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 extends the validity of the existing interim tariff arrangement for operations of the India Gateway Terminal Private Limited at the Cochin Port approved earlier, as in the Order appended hereto.

( A.L. Bongirwar )
Chairman
Tariff Authority for Major Ports  
Case No. TAMP/34/2005 - IGTPL

India Gateway Terminal Private Limited (IGTPL) - - - - - Applicant

ORDER
(Passed on this 30th day of June 2005)

This Authority passed an Order on 31st March 2005 approving interim tariff arrangement for container operations by the India Gateway Terminal Private Limited (IGTPL) for its operation at Rajiv Gandhi Container Terminal (RGCT) at the Cochin Port Trust (COPT) for a period of three months from 1 April 2005 to 30 June 2005. As per the interim tariff arrangement approved the IGTPL was allowed to adopt the existing Scale of Rates (SOR) of Cochin Port Trust for container related operations along with the relevant conditionalities.

2. The approval for the interim tariff arrangement was subject to the IGTPL filing a comprehensive proposal in the prescribed format in line with the revised guidelines for tariff fixation along with all relevant supporting details latest by 30 April 2005, so that TAMP can decide the final rates by 30 June 2005 after internal scrutiny and usual consultation with relevant parties. If the final Order cannot be passed by 30 June 2005, then the interim tariff arrangement was allowed to continue beyond 1 July 2005 till fixation of final rates subject to a uniform reduction in the interim rates by 10%.

3. Accordingly, the IGTPL filed a proposal along with cost statement in the prescribed format and the proposed SOR for fixation of final rates for RGCT within the extended time sought for filing its proposal. The comprehensive proposal filed by the IGTPL was taken up for consideration following the usual consultation process. Both the IGTPL and the COPT have responded to the queries raised by us and have furnished additional information/clarification.

4.1. This case was taken up for the joint hearing on 17 June 2005 at the COPT. At the joint hearing the COPT, the IGTPL and the concerned users made their submissions with reference to the proposal. Most of the users opposed to any increase in tariff and suggested continuance of the existing rates.

4.2. At the joint hearing, the IGTPL was informed about the gaps in the information/clarification furnished. As agreed by both the COPT and the IGTPL, the IGTPL was advised to furnish the requisite information on various points listed out to them alongwith the documentary evidences and explain the basis of estimation and furnish detailed working to the COPT. The COPT was advised to verify the said information (to be furnished by the IGTPL) in a joint sitting with them and file a report by 31 July 2005.

4.3. The interim tariff arrangement would expire on 30 June 2005, but, further action was pending from both the IGTPL and the COPT. The IGTPL has, therefore, filed a proposal for extending the validity of the existing interim tariff arrangement without any reduction in tariff for period of three months from 1 July 2005 till 30 September 2005 and has explained that any reduction in the existing interim tariff arrangement will adversely affect its investment and the viability of the project. It has also assured to furnish the requisite information to the COPT and assist in verification of the same within the stipulated time period.

5.1. In the result, this Authority accepts the request of the IGTPL and extends the validity of the existing interim tariff arrangement approved vide its Order passed on 31 March 2005 for period of three months from 1 July 2005 till 30 September 2005 or effective date of implementation of final Scale of Rates of the IGTPL, whichever is earlier. The interim tariff arrangement shall automatically lapse on 1 October 2005 if the final Order is not passed by this Authority by 30 September 2005.

5.2. The IGTPL is directed to submit the requisite information for finalisation of its proposal to the COPT to enable the COPT to verify the same in a joint seating with the IGTPL and to file its report by 31 July 2005 latest.

( A.L. Bongirwar )
Chairman