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**Tariff Authority for Major Ports**

**G.No.374**

**New Delhi,**

**24 September 2020**

**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 the existing rate structure for Gandhidham Township land of Deendayal Port Trust (DPT) as in the Order appended hereto.

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

**Tariff Authority for Major Ports**  
**Case No.TAMP/20/2010-KPT**

Deendayal Port Trust

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Applicant

**QUORUM:**

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

**ORDER**

(Passed on this 7<sup>th</sup> day of September 2020)

This case relates to a proposal filed by Deendayal Port Trust (DPT) for extension of the validity of the rate structure for Gandhidham Township Land of DPT.

2. The validity of the existing rate structure for Gandhidham Township Land of DPT was last extended based on the request of DPT vide Order No.TAMP/20/2010-KPT dated 29 November 2019 from the date of expiry till 31 March 2020 or till the date of effect of notification of the revised lease rentals based on the tariff proposal filed by the DPT, whichever is earlier.

3.1. Since the validity of existing rates of Gandhidham Township expired on 31 March 2020, the DPT has, vide its email dated 08 June 2020 has requested this Authority to allow it to continue to charge at the existing rates for a further period of 6 months i.e. upto 30 September 2020, subject to condition that revised rates will be made applicable with retrospective effect.

3.2. Subsequently, in response to our letter dated 7 June 2019, the DPT has, vide its email dated 18 June 2020 under cover of its letter dated 29 February 2020 and another letter dated 17 June 2020 sought approval to the proposal forwarded by the DPT vide its original letter dated 7 April 2016 for revision of rates for Gandhidham township for the period from 1 January 2014 to 31 December 2018 as approved by the DPT Board vide Resolution No.140 of 12 February 2016. In this regard, the DPT has been informed vide our letter No.TAMP/25/2016-DPT dated 23 July 2020 that the DPT proposal dated 7 April 2016 has already been closed vide Order No.TAMP/25/2016-KPT dated 21 July 2017 consequent to MOS letter dated 02 August 2016 and the concerned file has also been closed. The said Order stated that revised proposal to be filed by the DPT shall be treated afresh. Hence DPT has been requested to file the proposal for revision of rate structure of Gandhidham Township as per applicable Policy Guidelines for Land Management 2015 to enable TAMP to initiate a fresh consultation process with concerned stakeholders.

3.3. Filing of proposal by the DPT and processing of the case will take some time. Since the validity of the rate structure for Gandhidham Township Land has expired on 31 March 2020 and since 30 September 2020 is near, this Authority is inclined to extend the validity of the existing rate structure of the Gandhidham township land from the date of its expiry till 31 December 2020 or till the date of effect of notification of the revised lease rentals based on the tariff proposal to be filed by the DPT, whichever is earlier.

4.1. The Land Policy Guidelines of 2010 issued by the Government (based on which the rate structure for Gandhidham Township Land has been fixed in April 2012) stipulates that the lease rentals approved by this Authority shall be escalated by 2% per annum till they are revised by this Authority. The Order passed by this Authority in April 2012 also prescribes a specific condition in this regard. This condition also prevails in the Policy Guidelines for Land Management 2015 issued by the Ministry of Shipping. Since, the existing Schedule of lease rent already prescribes annual escalation @ 2% in the lease rentals till such time the rates are revised by this Authority and in line with the guidelines issued by the Government, the annual escalation @ 2% will continue to apply during the extended validity period of the rate structure for Gandhidham Township Land.

4.2. However, it is to be noted in this regard that the extension of the existing lease rentals with an annual escalation of 2% is only a provisional arrangement to avoid a vacuum in the current scenario. The lease rentals to be fixed for the Gandhidham Township based on the proposal filed by the DPT in this regard will have to be given retrospective effect, as requested by the DPT.

5. 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 rate structure for Gandhidham Township Land from the date of its expiry till 31 December 2020 or till the date of effect of notification of the revised lease rentals based on the tariff proposal to be filed by the DPT, whichever is earlier.

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