TARIFF AUTHORITY FOR MAJOR PORTS

G. No: 114

New Delhi, 2 July 2004

NOTIFICATION

In exercise of the powers conferred by Section 49 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby extends the validity of the existing Schedule of Rates for land and buildings of the Kolkata Port Trust at Haldia as in the Order appended hereto.

( A.L. Bongirwar )
Chairman
This case relates to extension of the validity of the existing Schedule of Rates for land and buildings of the Kolkata Port Trust (KOPT) at Haldia beyond 30 June 2004.

2. This Authority had passed an order on 16 December 2003 extending the validity of the existing rent schedule for land and buildings at Haldia till 30 June 2004 or notification of the revised rent schedule whichever is earlier.

3. The KOPT vide its letter dated 17 June 2004 has requested the Authority to extend the validity of existing Schedule of Rates for land and buildings of KOPT at Haldia till 31 December 2004 or notification of the revised rent schedule whichever is earlier. The main points made by the KOPT in this regard are as follows:

   (i). KOPT has filed the proposal for revision of the Schedule of Rent for land and buildings of KOPT at Haldia for approval.

   (ii). TAMP advised KOPT to review the said proposal in the light of the Land Policy for major ports framed by the Government of India recently.

   (iii). The Land Policy for major ports recently framed by the Government is not applicable for MBPT and KOPT. Necessary action as advised by TAMP would be taken on receipt of Land Policy for KOPT from the Central Government. KOPT has not received the land policy applicable for it. The government is being pursued in the matter.

   (iv). The existing Rent Schedule for land and buildings of the KOPT at Haldia will expire on 30 June 2004 and it is necessary to extend the validity of the existing rent schedule beyond 30 June 2004.

4. The Guidelines issued by the Central Government in the matter of leases of port estates have been adopted and followed by this Authority for the purpose of framing Scale of Rates and statement of conditions. The existing land policy for the estates of KOPT is under review by the Government of India. The KOPT has filed a proposal before this Authority for revision of Schedule of Rent for land and buildings at Haldia. The KOPT has agreed to review its proposal on receipt of new land policy for KOPT from the Government of India.

5. Processing of the revised proposal to be received from the Port will take time. Since, the validity of the existing Schedule of Rent for land and buildings at Haldia will expire on 30 June 2004 and there cannot be a vacuum in lease rentals for land and buildings after 30 June 2004, it is necessary to extend the validity of the existing Rent Schedule for land and buildings of the KOPT at Haldia beyond 30 June 2004.

6. In the result, and for the reasons given above, and based on a collective application of mind, this Authority extends the validity of the existing Rent Schedule for land and buildings of the KOPT at Haldia till 31 December 2004 or date of effect of Notification of the revised Rent Schedule whichever is earlier.

( A.L. Bongirwar )
Chairman