

GOVERNMENT OF INDIA
MINISTRY OF SHIPPING

RAJYA SABHA

UNSTARRED QUESTION NO.131

TO BE ANSWERED ON 17th JULY, 2017

EFFICIENCY OF MAJOR PORTS ENVISAGED THROUGH
MPA BILL, 2016

131. SHRIMATI VIJILA SATHYANANTH:

Will the Minister of SHIPPING be pleased to state:

- (a) whether Government has approved the draft Major Port Authorities (MPAs) Bill, 2016 to replace the existing Major Port Trusts Act (MPTA), 1963 to empower 12 major ports to perform with greater efficiency on account of full autonomy in decision making;
- (b) if so, the details thereof;
- (c) whether an independent review board has been proposed to carry out the residual function of the erstwhile Tariff Authority for Major Ports (TAMP), to look into disputes between ports and PPP concessionaires, to review stressed PPP projects and suggest measures to revive such project; and
- (d) if so, the details thereof?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF SHIPPING
(SHRI MANSUKH L. MANDAVIYA)

(a)&(b): Yes, Sir. The salient features of the Major Port Authorities Bill, 2016 are given in **Annexure.**

(c)&(d): Yes, Sir. An Adjudicatory Board has been proposed inter-alia for expeditious disposal of disputes between ports and PPP concessionaries and suggest measures for revival of such stressed to them. This will help boost private investment in port sector and enable faster dispute resolution.

Annexure

SALIENT FEATURES OF THE MAJOR PORT AUTHORITIES BILL, 2016

- (i) With the growth and development of private ports, the Major Ports are facing severe competition and difficulties in implementing the changes which may help the Major Ports compete in the evolving market conditions. The regulation of tariff in the Major Ports by the Central Government are some of the critical factors hindering their growth and development. To provide greater autonomy, flexibility to the Major Ports and to professionalize their governance, it is proposed to repeal the Major Port Trusts Act, 1963 and to replace it with a new legislation, namely the Major Ports Authorities Bill, 2016.
- (ii) To constitute the Board of Port Authority for each Major Port in the place of the Board of Trustees.
- (iii) To enable the Board of Port Authority to use its property, assets and funds in such manner and for such purposes as it may deem fit for the benefit of the Major Port.
- (iv) To enter into and perform any contract necessary for the performance of its functions under the proposed legislation.
- (v) To make regulations for the purposes of operation, development and planning of the Major Port.
- (vi) To frame the scales of rates for assets and services available at Major Port.
- (vii) To claim lien on such goods and to seize and detain the same until such rates and rents are fully paid.
- (viii) To empower the Board of Port Authority to raise loans and issue securities for the purposes of the capital expenditure and working capital requirements of such port authority.
- (ix) To constitute an Adjudicatory Board for adjudication of disputes among Major Ports, Public Private Partnership concessionaries and captive users. This Adjudicatory Board shall consist of a Presiding Officer and such other Members not exceeding two, as may be appointed by the Central Government.
- (x) To make a provision for Corporate Social Responsibility measures within the port limits.

- (xi) To provide for regulation, operation and planning of Major Ports in India and to vest the administration, control and management of such ports upon the Boards of Major Port authorities and for matters connected therewith or incidental thereto.
