

(Published in Part - III Section 4 of the Gazette of India, Extraordinary)
TARIFF AUTHORITY FOR MAJOR PORTS

G.No. 410

New Delhi,

06 October 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 tariff for the Central Warehousing Corporation operating the Container Freight Station at the Kandla Port Trust as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports
Case No. TAMP/53/2016-CWC

The Central Warehousing Corporation - - -

Applicant

QUORUM

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

ORDER

(Passed on this 7th day of September 2020)

This case relates to the extension of the validity of the existing Scale of Rates of the Central Warehousing Corporation (CWC) operating the Container Freight Station at the Deendayal Port Trust (DPT).

2. The existing Scale of Rates (SOR) of CWC was last approved by the Authority vide Order No.TAMP/53/2016-CWC dated 19 January 2018 which was notified in the Gazette of India on 26 February 2018. The Order prescribed the validity of the SOR till 31 March 2020.

3.1. The CWC has filed a proposal dated 02 January 2020 and 29 February 2020 for general revision of its SOR following new Tariff Guidelines for BOT operators, 2019.

3.2. The proposal received from the CWC has been taken on the prescribed consultation process with the DPT and the concerned users/ user associations and the Joint hearing in this case is held on 26 June 2020. Subsequently, the CWC, vide its letter dated 18 August 2020, has furnished revised computation based on actuals of 2016-17, 2017-18 and 2018-19. The DPT was requested to furnish its comments and information on the points mentioned in our letter dated 01 July 2020 and 26 August 2020. Response of DPT is awaited. Hence it will take some more time for this case to mature for final consideration.

3.3. In the meantime, the CWC, vide its email dated 25 March 2020, followed by another email dated 30 April 2020 has requested to continue with the existing Tariff beyond 31.03.2020 upto 31.07.2020 or till the approval of proposed tariff whichever is earlier.

4. Since the validity of the existing SOR of CWC expired on 31 March 2020 and recognizing that it will take some more time to dispose of the general revision proposal of the CWC, this Authority is inclined to extend the validity of the existing SOR of the CWC till 15 October 2020 or the effective date of implementation of the revised SOR, whichever is earlier.

5. If any additional surplus over and above the admissible cost and permissible return emerges for the period post 1 April 2020, during the review of the performance of CWC, such additional surplus will be dealt with as per clause 3.1.2 of the Tariff Guidelines for BOT operators 2019 for determination of tariff for BOT operators operating in Major Port Trusts and previously governed by 2005 Tariff Guidelines issued by Government vide its letter No.PR-14019/20/2009-PG(PV.IV) dated 5 March 2019 and notified by the Authority in the Gazette of India.

6. In the result, and for the reasons given above, and based on the collective application of mind, this Authority extends the validity of the existing SOR of CWC from the date of its expiry till 15 October 2020 or till the date of effect of notification of the revised SOR of CWC.

(T.S. Balasubramanian)
Member (Finance)