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TARIFF AUTHORITY FOR MAJOR PORTS

G.No.309

New Delhi,

14 August 2018

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 extends the validity of the tariff for Harbour Mobile Crane (HMC) installed by private operator authorised by New Mangalore Port Trust (NMPT), approved by this Authority vide Order No.TAMP/24/2013-NMPT dated 13 February 2015 as in the Order appended hereto.

(T.S. Balasubramanian)

Member (Finance)

Tariff Authority for Major Ports
Case No. TAMP/24/2013-NMPT

New Managlore Port Trust

QUORUM

Applicant

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

ORDER

(Passed on this 31st day of July 2018)

This case deals with the extension of the validity of the existing tariff for Harbour Mobile Crane (HMC) provided by private operator authorised by New Mangalore Port Trust (NMPT) for handling General / Bulk Cargo at NMPT approved by this authority vide Order No.TAMP/24/2013-NMPT dated 13 February 2015.

2.1. This Authority vide its Order No.TAMP/24/2013-NMPT dated 13 February 2015 had passed an Order approving tariff for HMC provided by Service Provider at NMPT for handling General / Bulk Cargo at the NMPT as a common ceiling tariff. The said Order was notified in the Gazette of India vide Gazette No. 92 dated 19 March 2015. The rates came into effect after expiry of 15 days from date of notification of the Order in gazette of India i.e. from 3 April 2015 and validity was prescribed for a period of 3 years i.e. till 3 April 2018.

2.2. In this backdrop, the NMPT vide its letter No. NMPT/YM/MHC-New/2018 dated 22 June 2018 has made following submissions:

- (i). A proposal in this regard was submitted to the Board of Trustees for fixation of tariff for private HMC. The Board observed that the present HMC contract will expire on 24 February 2019. Further, the DBFOT operator of Berth No. 16 M/s. Chettinad Manglore Coal Terminal Ltd. may commence mechanized handling of coal from January 2019. Since, all the coal and other dry bulk cargo would be handled by the private operator, services of private HMC may not be required after January 2019 as the Port has its own 64 tonnes HMC that could be deployed for operation.
- (ii). The Board deliberated in detail and after looking into various aspects, decided to continue the existing rate for deployment of HMC till 24 February 2019 and thereafter to take decision based on the then prevailing circumstances. The Board Resolution No. 17/2018 in the 1st ordinary meeting for the year 2018-19 held on 25 May 2018 resolved to continue the prevailing tariff and request TAMP for granting extension to the existing tariff till 24 February 2019.
- (iii). In view of the above , the NMPT has requested the Authority to grant extension to the validity of tariff prescribed under Section 6.8 of Chapter VI of SOR by way of a note for use of HMC installed by the private crane operators in NMPT, for a period up to 24 February 2019.

3.1. It is relevant to state here that in the last general revision of SOR of NMPT approved by this Authority vide order No.TAMP/22/2015-NMPT dated 27 February 2016, the rate for the said HMC is prescribed by way of the following note under Section 6.8 Order Chapter VI.

“6.8 Charges for use of Harbour Mobile Cranes installed by the private operators:

The hire charges for HMC installed by private operators authorized by NMPT will be governed by separate Order No.TAMP/24/2013-NMPT approved by TAMP on 13.02.2015 & notified in the Gazette of India on 19.03.2015.”

Thus, the validity of rates for HMC provided by Private Operator authorised by Port is linked to the validity of the rate approved by this Authority in Order No.TAMP/24/2013-NMPT dated 13 February 2015 i.e. till 3 April 2018.

3.2. For the reasons cited by the NMPT as brought out in Para 2.2. above seeking extension of the existing rate till 24 February 2014 on the grounds that the existing contract awarded to the service

provider is valid till 24 February 2019, and recognising that the proposal is with the approval of the Board of Trustees of the NMPT, this Authority is inclined to extend the validity of the tariff prescribed for HMC in Order No.TAMP/24/2013-NMPT dated 13 February 2015 from the date of its expiry till 24 February 2019.

4. In the result, and for the reasons given above, and based on a collective application of mind, this Authority extends the validity of existing tariff for HMC provided by the private operator authorised by the NMPT for handling General / Bulk cargo at NMPT approved vide Order No. TAMP/24/2013-NMPT dated 13 February 2015 from date of its expiry till 24 February 2019. The extension of the validity of rates will continue to be governed by the conditionalities prescribed in the Order dated 13 February 2015.

(T.S. Balasubramanian)
Member (Finance)