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**TARIFF AUTHORITY FOR MAJOR PORTS**

G.No.254

New Delhi,

28 June 2017

**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 hereby extends the validity of Rent Schedule for the land of Kolkata Port Trust at Shalukkhali, Haldia Dock – II as in the Order appended hereto.

**(T.S. Balasubramanian)**  
Member (Finance)

**Tariff Authority for Major Ports**  
**Case No. TAMP/40/2011-KOPT**

Kolkata Port Trust

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**QUORUM**

Applicant

- (i). Shri. T.S. Balasubramanian, Member (Finance)
- (ii). Shri. Rajat Sachar, Member (Economic)

**ORDER**

(Passed on this 24<sup>th</sup> day of May 2017)

This case relates to the request received from Kolkata Port trust (KOPT) for the extension of the validity of Rent Schedule for the land of KOPT at Shalukkhali, Haldia Dock - II.

2. The existing rent schedule of the land of KOPT at Shalukkhali, Haldia Dock - II was approved by this Authority vide Order No. TAMP/44/2011-KOPT dated 14 February 2012. This Order was notified in Gazette of India on 14 March 2012 vide Gazette No. 64. The rent schedule came into effect after expiry of 30 days period from the date of notification in the gazette and is valid for a period of 5 years i.e. upto 13 April 2017.

3. In this backdrop, the KOPT, vide its letter no. Ad/E/1032/SD/Shalukkhali/V/9213 dated 30 March 2017 has made the following submissions:

- (i). The KOPT is in process of carrying out valuation of land at Shalukkhali by engaging a valuer for the purpose of revising the existing Schedule.
- (ii). The KOPT will require about 3 months of time to submit a proposal for revision of the rent schedule after carrying out the valuation etc. in terms of extant Land Policy Guidelines including assessment of rates through a valuer.
- (iii). It is, therefore, requested to extend the validity of current schedule of rent of land of KOPT at Shalukkhali, Haldia Dock – II for a period of 6 months w.e.f. 14 April 2017 or upto the date of notification of the revised schedule whichever is earlier.

4.1. As stated earlier, the validity of the existing Rent Schedule of land of KOPT at Shalukkhali, Haldia Dock - II expires on 14 April 2017. Therefore, there will be a vacuum unless the validity is extended.

4.2. Further, the Land Policy Guidelines of 2010 issued by the Government (based on which the rentals for the land of KOPT at Shalukkhali, Haldia Dock – II has been fixed in 2012) stipulate that the lease rentals approved by this Authority shall be escalated by 2% per annum till they are revised by this Authority. The Order of February 2012 of KOPT also prescribes a specific condition in this regard. This condition also prevails in the amended Land Policy Guidelines of 2014 issued by the Government. Since the existing Rent Schedule already prescribes an annual escalation @ 2% in the lease rentals and in line with the Land Policy Guidelines, the annual escalation @ 2% will continue to apply during the extended validity period of the Rent Schedule for the land of KOPT at Shalukkhali, Haldia Dock – II.

4.3. However, in this regard, it is relevant to mention here that the extension of validity of the existing lease rentals with an annual escalation of 2% is only a provisional arrangement to avoid a vacuum in the availability of lease rentals. The lease rentals to be fixed for the land of KOPT at Shalukkhali, Haldia Dock – II, based on a proposal to be filed by KOPT in this regard, may have to be given a retrospective effect from 14 April 2017, as the Land Policy Guidelines requires this Authority to fix lease rentals for every five years.

5. In the result, and for the reasons given above, and based on a collective application of mind, this Authority extends the validity of the existing Rent Schedule for the Lands and Buildings of KOPT at Kolkata and Haldia for a period of 6 months from the date of expiry till 13 October 2017 or till the date of notification of revised lease rentals based on a proposal to be filed by KOPT,

whichever is earlier. The KOPT is directed to file its proposal for revision of Rent Schedule, latest by 30 June 2017, following the revised Land Policy Guidelines, 2014, issued by the Government.

**(T.S. Balasubramanian)**  
Member (Finance)