

No. 186

New Delhi, the 13 July, 2001

TARIFF AUTHORITY FOR MAJOR PORTS

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 Paradip Port Trust about allowing 30 days' of demurrage free time to gift cargo consigned to charitable organisations irrespective of the nature of carrier and the type of packaging as in the Order appended hereto.

(**S. Sathyam**)

Chairman

Tariff Authority for Major Ports

Case No.TAMP/44/2000-PPT

The Paradip Port Trust (PPT)

Applicant

ORDER

(Passed on this 28th day of June 2001)

This case relates to a proposal received from the Paradip Port Trust (PPT) to allow 30 days free time to gift cargo consigned to charitable organisations irrespective of its mode of import i.e. through vessels, LASH barges or containers.

2.1. In its proposal, the PPT has mentioned the following:

- (i). Gift cargo are received at the Port both by LASH barges and in containers.
- (ii). If received in LASH barges, gift cargo are allowed 30 days free time as per clause 3.3(viii) of the Scale of Rates as amended by the TAMP's Order dated 30 September 1999. Similar gift cargo received in containers are subject to the provisions of clause 3.3.1(ii) of the Scale of Rates which prescribes a free time of 15 days from the date of landing.

2.2. In this backdrop, the PPT has proposed to extend a uniform free time of 30 days to all gift cargo consigned to charitable organisations irrespective of its mode of import. The proposal was endorsed by the Board of Trustees of the PPT in its meeting held on 25 April 2001.

3.1. A copy of proposal was circulated among the Utkal Chamber of Commerce and Industries, the Container Shipping Lines Association and the Indian National Ship-owners' Association for their comments.

3.2. Since the proposal is for extension of the decision already been taken by this Authority to containerised cargo, no separate joint hearing in this case has been considered necessary.

4.1. This Authority had already passed an Order on 30 September 1999 reducing the free time for gift cargo at the PPT from 45 days to 30 days. Earlier, the free time for gift cargo was 45 days in terms of clause 3.3(viii) of the PPT Scale of Rates. It was, however, only 15 days from the date of landing in case of LCL containers and 7 days in case of FCL containers in terms of clause 3.3.1(2) of the Scale of Rates of the PPT.

4.2. The intention behind the earlier Order of this Authority is to allow a free time of 30 days for gift cargo imported by charitable organisations. The differentiation between break-bulk cargo and containerised cargo for the purpose of allowing the 'free time' is not intentional but due to chapterisation of the Scale of Rates.

5. In the result, and in view of the decision already taken by this Authority to prescribe a free time of 30 days for gift cargo, the proposal of the PPT is approved. The Scale of Rates of the PPT is accordingly amended to incorporate the following conditionality both under clauses 3.3(viii) and 3.3.1(2).

“Free time for gift cargo consigned to all charitable organisations will be 30 days. This free time shall be allowed irrespective of the nature of carrier and the type of packaging”.

(S. Sathyam)

Chairman