

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

GNo.49

New Delhi,

16 February 2010

NOTIFICATION

In exercise of the powers conferred under Sections 48 and 49 of the Major Port Trusts Act 1963, the Tariff Authority for Major Ports hereby clarifies the applicability of the Orders No.TAMP/29/2009-Misc. dated 25 August 2009 and 22 September 2009 in respect of Nepal bound cargo as in the order appended hereto.

(**Rani Jadhav**)
Chairperson

Tariff Authority for Major Ports
No. TAMP/29/2009-Misc.

ORDER

(Passed on this 5th day of February 2010)

The Government of India in the Ministry of Shipping (MOS) vide its Order No.PT-11033/46/2009-PT dated 21 August 2009 had issued a direction under Section 54 of the Major Port Trusts Act, 1963 to this Authority to modify the demurrage charges / licence fee in respect of Sugar and Pulses levied at the port area. Accordingly, this Authority had passed an Order on 25 August 2009, which was notified in the Gazette of India on 25 August 2009 vide Gazette No.158.

2. In compliance with the subsequent direction issued by the Government of India vide its Order No.PT-11033/46/2009-PT dated 17 September 2009, this Authority passed an Order No.TAMP/29/2009-Misc. dated 22 September 2009 which was notified in the Gazette of India on 23 September 2009 vide Gazette No.177.

3. The Consulate General of Nepal had represented to this Authority vide his letters dated 15 September 2009 and 10 December 2009 to exempt the cargo pertaining to Nepal from levy of amended storage charge / license fee prescribed in the Order passed by this Authority on 25 August 2009. The Kolkata Port Trust (KOPT) vide its letter dated 20 October 2009 had also sought clarification whether amended storage charge / license fee would apply on the pulses / sugar imported for Nepal through its port. The representations received from both Consulate General of Nepal and KOPT were forwarded to the Ministry of Shipping seeking its advice in the matter.

4. The Government of India in the Ministry of Shipping vide its letter No.PT-11033/46/2009-PT (vol.II) dated 2 February 2010 has clarified that the enhanced demurrage charges/ license fee prescribed in the Notification dated 25 August 2009 are not applicable to Nepal bound cargo and such cargo will be governed by the rates as applicable earlier prior to the issue of the notifications enhancing demurrage charges / license fee.

5. Accordingly, it is clarified that Orders dated 25 August 2009 and 22 September 2009 passed by this Authority amending the storage charges / license fee for pulses and sugar will not apply to Nepal bound cargo. The Nepal bound cargo will be regulated as per the rates applicable in the Scale of Rates of concerned Major Port Trusts / Private Terminals thereat prior to issue of the Order dated 25 August 2009 of this Authority.

(**Rani Jadhav**)
Chairperson