

(published in Part - III Section 4 of the Gazette of India, Extraordinary)
Tariff Authority for Major Ports

No.TAMP/45/2005-KOPT

Mumbai, 11 February 2008

CORRIGENDUM

(Passed on this 28th day of January 2008)

This Authority had passed an Order on 29 December 2006 in case No.TAMP/45/2005-KOPT relating to the proposal from the Kolkata Port Trust for general revision of its Scale of Rates. This Order was notified in the Gazette of India Extraordinary (Part III Section 4) on 6 February 2007 vide Gazette No.34.

2. It has been noticed that some errors have occurred in the Scale of Rates and its conditionalities notified on 6 February 2007. The details of the errors and the corrections to be made are detailed below:

Sr.No.	Section No.	As appeared in the Notification	To be read as given below
1	Section 3 (iii)	Unless otherwise specified,as specified Section 17.1 shall be levied on the Vessel Agent/Owner.	Unless otherwise specified,as specified in Section 16.1 shall be levied on the Vessel Agent/Owner.
2.	Section 3(vi)	Storage charges on containers have been denominated in US Dollar terms. However, charge in such case shall be recovered in Indian Rupees after conversion of US currency to Indian Rupee at the Reserve Bank of India's reference rates. The exchange rate prevalent on the date of entry of the vessel into port limit shall be reckoned as the date for such conversion. However, if a container received for shipment is subsequently removed from docks without being shipped, the date of entry for such container in the port premises shall be reckoned as the date for this purpose.	Deleted
3.	Section 3(xxi)	-----	Rate chargeable on weight shall be leviable on the gross weight of each package/article weighing 20 tonnes (20000 Kgs) and above and on full consignment in case of others.

4.	Section 4.2 - Sl. No. 2	All other cargo	60% of the rates for Foreign Cargo as specified at S.4.1 subject to a maximum of Rs. 50/- per tonne or part thereof.	Descrip tion All other cargo	Rate in Rupees per tonne or part thereof 60% of the rates for Foreign Cargo as specified at S.4.1.subject to a maximum of Rs.50/- per tonne or part thereof for cargo specified at sl.no.20(a) and 20(b) under Section 4.1.																					
5.	Section .7.4.	No demurrage shall be levied from the date of receipt till the date of shipment.	No demurrage shall be leviedfrom the date of receipt till the date of shipment except for the period during which the cargo is stored at plots allotted by port under valid license / lease.																							
6.	Section 7.6	Demurrage shall be levied.....without being shipped. If shutout cargo is shipped by any subsequent vessel provision of S.7.4 shall apply.	Demurrage shall be leviedwithout being shipped except for the period during which the cargo is stored at plots allotted by port under valid license/lease. If shutout cargo is shipped by any subsequent vessel provision of S.7.4 shall apply.																							
7.	Section 12.1	In case of Foreign Containers (both loaded and empty), On board Handling charge @ Rs.247.50 per TEU shall be levied for providing on board labour / manpower for landing / shipment of Container. For providing any equipment support, the same shall be levied separately.	In case of Foreign Containers (both loaded and empty), On board Handling charge @ Rs.247.50 per TEU shall be levied for providing on board labour / manpower for landing / shipment / onboard shifting of Container. For providing any equipment support, the same shall be levied separately.																							
8.	Section 15.8	Storage charge on loaded import/ export containers containing Hazardous-I cargo shall be levied 1.25 times the storage charges applicable for normal loaded import/ export containers.	Storage charge on loaded import / export containers containing Hazardous - I cargo shall be levied at the following rates:	<table border="1" data-bbox="1057 1458 1451 1886"> <thead> <tr> <th data-bbox="1057 1458 1208 1574">Period</th> <th data-bbox="1208 1458 1317 1574">US \$ per TEU per day or part thereof</th> <th data-bbox="1317 1458 1451 1574">Coastal rates in Rupees per TEU per day or part thereof</th> </tr> </thead> <tbody> <tr> <td data-bbox="1057 1574 1208 1646">1st day of actual landing/ receiving</td> <td data-bbox="1208 1574 1317 1646">Free</td> <td data-bbox="1317 1574 1451 1646">Free</td> </tr> <tr> <td data-bbox="1057 1646 1208 1694">From 2nd day to 9th day</td> <td data-bbox="1208 1646 1317 1694">2.8125</td> <td data-bbox="1317 1646 1451 1694">125.49</td> </tr> <tr> <td data-bbox="1057 1694 1208 1747">From 10th day to 15th day</td> <td data-bbox="1208 1694 1317 1747">5.625</td> <td data-bbox="1317 1694 1451 1747">250.99</td> </tr> <tr> <td data-bbox="1057 1747 1208 1793">From 16th day to 20th day</td> <td data-bbox="1208 1747 1317 1793">8.4375</td> <td data-bbox="1317 1747 1451 1793">376.48</td> </tr> <tr> <td data-bbox="1057 1793 1208 1838">From 21st day to 30th day</td> <td data-bbox="1208 1793 1317 1838">16.875</td> <td data-bbox="1317 1793 1451 1838">752.96</td> </tr> <tr> <td data-bbox="1057 1838 1208 1886">From 31st day onwards</td> <td data-bbox="1208 1838 1317 1886">33.75</td> <td data-bbox="1317 1838 1451 1886">1505.93</td> </tr> </tbody> </table>		Period	US \$ per TEU per day or part thereof	Coastal rates in Rupees per TEU per day or part thereof	1st day of actual landing/ receiving	Free	Free	From 2nd day to 9th day	2.8125	125.49	From 10th day to 15th day	5.625	250.99	From 16th day to 20th day	8.4375	376.48	From 21st day to 30th day	16.875	752.96	From 31st day onwards	33.75	1505.93
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9.	Section 16.7 - Sl.No.1	Rs. 160/- per Biennial permit.	Rs. 2160/- per Biennial permit.																							

10.	Section 20.2	Ousting Priority Berthing: A charge equivalent to 100% at the rates under S.23.9 for shifting.....	Ousting Priority Berthing: A charge equivalent to 100% at the rates under S.23.10 for shifting.....
11.	Section 23.2	Vessel availing of pilotage from Sandheads to Virtual Jetty or Saugor / Haldia / Diamond Harbour Anchorage or Haldia Anchorage or any other river anchorage below Diamond Harbour and back only but not requiring pilotage to any other point in Kolkata Dock System or Haldia Dock Complex shall be allowed a rebate of 25% in rate specified in S.23.1	Vessel availing of pilotage from Sandheads to Virtual Jetty or Saugor / Diamond Harbour Anchorage or any other river anchorage below Diamond Harbour and back only but not requiring pilotage to any other point in Kolkata Dock System or Haldia Dock Complex shall be allowed a rebate of 25% in rate specified in S.23.1
12.	Section 29.1	If a vessel requires services of port for towage & pilotage, 50% of the rates specified at S.24.1 for coastal vessel, 50% of the rates specified at S.24.9.....	If a vessel requires services of port for towage & pilotage, 50% of the rates specified at S.23.1 for coastal vessel, 50% of the rates specified at S. 23.10
13.	Section 29.2	If a vessel does not require the services of port as mentioned at S.30.1, Dock toll charge as specified at S.28.1 shall be levied.	If a vessel does not require the services of port as mentioned at S.29.1, Dock toll charge as specified at S.27.1 shall be levied.

Annex

Sl. No.	Relevant portion of the SOR of KOPT	Errors pointed out by KOPT and its remarks	Observations made by this Authority
(i).	<p>Page No.113 -S.5 - Note (i)</p> <p>In case of Coking coal, HDC provides equipment support on board the ships (except those handled through mechanical system at HDC or/and at berth(s) licensed under Section 42 of the Major Port Trust Act, 1963). Where HDC cannot provide such equipment support, a rebate of Rs.2.50 per tonne shall be allowed if the importer arranges the equipment.</p>	<p>In case of Coking Coal, HDC provides equipment support on board the ship (except those handled through mechanical system at HDC and / or at berth (s) licensed under Section - 42 of the MPT Act 1963), without any additional charge.</p> <p>In case KOPT does not provide any equipment on board to any Coking Coal vessels specified above, a rebate of Rs.2.50 per MT on the entire cargo landed A/C the importer through the vessel, shall be allowed.</p> <p>In case KOPT provides only part of the total requirement of pay loaders against such Coking Coal vessels specified above, the rebate shall be allowed against the entire cargo landed a/c the Importer through the vessel but at the same time the pay loader higher charge at actual as per Section - 16.1 (12) shall be levied.</p> <p>(With the depletion of pay loader strength, HDC cannot provide full equipment support to a Coking Coal vessel. The wording of the existing clause is such that, it is not clear whether in such case the rebate is at all allowable or not. Further it is also not been specifically mentioned that in Coking Coal vessels, HDC provides equipment support free of cost.</p> <p>Further, the quantity against which the rebate is allowable has also not been specified.</p>	<p>KOPT has not pointed out any error in the note (i) to Section 5 The port has proposed a new conditionality. This may require consultation with the concerned users. If the KOPT comes up with a proposal in this regard, it may be taken up in a separate proceeding.</p>