

Tariff Authority For Major Ports

NOTIFICATION

In exercise of the powers conferred by Sections 48, 49 and 50 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby amends its Order dated 27 November 2000 relating to re-conversion of US dollar denominated tariffs into Indian rupees and also prescribes the procedure for re-conversion of container charges denominated in US dollar terms at the time of billing by the major Port Trusts, as in the Order appended hereto.

(S. Sathyam)

Chairman

Tariff Authority for Major Ports

Case No.TAMP/4/98 – Misc.

ORDER

(Passed on this 28th day of March 2001)

This Authority had passed an Order on 27 November 2000, about re-conversion of US dollar denominated tariffs into Indian Rupee at the time of billing by the Major Port Trusts, for common adoption by all the Major Port Trusts. The Order was published in the Gazette of India on 3 January 2001.

2. In Paragraph 7(i) of the above Order, the existing practice of applying the RBI daily rate was allowed to be continued for the purpose of conversion to Indian rupees of Dollar denominated tariffs at the time of billing.

3. The Tuticorin Port Trust has informed that it is not possible to obtain the daily rate of RBI at Tuticorin for timely collection of deposits and settlement of bills. The TPT has, therefore, suggested for adoption the market buying exchange rate obtained every day from the State Bank of India.

4. It has been observed that most of the ports apply the market buying exchange rates quoted by their main bankers for the purpose of billing involving dollar denominated tariffs. This practice has been in vogue in these Ports for a very long time; and, reportedly, they are not facing any problem with this arrangement. The existing practice referred to in this Authority's Order includes this system also. Further, the Order in reference does not explicitly state whether the Ports apply the 'buying rates' or the 'selling rates' for billing involving dollar denominated tariffs.

5. In this backdrop, and based on a collective application of mind, this Authority hereby modifies its Order dated 27 November 2000 as given below:

The existing paragraph No.7(i) of the Order is deleted and substituted by the following:

“7(i). Bearing in mind the suggestions of the Ports, the existing practice of applying the market buying exchange rates notified by the Reserve Bank of India, State Bank of India or its subsidiaries or any other public sector banks, as specified in the Scale of Rates, shall continue for the purpose of conversion to Indian rupees of dollar denominated tariffs at the time of billing”.

6. In respect of container related charges denominated in US dollar terms, it has been noticed that no common approach is followed by the major ports for the purpose of re-conversion of such charges in Indian rupees at the time of billing. This Authority prescribes the following procedure for re-conversion:

“ Container related charges denominated in US dollar terms shall be collected in equivalent Indian rupees. For this purpose, the market buying rate prevalent on the date of entry of the vessel in case of import containers and on the date of arrival of containers in the port premises in case of export containers shall be applied for re-conversion of dollar denominated charges”.

7. All the major port trusts are directed to incorporate the above provisions in their Scale of Rates appropriately.

(**S. Sathyam**)

Chairman

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