

Para 5: The consultation paper concedes rather hastily that CSC is an independent operator. The statement appearing in this paragraph that they are a concessionaire under a BOT proposal of MIAL makes us suspect that this is an attempt by MIAL to establish this arrangement to side step the Royalties they need to pay under OMDA. Hence we the users very strongly feel that CSC is only a franchisee of MIAL and ACAAI also recalls its earlier communication to AERA on the eligibility of a franchisee to set and seek approval of tariff. The indirect flow back to MIAL by escaping the Royalty payments under OMDA also need to be quantified and included in the revenue stream before a fair and

The contents are factually incorrect. There has been no proper consultation held between CSC and Exporters/BCHAA/ACAAI and the meetings called for did not place on board any concrete financial statements to review and when such information was sought, the same was also denied. AERA may seek the minutes of these meetings to ascertain the correct position.

We wish to highlight some of the assumptions made in the Consultation paper as under Para 3:

The efforts made by CSC seem to place a higher importance on the commercials and also many back door practices have been attempted to circumvent the approval process by the Regulatory Body (AERA.)

Reference to the consultation paper number 05 /2011-12 uploaded on your web site, ACAAI would like to bring to your immediate attention the correct position on operationalising the perishable goods Facility by CSC at Mumbai Airport. While ACAAI welcomes augmenting the cargo infrastructure at Indian airports, the legal process involved cannot be sacrificed for commercial expediency.

5/5/11
17/6/11

Sub : Consultation paper No.5 / 2011 - 12

Dear Sir,

Shri. Yashwant S. Bhawe
Chairperson
Airports Economic Regulatory Authority of India (AERA)
Room No.354, 3rd Fl., B-Block
Rajiv Gandhi Bhawan
New Delhi - 110 003

15.06.2011



equitable tariff can be arrived at. The economic cost benefit flowing back to MIAL by way of infrastructure and business at the end of the concession period also needs quantification and public disclosure. ACAAI reiterates and submits that the tariff must be announced only by MIAL and they need to seek the approval from AERA and not CSC.

Para 7: The information "as furnished by CSC" appears to have been accepted prima facie without any scrutiny and correctness. We disagree with the conclusion reached that this is a competing facility independent of MIAL. ACAAI seeks that AERA undertakes a far deeper scrutiny of this proposition and arrives at a conclusion, as explained in our earlier communication that a sub agent of MIAL can not be considered a competitor, competing in a free market without being influenced in any manner by the Principal.

Para 11: The conclusion reached in this paragraph that no charges are levied is erroneous. CSC has been actively pursuing a back door strategy without the approval of AERA as per the statement of tonnages of cargoes handed at CSC for the period 01 to 07 June totaling 190MT. (Exhibit 1) we wish to Point out the patrons of CSC are the Shippers/CHA/IATA/ACAAI agents and not carriers as mentioned.

This is a facility where cargo is unloaded, completes regulatory process (CUSTOMS, X Ray, ADC, Plant, quarantine,) and made ready for carriage. The endorsement of some airlines cannot make this facility and their charges legitimate. So far only one airline Emirates sent e-mail to Members on Friday 13th May Evening that effective Monday 16th May all Temp Control Required Cargo must be at CSC, when Sat 14th May was a customs holiday being second Saturday. Email from Emirates attached (Exhibit 2)

ACAAI is constrained to bring to your notice that such carriers who have endorsed the tariff or "verbally" accepted the same have resorted to abuse of this unholy nexus to coerce the shipper to use this facility and the agents of these shippers to forcibly open PD accounts for charges to be debited falling which space has been denied to them for their exports by these carriers. This is an abuse of dominant position of carriers with the blessings and active connivance of the CSC facility. AERA must investigate this surreptitious misadventure of CSC and select airlines that have currently created unjust and inequitable working conditions and severely compromised the financials of agents and shippers who have resisted this attempt to coerce/force them to patronize this facility without any legal approval.

The outcome of the meetings between CSC/BCHAA/ACAAI does not find mention in the discussion paper and we once again reiterate that minutes of these meetings are obtained to clearly understand the genuine concerns raised by the participants at these meetings. Information which was flatly refused at this meeting appears as (Exhibit - 3).



Deliberate misinformation to Trade by MIAL proclaiming that all the regulatory clearances have been obtained is placed as –(Exhibit 4). This reiterates our misgivings that commercial considerations have forced MIAL/CSC to circumvent and undermine the correct and legal process of obtaining the formal clearances from AERA.

We also deny the assertion that trade has agreed upon the proposed tariff in effect; their message proves that some of the tariff proposals have been added later on and not discussed with the trade. (Exhibit – 5)

We also wish to question the revenue figures if these have been correctly quantified by CSC. The premises constructed, is for a dual purpose, one for Cold storage facility and other for the purpose of subletting the office space above for commercial purpose. The revenue generation of this upper portion is not reflected in the submissions made and which will directly lead to a reduced tariff.

We also urge that the consultation paper must also set the performance parameters and the conditionality which needs to be followed. We once again reiterate that ACAAI welcomes any improvement to the cargo infrastructure.

The process of setting tariff and seeking approvals needs to be done with utmost respect to the law of the land.

We are confident that as an independent body set up by Govt. of India will ensure fair practices and equitable Fees payable by users.

We are confident that AERA will assess the proposal in an unbiased manner and approve the proposal, including clarifying the eligibility to charge. The users have the utmost confidence in AERA that it would always examine and approve the proposals that are reasonably fair to the users as well as commercially liable to the service provider.

Thanking you,

For Air Cargo Agents Association of India

Cdr Raj Saini
Executive Director

Copy To : Mr. Sandeep Prakash

Airports Economic Regulatory Authority of India (AERA)
Room No.354, 3rd Flr., B-Block
Rajiv Gandhi Bhawan, New Delhi – 110 003

Encl : as above

Agent	Date	Time	AWB Prefix	AWB No	Destn	Commodity	Pcs	Chg Wt (Kgs)
	6/1/2011	14:59:00	176	20482626	IAH	Pharma	12	2940
FREIGHTWINGS & TRAVELS	6/1/2011	14:59:00	176	20482604	IAH	Pharma	12	2832
		15:03:00	176	20482615	IAH	Pharma	11	2571
		15:05:00	176	20482615	IAH	Pharma	11	2571
	01-06-2011 Total						35	8343
	6/2/2011	7:00:00	176	20482766	IAH	Pharma	12	3392
				20501541	IAH	Pharma	12	3221
				20721046	VE	Pharma	11	1317
			020	24087921	LU	Pharma	1	100
			125	64749263	(blank)	(blank)		
		9:00:00	176	20482755	IAH	Pharma	12	2806
		12:12:00	020	24087722	PHL	Pharma	7	1702
	02-06-2011 Total						55	12538
	6/3/2011	7:00:00	020	24087910	LU	Pharma	9	1181
			176	20501552	IAH	Pharma	12	2888
		12:40:00	176	20482770	IAH	Pharma	12	3026
		13:37:00	176	20482770	IAH	Pharma	12	3026
		13:39:00	160	92344991	TVO	Pharma	2	39
	03-06-2011 Total						35	7134
	6/4/2011	7:21:00	176	20482792	IAH	Pharma	12	4473
			176	20482803	IAH	Pharma	12	3714
		11:55:00	176	20501563	IAH	Pharma	12	3708
	04-06-2011 Total						36	11895
	6/6/2011	14:00:00	125	64726502	PHL	Pharma	6	1424
	06-06-2011 Total						6	1424
PENTA FREIGHT PVT. LTD.	6/4/2011	12:45:00	020	24855143	CHI	Pharma	3	666
	04-06-2011 Total						3	666
	6/6/2011	13:42:00	020	24855364	CHI	Pharma	7	1574
	06-06-2011 Total						3	682
		13:39:00	020	24855073	CHI	Pharma	3	682
	06-06-2011 Total						10	2256
DHL LEMUR LOGISTICS	6/4/2011	8:22:00	724	31551951	MIA	Pharma	12	3528
			020	24854093	YUL	Pharma	6	820
	04-06-2011 Total						18	4348
HELLMANN WORLDWIDE LOGISTICS	6/1/2011	6:30:00	176	20493491	FRA	Pharma	6	1363
	01-06-2011 Total						6	1363
	6/2/2011	6:40:00	160	92298415	CDG	Pharma	17	3671
			607	6289474	AUH	Pharma	48	11851
		6:50:00	020	24078994	VE	Pharma	387	2845
	02-06-2011 Total						452	18367
	6/3/2011	7:10:00	020	24078950	CLT	Pharma	22	6050
			020	24079005	ATL	Pharma	1	387
		10:10:00	724	31553270	LVS	Pharma	12	2496
	03-06-2011 Total						35	8933
	6/4/2011	6:30:00	020	24852122	VE	Pharma	473	4067
	04-06-2011 Total						473	4067
	6/6/2011	8:24:00	607	06285624	DUB	Pharma	12	2792
			176	20493546	AMS	Pharma	24	5293
		9:10:00	724	31553281	LVS	Pharma	48	2343
	06-06-2011 Total						12	10428
MAGNUM CARGO PVT. LTD.	6/1/2011	13:40:00	020	24085585	FRA	Pharma	11	3720
			020	24085482	FRA	Pharma	6	1704
		13:42:00	589	20147002	PHL	Pharma	7	2032
	01-06-2011 Total						24	7456
	6/2/2011	14:17:00	020	24085611	VE	Pharma	8	1535
			020	2408386	OTP	Pharma	8	1650
		14:20:00	589	20147024	PHL	Pharma	4	1016
		16:17:00	057	14110040	LIS	Pharma	6	668
	02-06-2011 Total						26	4868
	6/4/2011	13:45:00	176	20507900	DAM	Pharma	2	182
			020	24085202	PHL	Pharma	10	2336
	04-06-2011 Total						12	2518

1-06.11-6.06.11

EX-1

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319	6/6/2011	14:45:00	020	24085515	PHL	Pharma	10	2062	198630
418	6/6/2011	14:30:00	020	24085600	PHL	Pharma	2		
3328	6/6/2011	14:42:00	020	24085283	PHL	Pharma	13		
3301	6/6/2011	14:44:00	020	24085294	PHL	Pharma	13		
3408	6/6/2011	14:47:00	589	20147046	PHL	Pharma	12		
13574	06-06-2011 Total						50		
112	6/4/2011	10:22:00	020	47950092	FRA	Pharma	2		
6200	6/4/2011	7:42:00	176	20503954	MAD	Pharma	28		
212	6/4/2011	7:40:00	020	24083710	ZAG	Pharma	2		
6524	04-06-2011 Total						32		
8186	6/1/2011	9:55:00	125	64745505	MEM	Pharma	21		
8186	01-06-2011 Total						21		
3242	6/2/2011	9:18:00	724	31141924	PAR	Pharma	16		
6206	6/2/2011	9:20:00	125	64745365	MEM	Pharma	18		
6587	6/2/2011	9:22:00	125	64745391	MEM	Pharma	18		
16035	02-06-2011 Total						52		
210	6/4/2011	10:10:00	125	64746054	LON	Pharma	17		
5975	6/4/2011	10:12:00	125	65030151	MEM	Pharma	17		
3521	6/4/2011	10:15:00	125	65030140	MEM	Pharma	14		
9706	04-06-2011 Total						32		
1544	6/6/2011	11:03:00	020	24063900	LYS	Pharma	11		
300	6/6/2011	11:02:00	020	24063896	DUB	Pharma	2		
688	6/6/2011	11:05:00	020	24844142	LHR	Pharma	4		
825	6/6/2011	11:07:00	020	47950070	ZAG	Pharma	12		
3300	6/6/2011 Total						33		
6657	06-06-2011 Total						33		
3597	6/4/2011	6:40:00	724	31087976	MIA	Pharma	17		
3597	04-06-2011 Total						17		
2659	6/4/2011	16:29:00	020	24850512	BOG	Vaccine	141		
525	6/4/2011	16:29:00	724	31144890	MIA	Vaccine	17		
23	6/4/2011	16:29:00	724	31144901	MIA	Vaccine	2		
2327	6/4/2011	16:29:00	724	31144886	MIA	Vaccine	98		
179	6/4/2011	16:29:00	724	31144676	MIA	Vaccine	10		
5713	04-06-2011 Total						268		
2299	6/6/2011	16:23:00	176	20468663	MSQ	Pharma	86		
2299	06-06-2011 Total						86		
3559	6/1/2011	0:30:00	023	63396561	DXB	Pharma	14		
3559	01-06-2011 Total						14		
2233	6/2/2011	0:05:00	023	63430500	DXB	Pharma	15		
2233	02-06-2011 Total						15		
3408	6/4/2011	1:50:00	023	63430651	DXB	Pharma	13		
1515	6/4/2011	1:50:00	023	63460843	DXB	Pharma	10		
2635	6/4/2011	1:50:00	023	63460854	DXB	Pharma	10		
7558	04-06-2011 Total						33		
2417	6/6/2011	20:54:00	023	63477072	DXB	Pharma	14		
2417	06-06-2011 Total						14		
3973	6/6/2011	16:48:00	235	72491602	ALG	Pharma	121		
3973	06-06-2011 Total						121		
198630	06-06-2011 Total						2062		
Grand Total									

From: Patrick Mascarenhas [patrick.mascarenhas@emirates.com]
Sent: Friday, May 13, 2011 3:25 PM
Subject: Start of New Terminal for Temperature Sensitive Cargo

EK/CGO/EXP/11-12

May 12, 2011

Dear Cargo Partner,

~~Sub : Acceptance of Cargo at the New CSC Facility at Mumbai Cargo Terminal~~

Cargo Service Centre (CSC) will be starting operations at their New Facility at the Mumbai Cargo Terminal w.e.f 16 May, 2011.

Emirates SkyCargo has signed up with CSC to assist you as well as your shipper for proper handling and Temperature Maintenance of Pharmaceuticals and Vaccines from this New Terminal.

We will therefore start accepting only Pharmaceuticals and Vaccines to begin with from this Terminal. Those Cargo Partners who wish to use this facility can do so effective May 16, 2011.

The Due Carrier Charges for all Pharmaceuticals and Vaccines cleared through this terminal i.e Carting and Screening will be the same as currently applied in addition the following changes in Miscellaneous charge.

Miscellaneous - (Code - MCC) - INR 1.75/kg - MIN - INR150/-

We look forward to your support and co-operation.

Please do get in touch with our office if you require any further information or clarification.

Yours truly,

Patrick Mascarenhas
Cargo Sales Manager - Mah & Goa

file:///C:/Documents and Settings/deepthi/Local Settings/Temporary Internet Files/OLK182... 15/06/2011

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