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**TARIFF AUTHORITY FOR MAJOR PORTS**

G.No.507

New Delhi,

19 November 2020

**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 existing Scale of Rates of the Bharat Petroleum Corporation Limited operating in the Jawaharlal Nehru Port Trust as in the Order appended hereto.

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

**Tariff Authority for Major Ports**  
**Case No. TAMP/46/2016-BPCL**

**The Bharat Petroleum Corporation Limited - - -**

**Applicant**

**QUORUM**

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

**ORDER**

(Passed on this 28<sup>th</sup> day of October 2020)

This case relates to the extension of the validity of the existing Scale of Rates of Bharat Petroleum Corporation Limited (BPCL) operating the Liquid Cargo Berth at the Jawaharlal Nehru Port Trust (JNPT).

2.1. The existing Scale of Rates (SOR) of Bharat Petroleum Corporation Limited (BPCL) operating in the Jawaharlal Nehru Port Trust was approved by the Authority vide Order No. TAMP/46/2016-BPCL dated 8 February 2017. This Order was notified in the Gazette of India on 06 March 2017 vide Gazette No. 94. The Order prescribed the validity of the SOR of BPCL till 31 March 2019.

2.2. Thereafter, based on the request of BPCL, the Authority has on regular occasions, extended the validity of the existing tariff of BPCL.

2.3. On the last occasion, the validity was extended for a period of 6 months from 01 April 2020 to 30 September 2020.

3.1. In this backdrop, the BPCL vide its email dated 9 September 2020 has stated that based on the discussions at the joint hearing and comments of users, the proposal of BPCL is under review and that this could take some more time, because of their multi layered organogram.

3.2. Therefore, BPCL has requested this Authority to extend the validity of the existing Scale of Rates for a further period of 3 months i.e. from 1 October 2020 to 31 December 2020.

4.1. Finalisation of tariff of BPCL is pending for want of requisite information from BPCL. Hence, it may take some more time for the case to mature for finalization.

4.2. In view of above and since the extended validity of the existing tariff of BPCL has already expired on 30 September 2020 and based on the request made by BPCL for the reasons cited by it and in order to avoid a vacuum in the tariff, it is felt

appropriate to extend the validity of the existing tariff of BPCL beyond 30 September 2020.

4.3. Accordingly, this Authority extends the validity of the existing tariff of BPCL for a further period of 3 months i.e. 01 October 2020 to 31 December 2020 or upto the finalization of new SOR, based on the information/ clarification to be furnished by BPCL. Whichever is earlier, as requested by BPCL.

4.4. If any additional surplus over and above the admissible cost and permissible return emerges for the period post 01 April 2019, during the review of performance of BPCL, such additional surplus will be dealt with as per Clause 3.1.2 of the Tariff Guidelines, 2019, for determination of tariff for BOT operators operating in Major Port Trusts and previously governed by 2005 Tariff Guidelines issued by the Government vide its letter no. PR-14019/20/2009-PG (pt-IV) dated 5 March 2019 and notified by this Authority in the Gazette of India.

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