

(Published in Part - III Section 4 of the Gazette of India, Extraordinary)  
**TARIFF AUTHORITY FOR MAJOR PORTS**

G.No. 557

New Delhi,

12 November 2021

**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 disposes of the proposal received from Mumbai Port Trust (MBPT) for incorporation of new section for prescription relates to calculation of base rentals as on 1.10.2012 and 1.10.2017 for the quinquennial period 1.10.2012 to 30.9.2017 and 1.10.2017 to 30.9.2022 respectively for the Port Structures (PT structures) for non-home occupations/ Home occupations in Township Areas of MBPT, on case to case basis in the respective Schedule of Lease rentals of MBPT, as in the Order appended hereto.

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

**Tariff Authority for Major Ports**  
**Case No. TAMP/55/2021-MBPT**

Mumbai Port Trust

- - -

Applicant

**QUORUM**

- (i). Shri. T.S. Balasubramanian, Member (Finance)
- (ii). Shri. Sunil Kumar Singh, Member (Economic)

**ORDER**

(Passed on this 1<sup>st</sup> day of November 2021)

This case relates to a proposal received from Mumbai Port Trust (MBPT) vide its letter No. FA/OEA-L38(21)/Gen/269 dated 23 September 2021 for incorporation of new section for prescription relates to calculation of base rentals as on 1.10.2012 and 1.10.2017 for the quinquennial period 1.10.2012 to 30.9.2017 and 1.10.2017 to 30.9.2022 respectively for the Port Structures (PT structures) for non-home occupations/ Home occupations in Township Areas of MBPT, on case to case basis in the respective Schedule of Lease rentals of MBPT.

2. The proposal of MBPT is based on the amended Land Policy Guidelines, 2015. The proposal was taken on consultation with the relevant users/ tenants/ lessees. Many comments were received from the tenants/ lessees. The MBPT has responded to the comments of the tenants/ lessees. The MBPT has responded to the comments of the tenants/ lessees.

3. With reference to the totality of information collected during the processing of the case and based on a collective application of mind, this Authority has passed a speaking Order disposing of the proposal filed by the MBPT for incorporation of prescription relates to calculation of base rentals as on 1.10.2012 and 1.10.2017 for the quinquennial period 1.10.2012 to 30.9.2017 and 1.10.2017 to 30.9.2022 respectively for the Port Structures (PT structures) for non-home occupations/ Home occupations in Township Areas of MBPT, on case to case basis in the respective Schedule of Lease rentals of MBPT.

4. This Authority desires that the following new section prescription relating to calculation of base rentals as on 1.10.2012 and 1.10.2017 for the quinquennial period 1.10.2012 to 30.9.2017 and 1.10.2017 to 30.9.2022 respectively for the Port Structures (PT structures) for non-home occupations/ Home occupations in Township Areas of MBPT, on case to case basis in the respective Schedule of Lease rentals of MBPT, may be notified without waiting for notification of the Speaking Order:

**A. Calculation of base rentals as on 1.10.2012 for the Port structures (PT structures) for non-home occupations/ home occupations in township areas of MBPT.**

- (i) The base lease rentals as on 1.10. 2012 for the for the Port Trust (PT) Structures will be arrived based on the following formula :

Lease Rentals as on 1.10.2012 per sqm per month= Approved *Lease Rentals applicable for the zone per sqm per month* + (6% X (80% of Cost of PT structure as given in the TABLE -1A based on the type of the building/structure x Percentage value after depreciation as given in TABLE-2A of based on age of the Building and type of building) / 12).

**TABLE -1A**  
**Cost of new construction as per types of construction**  
**(based on Stamp Duty Ready Reckoner, Mumbai 2012)**

| Sr. No | Type of Construction  | Cost per Sq.Mtr(Built-up) in |
|--------|---|------------------------------|
|        |   | As on 2012<br>₹.             |
| A)     | <b>R.C.C. Construction</b><br>R.C.C. slabs, Brick wall made and plastered with cement mortar inside the wall, tiles flooring  | 17500                        |
| B)     | <b>Other Pukka Construction</b><br>Load bearing Structure, R.C.C slab, Brick wall plastered with cement, Kaccha or cement flooring  | 14000                        |
| C)     | <b>Semi/Half Pukka Construction</b><br>Load bearing structure, wall made of brick or stone with mud, Shahbad floor mud or other type of flooring and construction other than slab | 9000                         |
| D)     | <b>Kaccha Construction</b><br>Mud wall with bricks, Mud Gilav, with roof of clay tiles/asbestos or tin  | 6000                         |

**TABLE -2A**  
**Depreciation rates of old buildings**  
**( As per Stamp Duty Ready Reckoner, Mumbai, 2012)**

| Completed Age of building in Years | Value in Percent after Depreciation |   |
|------------------------------------|-------------------------------------|---|
|                                    | RCC Structures/<br>Pukka Structures | Pukka Other Structures<br>Half or Semi-Pukka Structures |
| 0 to 2 years.                      | 100%                                | 100%  |
| Above 2 and upto 5 Years           | 95%                                 | 95%   |
| Above 5 and upto 10 Years          | 90%                                 | 85%   |
| Above 10 and upto 20 Years         | 80%                                 | 75%   |
| Above 20 and upto 30 Years         | 70%                                 | 60%   |
| Above 30 and upto 40 Years         | 60%                                 | 45%   |
| Above 40 and upto 50 Years         | 50%                                 | 30%   |
| Above 50 and upto 60 Years         | 40%                                 | 20%   |
| Above 60 Years                     | 30%                                 | 15%   |

**Notes:**

1. Lease Rentals for let out structures constructed / owned by MBPT i.e. P.T. Structures will be calculate based on the above rates by using this formula " Approved Lease Rentals applicable of the zone + 6% X (80% of Depreciated cost of PT structure based on age of the Building and type of building)/12 "
2. Type of construction and percentage of depreciation based on age of structure will be considered for calculation of PT structure rentals as given in Table-1 and Table 2 respectively
3. The lease rent is subject to an increase @ 4% p.a. and that first such increase shall be effective from 01 October 2012.
4. The annual lease rentals may remain in force for a period of five years thereon
5. Rent will be worked out on the basis of actual Built- Up Area, subject to minimum of FSI 1.00.
6. Above rates are exclusive of all Taxes (GST, Municipal Taxes, etc.), Service Charges, Penalties, and Interest etc. Same are separately payable by lessees/ tenants/ licensees, as may be applicable.
7. The rates are applicable for non –Home Occupations.
8. Differential Arrears, liabilities and other dues/charges for a period from 01.10.2012 to 30.9.2017 are calculated based on above rates
9. These rates are applicable for Non-Home, Home and Mixed (Home and Non-Home) occupations in PT Structures.
10. The rates are applicable to all the Expired Leases, Monthly Tenancies, Fifteen Monthly Leases and Licenses falling in the respective Ready Reckoner Zones.
11. Estate lands of Old Sassoon Dock, Ferry Wharf and Jawahar Dweep are excluded.
12. These rates are not applicable to occupations given on nominal rents to public bodies and for public amenities.

13. Interest would be chargeable beyond permissible period as per Board's policy from time to time.
14. Whether demanded or not, rent/ compensation/ license fee for a month would have to be paid by the tenants/ lessees/ licensees/ occupants on or before the 15<sup>th</sup> day of each succeeding month.

**B. Calculation of base rentals as on 1.10.2017 for the Port structures (PT structures) for non-home occupations/ home occupations in township areas of MBPT.**

- (i). The base lease rentals as on 1.10. 2017 for the for the Port Trust (PT) Structures will be arrived based on the following formula :

Lease Rentals as on 1.10.2017 per sqm per month= Approved Lease Rentals applicable for the zone per sqm per month + ( 6% X (80% of Cost of PT structure as given in the TABLE -1B based on the type of the building/structure x Percentage value after depreciation as given in TABLE-2B of based on age of the Building and type of building) / 12).

**TABLE -1B**  
**Cost of new construction as per types of construction**  
**(based on Stamp Duty Ready Reckoner, Mumbai 2017)**

| Sr. No | Type of Construction  | Cost per Sq.Mtr(Built-up) in |
|--------|---|------------------------------|
|        |   | As on 2017<br>₹.             |
| A)     | <b>R.C.C. Construction</b><br>R.C.C. slabs, Brick wall made and plastered with cement mortar inside the wall, tiles flooring  | 27500                        |
| B)     | <b>Other Pukka Construction</b><br>Load bearing Structure, R.C.C slab, Brick wall plastered with cement, Kaccha or cement flooring  | 23375                        |
| C)     | <b>Semi/Half Pukka Construction</b><br>Load bearing structure, wall made of brick or stone with mud, Shahbad floor mud or other type of flooring and construction other than slab | 16500                        |
| D)     | <b>Kaccha Construction</b><br>Mud wall with bricks, Mud Gilav, with roof of clay tiles/asbestos or tin  | 9625                         |

**TABLE -2B**  
**Depreciation rates of old buildings**  
**( As per Stamp Duty Ready Reckoner, Mumbai, 2017)**

| Completed Age of building in Years | Value in Percent after Depreciation |                                    |                                   |
|------------------------------------|-------------------------------------|------------------------------------|-----------------------------------|
|                                    | RCC Structures/<br>Pukka Structures | Pukka<br>Other<br>Pukka Structures | Half or Semi-<br>Pukka Structures |
| 0 to 2 years.                      | 100%                                |                                    | 100%                              |
| Above 2 and upto 5 Years           | 95%                                 |                                    | 95%                               |
| Above 5 and upto 10 Years          | 90%                                 |                                    | 85%                               |
| Above 10 and upto 20 Years         | 80%                                 |                                    | 75%                               |
| Above 20 and upto 30 Years         | 70%                                 |                                    | 60%                               |
| Above 30 and upto 40 Years         | 60%                                 |                                    | 45%                               |
| Above 40 and upto 50 Years         | 50%                                 |                                    | 30%                               |
| Above 50 and upto 60 Years         | 40%                                 |                                    | 20%                               |
| Above 60 Years                     | 30%                                 |                                    | 15%                               |

**Notes:**

1. Lease Rentals for let out structures constructed / owned by MBPT i.e. P.T. Structures will be calculate based on the above rates by using this formula " Approved Lease Rentals applicable of the zone + 6% X (80% of Depreciated cost of PT structure based on age of the Building and type of building)/12 "
2. Type of construction and percentage of depreciation based on age of structure will be considered for calculation of PT structure rentals as given in **Table-1 and Table 2 respectively**

3. The lease rent is subject to an increase @ 4% p.a. and that first such increase shall be effective from 01 October 2017.
4. The annual lease rentals may remain in force for a period of five years thereon
5. Rent will be worked out on the basis of actual Built- Up Area, subject to minimum of FSI 1.00.
6. Above rates are exclusive of all Taxes (GST, Municipal Taxes, etc.), Service Charges, Penalties, and Interest etc. Same are separately payable by lessees/ tenants/ licensees, as may be applicable.
7. The rates are applicable for non –Home Occupations.
8. Differential Arrears, liabilities and other dues/charges for a period from 01.10.2017 to 30.9.2022 are calculated based on above rates
9. These rates are applicable for Non-Home, Home and Mixed (Home and Non-Home) occupations in PT Structures.
10. The rates are applicable to all the Expired Leases, Monthly Tenancies, Fifteen Monthly Leases and Licenses falling in the respective Ready Reckoner Zones.
11. Estate lands of Old Sassoon Dock, Ferry Wharf and Jawahar Dweep are excluded.
12. These rates are not applicable to occupations given on nominal rents to public bodies and for public amenities.
13. Interest would be chargeable beyond permissible period as per Board's policy from time to time.
14. Whether demanded or not, rent/ compensation/ license fee for a month would have to be paid by the tenants/ lessees/ licensees/ occupants on or before the 15<sup>th</sup> day of each succeeding month.

5. The MBPT is advised to incorporate above prescriptions in the respective Schedule of Rates for home and non home occupation for the period from 01.10.2012 to 30.09.2017 and 01.10.2017 to 30.9.2022 approved by this Authority.

6. The Speaking Order passed by this Authority will be intimated separately and communicated to the MBPT and the relevant tenants/ lessees in due course of time.

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