TARIFF AUTHORITY FOR MAJOR PORTS

NOTIFICATION

New Delhi, the 29th May, 2000

No.TAMP/42/2000-KPT

In exercise of the powers conferred under Section 49 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby approves the proposal of the Kandla Port Trust (KPT) relating to payment of pilotage fees for shifting of vessels during cyclone / flood / natural calamity, as in the Order appended hereto.

SCHEDULE

Case No.TAMP/42/2000-KPT

The Kandla Port Trust (KPT) … Applicant

ORDER

(Passed on this 23rd day of May 2000)

This case relates to a proposal from the Kandla Port Trust (KPT) requesting for an amendment of its Scale of Rates to exempt payment of pilotage fees for shifting of vessels during cyclone/flood/natural calamity.

2. Taking a cue from the heavy damages suffered by the Port during the devastating cyclone in June 1998, an internal Action Plan has reportedly been formulated by the port detailing the precautionary measures to be taken during cyclone/flood/natural calamity. According to this Plan, the vessels berthed/moored in the port are to be removed out of the channel at the earliest on receipt of message about anticipated cyclone/flood/natural calamity. The KPT has mentioned that since the shifting of vessel during the cyclonic threat is done for safety of the port, port users had been requesting for waiver of pilotage charges for such shifting. As the Scale of Rates of the port does not provide for such waiver, the port had expressed its inability to accede of such request.

3. The Port, however, constituted a Committee to study the issue and suggest ways and means to deal with such cases in future. The Committee reportedly recommended that whenever vessels from the port are shifted during exigencies of cyclone/flood/natural calamity, no pilotage charges shall be recovered for such shifting. Accepting the recommendation of the Committee, the Board of Trustees of the KPT has proposed to amend the Scale of Rates so as to provide for such exemption from payment.

4. Any incidence of natural calamity is beyond the control of the port as well as of the port users. Shifting of vessels in such an eventuality is done to protect port property from damage as well as for the safety of ships. The proposal of the KPT to exempt payment of pilotage fee in such cases is in response to requests received in this regard from port users. The proposal merits approval.
5. Accordingly, the following addendum to Chapter-II, Schedule of Pilotage Fees in the Scale of Rates of the KPT is approved:

“Whenever vessels from the Port are shifted during exigencies of cyclone/flood/natural calamity, no pilotage fee will be recovered for such shifting”.

6. The KPT is directed to incorporate this addendum in its Scale of Rates. This Order shall take effect on expiry of thirty days from the date of its notification in the Gazette of India.

S.SATHYAM, Chairman

[Advt./III/IV/Exty./143/2000]