(Published in Part - III Section 4 of the Gazette of India, Extraordinary)

Tariff Authority for Major Ports

G. No. 230 **New Delhi,** **26 May 2016**

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 keeps the Order No.TAMP/4/2004-Genl. dated 5 October 2015 temporarily in abeyance and restore its earlier Order No.TAMP/4/2004-Genl. Dated 12 January 2005 and 15 March 2005 in pursuance of the direction issued by the Ministry of Shipping vide its letter no. 8(15)/2015-TAMP dated 11 May 2016 as in the Order appended hereto.

(T.S. Balasubramanian)
Member (Finance)

Tariff Authority for Major Ports

Case No. TAMP/4/2004-Genl.

O R D E R

(Passed on this 19 day of May 2016)

The MOS vide its letter No.8/(15)2015-TAMP dated 11 May 2016 has decided to temporarily keep the earlier direction issued by the MOS vide its letter no.8/(15)2015-TAMP dated 17 September 2015 in abeyance till further orders and restore the policy direction issued by the (then) MSRTH vide its letter no.PR-14019/29/2001-PG dated 1st/3rd January 2005 and 9 March 2005. In the communication dated 11 May 2016 the MOS, has stated the following:

(i). Since restatement of tariff under the amended instruction issued vide this Ministry's letter No.8(15)/2015-TAMP dated 17 September 2015 has had the effect of sharply raising the tariff and would be contrary to the Ministry's desire to promote coastal shipping, and also the fact that transaction in coastal shipping/ operations are entirely domestic and the tariff is collected in rupees, the need to link the tariff to US $ needed to be reviewed.

The consequences related with linkage of exchange rate fluctuation of Indian Rupee vis-à-vis US $ for restatement of coastal tariff need to be addressed at length so that there is no adverse impact on the promotion of coastal shipping.

(ii). Accordingly, till such time these issues are addressed, it has been decided by the MOS to temporarily keep the instructions issued in this Ministry's letter of even no dated 17 September 2015 in abeyance till further orders and restore the instructions contained in the then Ministry of Shipping, Road Transport & Highways letters no.PR-14019/29/2001-PG dated 1st / 3rd January 2005 and 9 March 2005.

2. In view of the above, the MOS has directed this Authority to appropriately prescribe the **coastal cargo**/ container/ vessel related charges levied at all Major Port Trusts and private operators authorized under Section 42(3) of the Major Port Trusts Act, 1963 immediately.

3. In view of the above direction issued by the MOS, this Authority keeps the Order No.TAMP/4/2004-Genl. dated 5 October 2015 passed by this Authority based on the direction issued by the MOS vide its letter no.8(15)2015-TAMP dated 17 September 2015 temporarily in abeyance till further orders from the MOS. Consequently, the Order no.TAMP/4/2004-Genl. dated 7 January 2005 and the amendment to the said Order dated 15 March 2005 based on the policy direction issued by the (then) MSRTH dated 1 January 2005 are restored as directed by the MOS.

4. All the Major Port Trusts are directed to amend their Scale of Rates accordingly. In the case of private terminal operators operating in the Major Port Trusts in whose existing SOR the vessel related charges and/ or container related charges for foreign category are denominated in US dollar terms, they are directed to amend their Scale of Rates accordingly.

5. The order passed by this Authority based on the direction of the MOS shall come into effect from the date of notification of the order in the Gazette of India.

(T.S. Balasubramanian)
Member (Finance)