

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

G.No. 45

New Delhi,

03 February 2018

**NOTIFICATION**

In exercise of the powers conferred by Section 49 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby extends the validity of Rent Schedule for the land of Kolkata Port Trust at Shalukkhali, Haldia Dock – II as in the Order appended hereto.

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

# **Tariff Authority for Major Ports**

**Case No. TAMP/40/2011-KOPT**

**Kolkata Port Trust**

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**QUORUM**

**Applicant**

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

## **ORDER**

(Passed on this 19<sup>th</sup> day of January 2018)

This case deals with the extension of the validity of Rent Schedule for the land of Kolkata Port Trust (KOPT) at Shalukkhali, Haldia Dock - II.

2.1. The existing Rent Schedule of the land of KOPT at Shalukkhali, Haldia Dock - II was approved by this Authority vide Order No. TAMP/44/2011-KOPT dated 14 February 2012. This Order was notified in Gazette of India on 14 March 2012 vide Gazette No.64. The rent schedule came into effect after expiry of 30 days period from the date of notification of the Order in the gazette and is valid for a period of 5 years i.e. upto 13 April 2017.

2.2. Thereafter, the validity of the Rent Schedule for the land of KOPT at Shalukkhali, Haldia Dock - II was extended by this Authority on two occasions to avoid a vacuum in tariff and for the reasons cited in the said Order. On the last occasion, this Authority had extended the validity upto 31 December 2017 vide its Order No. TAMP/40/2011 dated 15 September 2017 which was notified in the Gazette of India on 9 October 2017 vide Gazette No. 389. While doing so, the KOPT was advised by this Authority to file its proposal for revision of Rent Schedule, latest by 31 October 2017, following the amended Land Policy Guidelines, 2014, issued by the Government.

3. In this backdrop, the KOPT, vide its letter no. Ad/E/1032/SD/Shalukkhali/V/6097 dated 28 December 2017 has stated that the valuer engaged for the purpose of revising the Scale of Rents (SOR) has submitted the draft valuation report and that the report is under finalization. In view of this position, the KOPT has stated that it will file its proposal by 31 January 2018 after finalization of the valuation report and with approval of its Board of Trustees. Therefore, the KOPT has requested to extend the validity of current schedule of rent of land of KOPT at Shalukkhali, Haldia Dock – II for a period of 3 months i.e upto 31 March 2018 or upto the date of notification of the revised schedule, whichever is earlier.

4. The validity of Rent Schedule for the land of KOPT at Shalukkhali, Haldia Dock - II has already expired on 31 December 2017. Considering the time required for processing the proposal to be filed by the KOPT and in order to avoid a vacuum in the SOR of KOPT, it is felt appropriate to extend the validity of the existing SOR beyond 31 December 2017.

5.1. Further, as already approved by this Authority in its Order no. TAMP/40/2011-KOPT dated 24 May 2017, the annual escalation of 2% will continue to apply during the extended validity period of the Rent Schedule for the land of KOPT at Shalukkhali, Haldia Dock – II.

5.2. Also, as already indicated in the above referred Order, the annual escalation of 2% is only a provisional arrangement to avoid vacuum in lease rentals and that the lease rentals to be fixed by this Authority for the land of KOPT at Shalukkhali, Haldia Dock – II, based on a proposal to be filed KOPT in this regard, may have to be given a retrospective effect from 14 April 2017, as the Land Policy Guidelines requires the Authority to fix lease rentals every five years.

6. In view of the above and for the reasons given above, and based on a collective application of mind, this Authority extends the validity of the existing Rent Schedule for the land of KOPT at Shalukkhali, Haldia Dock - II upto 31 March 2018 or till the effective date of implementation of the revised schedule, whichever is earlier. The KOPT is advised to file its proposal for revision of Rent Schedule, latest by 31 January 2018, following the amended Land Policy Guidelines, 2014, issued by the Government.

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