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**Tariff Authority for Major Ports**

**G.No. 201**

**New Delhi,**

**7 June 2019**

**NOTIFICATION**

In exercise of the powers conferred by Section 48 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby disposes of the proposal received from TM International Logistic Limited for general revision of its Scale of Rates , as in the Order appended hereto.

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

**Tariff Authority for Major Ports**  
**Case No. TAMP/7/2019-TMILL**

**TM International Logistic Limited**

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**Applicant**

**QUORUM**

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

**ORDER**

(Passed on this 29<sup>th</sup> day of March 2019)

This case relates to the proposal received from the TM International Logistics Limited (TMILL) for general revision of its Scale of Rates (SOR).

2. The existing SOR of the TMILL was last approved by this Authority vide Order No. TAMP/8/2016-TMILL dated 17 September 2016. This Order was notified in the Gazette of India on 10 October 2016 vide Gazette no. 369. Subsequently, based on the review application filed by TMILL on 22 November 2016, this Authority vide its Order no. TAMP/83/2016-TMILL dated 21 July 2017 effected a reduction of 4.85% in tariff prevailing prior to September 2016 Order, with effect from 1.9.2017 to 31.03.2019.

3. In this backdrop, the TMILL has filed a proposal dated 8 January 2019 for general revision of its SOR for the three year tariff cycle from 1 April 2019 to 31 March 2022. The case was taken up for consultation with the relevant stakeholders. The joint hearing on the subject case was also held on 19 February 2019.

4.1 In the meantime, in pursuance to the MOS letter No. 14019/20/2009-PG (Pt-IV) dated 05 March 2019, this Authority has notified "Tariff Guidelines for BOT operators operating in Major Port Trust and previously governed by 2005 Tariff Guidelines" in the Gazette of India on 7 March 2019 vide Gazette No. 92. The Tariff Guidelines, 2019 has come into effect from 7 March 2019.

4.2. The new Tariff Guidelines, 2019 has been communicated to all BOT operators including TMILL vide our letter no. TAMP/61/2018-Misc dated 8 March 2019.

5. In this backdrop, the TMILL vide its email dated 19 March 2019 has stated that the proposal filed by TMILL for general revision of SOR for 2019-22 is based on 2005 guidelines and that they intend to file a new proposal based on 2019 Tariff Guidelines. Thus, TMILL has requested to consider the proposal filed by TMILL vide its letter dated 8 January 2019 as closed. TMILL has stated that it will file a new proposal for 2019-22 once the Working Guidelines to operationalize the Tariff Guidelines, 2019 is received by TMILL.

6. The tariff fixation model envisaged in the new Tariff Guidelines of 2019 is significantly different from the tariff fixation method stipulated in the Tariff Guidelines of 2005. Hence, the proposal filed by TMILL under tariff guidelines of 2005 cannot be processed in its present form.

7. In view of the above position, this Authority based on collective application of mind decides to close the proposal dated 8 January 2019 filed by TMILL for general revision of its SOR, as infructuous. The revised proposal as and when received from TMILL under Tariff Guidelines, 2019 will be considered afresh.

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