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**Tariff Authority for Major Ports**

G.No.467

New Delhi,

27 December 2016

**NOTIFICATION**

In pursuance to the Ministry of Shipping, Government of India, letter No.WTC-15025/5/2012-IWT (Vol. III) (Pt) dated 25 November 2016 and in exercise of the powers conferred by Section 48 of the Major Port Trusts Act, 1963, the Tariff Authority for Major Ports hereby notifies provisions for incorporation in the Scale of Rates of all the Major Port Trusts, regarding Regulation of port dues and other charges from the vessels of Republic of Bangladesh as per Standard Operating Procedure (SOP)/ Coastal Shipping Agreement between India and the Republic of Bangladesh, as in the Order appended hereto.

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

**Tariff Authority for Major Ports**  
**Case No. TAMP/4/2004-Genl.**

**O R D E R**

(Passed on this 16<sup>th</sup> day of December 2016)

The Ministry of Shipping (MOS) vide its letter No.WTC-15025/5/2012-IWT (Vol. III) (Pt) dated 25 November 2016 has conveyed its decision that, all the major ports should seek approval of the Tariff Authority for Major Ports (TAMP) for adoption of the clause 6 of the Standard Operating Procedure (SOP) while levying port dues and other charges for entry of vessels of the Republic of Bangladesh into India under the Coastal Shipping Agreement between the two countries.

2. The contents of MOS letter No.WTC-15025/5/2012-IWT (Vol. III) (Pt) dated 25 November 2016, are given below:

- (i). As per Clause 6 of the Standard Operating Procedure (SOP) for operation of Indo-Bangladesh Coastal Shipping Agreement (given below), the vessels entering into India from Bangladesh under the Coastal Shipping Agreement between India and Bangladesh are not to be treated as foreign going (FG) vessels.

“6. *Port and other charges:*

6.1 *Port dues may be levied by the Competent Maritime Authorities in either country on the vessels belonging to the other country and engaged in inter country trade, which will be treated as domestic vessel engaged in coastal shipping and not as Foreign Going (FG) vessels.*

6.2 *The Competent Maritime Authorities in either country may also levy on the vessels of the other country charges for conservancy, pilotage and other specific services at par with those charged from the local vessels. The charges will be determined with reference to cargo carrying capacity of the vessels, as applicable to domestic vessel engaged in coastal shipping.”*

- (ii). Instances have, however, come to the notice of this Ministry where a vessel belonging to the Republic of Bangladesh was initially levied port and other charges as for Foreign Going (FG) vessels on its entry to Indian Port under Coastal Shipping Agreement between India and Bangladesh. On subsequent intervention of this Ministry, the amount charged in excess was refunded to the owner of the vessel which approval of the Board of the said Major Port.

3. In view of the said direction of the MOS, this Authority directs all the Major Port Trusts to incorporate the following provision in their Scale of Rates:-

- “(i). (a). *As per Clause 6 of the Standard Operating Procedure (SOP) for operation of Indo-Bangladesh Coastal Shipping Agreement (given below), the vessels entering into India from Bangladesh under the Coastal Shipping Agreement between India and Bangladesh are not to be treated as foreign going (FG) vessels.*

(b). *Port and other charges*

- (i). *Port dues to be levied by the Major Port Trust on the entry of vessels of the Republic of Bangladesh into India under the Coastal Shipping Agreement between the two countries and engaged in inter country trade, will be treated as domestic vessel engaged in coastal shipping and not as Foreign Going (FG) vessels.*

- (ii). *The Major Port Trust shall also on the vessels of the Republic of Bangladesh levy charges for conservancy, pilotage and other specific services at par with those charged from the coastal vessels. The charges will be determined with reference to cargo carrying capacity of the vessels, as applicable to coastal vessel engaged in coastal shipping.”*

4. The above amendment in the SOR will be effective from the date the MOS issued the direction to all the Major Port Trusts i.e. from 25 November 2016. All the Major Port Trusts are directed to amend their Scale of Rates accordingly.

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