in exercise of the powers conferred by Sections 48, 49 and 50 of the said Act, the Tariff Authority for Major Ports hereby introduces commonly for all the major port trusts a general conditionality in their respective Scale of Rates to specify that the rates prescribed therein are ceiling rates, as in the Order appended hereto.

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

**Tariff Authority for Major Ports**  
**No. TAMP/53/2003-Genl.**

**ORDER**

(Passed on this 28th day of August 2003)

The Government of India in the Ministry of Shipping (MOS) vide its communication No. PR/11012/1/99-PG dated 21 August 2003 has issued a policy direction to this Authority under Section 111 of the MPT Act to fix the Scale of Rates as ceiling rates and to so specify in its notification fixing rates so that the major ports have the flexibility to charge at reduced rates, if they so desire, to compete with others. Similarly, the discounts and rebates prescribed by this Authority in the Scale of Rates will act as the floor level and the port trusts will have the flexibility of giving higher discounts and rebates.

2. This direction has been issued by the Government after obtaining the views of this Authority, as required under the relevant provisions of the Act. This Authority fully endorsed the proposed direction since it would give required flexibility to the major port trusts.

3. In order to implement the policy of the Government and bearing in mind the intention behind the direction, this Authority considers it appropriate to insert a general conditionality in all approved Scale of Rates of all major port trusts to prescribe that the rates and discounts / rebates contained therein are ceiling and floor levels respectively. This arrangement will apply to the existing rates as well as the rates to be fixed in future.

4. In the result, and for the reasons given above, this Authority amends the Scale of Rates of all the major port trusts to insert the following general conditionality therein:

*“The rates prescribed in the Scale of Rates are ceiling levels; likewise, rebates and discounts are floor levels. The Port Trust may, if it so desires, charge lower rates and / or allow higher rebates and discounts.”*

5. All the major port trusts are hereby directed to include this conditionality in their Scale of Rates.

6. This Order shall come into effect immediately after its notification in the Gazette of India.

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