

TARIFF AUTHORITY FOR MAJOR PORTS

NOTIFICATION

G: 104

New Delhi,

6th December, 1999

In exercise of the powers conferred by Section 48 of the Major Port Trusts Act, 1963 (Act 38 of 1963), the Tariff Authority for Major Ports hereby prescribes time limit of two months for abandoned FCL Containers / Shipper owned containers and 'other than shipper owned containers' in all the Major Port Trusts Scale of Rates as in the Order appended hereto.

(S. Sathyam)
Chairman

TARIFF AUTHORITY FOR MAJOR PORTS

CASE NO. TAMP/86/99-MISC.

ORDER

(Passed on this 10th day of November 99)

This Authority had passed an order on 5 September 99 prescribing a maximum time limit of two months in respect of abandoned containers for charging ground rent and introduced a new note in the existing Scale of Rates of the Chennai Port Trust (CHPT). While approving the tariffs for the JNPT's CFS also this Authority had prescribed the above time limit for charge of ground rent in case of abandoned containers. It has been the stated position of the Authority that the statutory limit of 45 / 60 days for de-stuffing / clearing after landing the cargo shall be adhered to; and, if it is not adhered to, then, the cargo shall be auctioned at the consignee's cost.

2. The time limit prescribed in the case of the CHPT and the JNPT amounts only to an application of the statutory principle and is also in accordance with the Guideline on the subject developed to govern such tariffs. It has, therefore, been decided to extend this time limit for 'common adoption' by all the Major Port Trusts.

3. At present there is no specific provision in the Scale of Rates of the Major Ports to exempt levy of storage charges for abandoned containers. Accordingly, the Authority fixes a time limit of two months in respect of abandoned containers and introduces the following Notes in the Scales of Rates of all the Major Port Trusts :-

- (i). Storage charges on abandoned FCL Containers / Shipper owned containers shall be limited upto the date of receipt of intimation of abandonment in the Harbour Office in writing or two months from the date of landing of the container whichever is earlier, for such abandoned FCL Containers / Shipper owned containers.

Immediately on receipt of the intimation of abandonment in the Harbour Office in writing, the Traffic Manager shall ensure that steps are taken at once to facilitate removal of the container from the Storage Area and for destuffing it without any loss of time.

- (ii). The container other than 'shipper owned container' shall be removed from the regular Storage area and moved to Sales Warehouse / Overflow Sheds by the Port Trust at the cost and responsibility of the Main Line Operators (MLOs); and, thereafter, the container can be destuffed before the empty containers are removed from the Trust's premises by the MLOs.

4. All the Major Port Trusts are hereby directed to include the above provisions accordingly in their Scale of Rates.

(S. Sathyam)
Chairman