

(Published in Part - III Section 4 of the Gazette of India, Extraordinary)

TARIFF AUTHORITY FOR MAJOR PORTS

G. No. 183

New Delhi, 7 November, 2003

NOTIFICATION

In exercise of the powers conferred under Section 49 of the Major Port Trust Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby approves the proposal of the Tuticorin Port Trust for an amendment in one of the conditionalities approved earlier vide Order No.TAMP/87/2002-TPT dated 17 March 2003 about levy of package marine charges on main line container vessels as in the Order appended hereto.

(A.L. Bongirwar)
Chairman

Tariff Authority for Major Ports
Case No. TAMP/87/2002-TPT

The Tuticorin Port Trust

Applicant

ORDER

(Passed on this 22nd day of October 2003)

This Authority had passed an Order in case No.TAMP/87/2002-TPT on 17 March 2003 approving the proposal from Tuticorin Port Trust (TPT) for levy of package marine charges on mainline container vessels. The said Order was notified in the Gazette of India on 19 April 2003 vide Gazette Number 59.

1.2. With reference to the eligibility for the package marine charge, this Authority in its Order, inter-alia, approved the following conditionality in para 6(iv) as proposed by the port:

“(iv). The scheme will be applicable to individual lines or consortium subject to the condition that consortium shall be a registered body having a standing of atleast 5 years and the consortium should specify the number of calls to be performed by its members individually. “

2.1. The TPT vide its letter dated 6 October 2003 has stated that the said condition prescribing five years standing in case of individual lines or consortium to avail the benefit envisaged in the package marine scheme is found to be very stringent. It has pointed out that there is a general consensus to dispense with this stipulation with retrospective effect from 1 April 2003 and to reword this clause as follows:

“(iv). The scheme will be applicable to individual lines or consortium subject to the condition that consortium shall be a registered body and should specify the number of calls to be performed by its members individually. “

2.2. The proposed amendment will go to benefit the users. Since the proposed amendment is reportedly based on a consensus, this Authority has no reservation in accepting the TPT proposal.

2.3. Since this amendment is linked to the package marine charges introduced with effect from 1 April 2003, the relevant condition to this scheme also need to be applied from that particular date. That being so, this Authority accepts the request of the TPT to apply the amended condition with retrospective effect from 1 April 2003.

3.1. In the result, and for the reasons given above, and based on application of mind, the conditionality prescribed in para 6(iv) of the Authority's Order dated 17 March 2003 is reworded as proposed by the TPT in para 2.1 above.

3.2. This amendment will come into effect retrospectively from 1 April 2003.

(A.L. Bongirwar)
Chairman