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Tariff Authority for Major Ports

G.No. 57

New Delhi, 12 April, 2003

NOTIFICATION

In compliance of a direction issued by the Government of India under Section 54 (1) of the Major Port Trusts Act, the Tariff Authority for Major Ports hereby cancels its earlier Order No. TAMP/35/99-JNPT dated 12 May 2000, as in the Order appended hereto.

(A.L. Bongirwar)
Chairman

Tariff Authority for Major Ports
Case No. TAMP/35/99-JNPT

ORDER

(Passed on this 31st day of March 2003)

This Authority had passed an Order on 12 May 2000 in Case No.TAMP/35/99-JNPT relating to a representation made by M/s. Indian Oil Corporation requesting for withdrawal of modifications effected by the Jawaharlal Nehru Port Trust in the terms and conditions of lease relating to the land allotted to them. This Order was notified in the Gazette of India on 29 May 2000 vide Gazette No.69.

2. The Government of India in the Ministry of Shipping vide their letter No.PR-14019/36/2001-PG dated 26 September 2002 conveyed that it would be necessary in public interest, for stated reasons, to cancel the Order passed without authority by the Tariff Authority for Major Ports, without going into the merits of the decision given by the Tariff Authority for Major Ports. In exercise of the powers conferred by sub-section (1) of Section 54 of the MPT Act, 1963, the Central Government has directed this Authority to cancel the Order passed by it.

3. This Authority found that it would be advisable to alert the Government about the implication on other cases of cancelling the Order in reference and seek confirmation of the direction issued under Section 54. Accordingly, a reference was made to the Ministry of Shipping on 9 October 2002.

4. The Ministry of Shipping vide its letter No.PR-14019/36/2001-PG dated 26 March 2003 has clarified that this Authority may go ahead with cancellation of the Order in reference; and, a view on the remaining cases may be taken at appropriate time on case to case basis, if the question is raised by concerned parties.

5. In this backdrop, in compliance with the direction given by the Central Government under Section 54 (1) of the MPT Act, 1963, this Authority hereby cancels its Order passed on 12 May 2000 in Case No.TAMP/35/99-JNPT.

(A.L. Bongirwar)
Chairman