

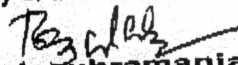
(To be published in Part - III Section 4 of the Gazette of India, Extraordinary)  
**TARIFF AUTHORITY FOR MAJOR PORTS**

Mumbai, 15 May 2013

No. TAMP/6/2010-KOPT

**NOTIFICATION**

In exercise of the powers conferred by Section 48, 49 and 50 of the Major Port Trusts Act, 1963 (38 of 1963), the Tariff Authority for Major Ports hereby extends the validity of the existing Scale of Rates at Kolkata Port Trust as in the Order appended hereto.

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

**Tariff Authority for Major Ports**  
**Case No. TAMP/6/2010 - KOPT**

Applicant

The Kolkata Port Trust

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**QUORUM**

- (i). Shri. T.S. Balasubramanian, Member (Finance)
- (ii). Shri. Chandra Bhan Singh, Member (Economic)

**ORDER**

(Passed on this 9<sup>th</sup> day of May 2013)

This case relates to the extension of the validity of the existing Scale of Rates of the Kolkata Port Trust (KOPT).

2. The existing Scale of Rates of KOPT was last approved by this Authority vide Order No.TAMP/6/2010-KOPT dated 29 November 2010 which was notified in the Gazette of India on 15 February 2011. The Order prescribes the validity of the SOR till 31 March 2013.

3. As per the Order No.TAMP/23/2003-WS dated 30 September 2008 passed by this Authority for clarifying/ refining certain areas of the existing approach/practice followed in tariff setting exercise, the major port trusts and private terminal operators have to file their tariff revision proposal by 30 June of the financial year in which the tariff revision falls due. Accordingly, the KOPT had to file its proposal by 30 June 2012.

In view of that the port was advised vide our letter dated 7 May 2012 to file its proposal by 30 June 2012. As requested, the port was granted extension of time from time to time to file its proposal. The port subsequently filed its proposal vide its letter dated 30 January 2013.

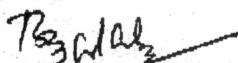
4. The proposal filed by the KOPT vide its letter dated 30 January 2013 for revision of SOR is taken on consultation with the concerned port users/ user organisations. It may take some more time for the case to mature for final consideration of this Authority.

5. The KOPT vide its letter dated 1 April 2013 has requested to extend the validity of Scale of Rates alongwith Special Rate of 4% for further period till notification of the revised Scale of Rates.

6. The existing Note No.2 under Part-IX Special Rate of the existing SOR of KOPT prescribes that the special rate to meet the Pension fund liability will be levied for the period from 1 January 2011 to 31 March 2013. The KOPT has requested to extend the validity of existing SOR alongwith the special rate. The Pension fund position of KOPT analysed in Para 17 (xxxiv) of the last tariff Order No. TAMP/6/2010-KOPT dated 29 November 2010 relating to general revision of SOR of KOPT assumes that the shortfall in the Pension fund liability is to be recovered over a period of 3 tariff cycles. In view of that this Authority agrees to extend the validity of the Special Rate of 4% beyond 31 March 2013 as requested by the port.

7. Since the validity of the existing SOR expired on 31 March 2013 and recognising the time required for finalising the case, this Authority extends the validity of the existing SOR of the KOPT alongwith special rate of 4% till 30 September 2013 or till the effective date of implementation of the revised Scale of Rates, whichever is earlier.

8. If any additional surplus over and above the admissible cost and permissible return accrues to the KOPT post 1 April 2013, during the review of its performance, such additional surplus will be fully adjusted in the tariff to be fixed for the next cycle.

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