THE MAJOR PORT TRUSTS (PROCEDURE AT BOARD MEETINGS) RULES 1981

G.S.R. 725 - In exercise of the powers conferred by Section 122 of the Major Port Trusts Act, 1963 (38 of 1963), the Central Government hereby makes the following rules, the same having been published in the Gazette of Government of India Part 2 Sub-Section 3 (i) dated 1-8-1981 as required by sub-Section (2) of the said Section namely :-

1. Rules

   (1) These rules may be called the Major Port Trusts (Procedure at Board Meetings) Rules, 1981.

   (2) They shall, come into force on the date of their final publication in the Official Gazette.

   (3) They shall, subject to the provisions of section 16 of the Major Port Trusts Act, 1963 (38 of 1963), apply to the business transacted at the meetings of the Boards of Trustees of the Ports of Calcutta, Bombay, Madras, Cochin, Visakhapatnam, Kandla, Mormugao, Paradip, ¹[Tuticorin, New Mangalore and Nhava Sheva]

2. Frequency of meetings

   (1) A meeting of the Board other than a special meeting referred to in rule 3, shall be held at least ¹[once in three months]

   (2) The Board shall, from time to time, determine the date and time of its meetings,

      Provided that where the Board is unable to do so for any reason, the Chairman may do so, for reasons to be recorded in writing.

   (3) A meeting of the Board shall be held at port premises of the respective ports, except where the Board in advance decides to hold any meeting at any other place for reasons to be recorded in writing.

3. Calling of Special meetings

   The Chairman or in his absence the Deputy Chairman, if appointed, may, whenever he thinks fit and shall, upon the written request of not less than three Trustees, call a special meeting of the Board.

4. Circulation of agenda, etc

   Agenda and notes or memoranda thereon, if any for any meeting of the Board shall be circulated to the Trustees at least three days before the date of the meeting,

   Provided that in the case of a special meeting, such agenda and notes or memoranda shall be circulated at least one day before the date of the meeting.

¹ Substituted w. e. f. 28-7-88 vide Ministry’s Notification No. PR-11012 / 3 /87 PG- dated 28-7-88 and published in the Govt. of India Gazette under G.S.R 819 (E) dated 28-7-88.
5. **Discussion on items not included in the agenda**

The Chairman, or in his absence, the Deputy Chairman, if appointed, may at his discretion, include for discussion at any of the meetings of the Board including a special meeting any item not included in the agenda, if the same is in his opinion, of sufficient importance or urgency or both and cannot be held over for the consideration of the Board at any subsequent meeting.

6. **Poll**

If a poll is demanded on any question, the names of the Trustees voting and the nature of their votes shall be recorded by the President of the meeting.

**Explanation:** For the purpose of this rule and rules 7 and 8, the expression ‘President’ shall mean the Chairman or in his absence, the Deputy Chairman, if appointed, and in the absence of both, any person chosen by the Trustees present from among themselves to preside over the meeting of the Board.

7. **Minutes of the meeting**

   (1) Minutes of the proceedings at each meeting of the Board shall, be recorded in a book to be provided by the Board for this purpose, which shall be signed as soon as practicable by the President of such meeting and shall be opened to inspection by any Trustee during office hours.

   (2) Minutes of the proceedings excepting such portion thereof, as the Chairman or, in his absence the Deputy Chairman; if appointed, may direct in any particular case, shall also be open to the inspection of the public at the Office of the Board during office hours.

   (3) The names of the Trustees present at each meeting shall be recorded in the minutes book.

   (4) A Trustee present at any meeting of the Board shall sign his name in a book or register to be provided by the Board for the purpose.

8. **Adjournment of meeting**

The President of a meeting may adjourn it to a later date, which date shall be announced at the meeting, in which case intimation shall be sent to the Trustees absent at the meeting [¹] before the date of the meeting.

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¹ Deleted w. e. f. 28-7-88 vide Ministry’s Notification No. PR-11012 / 3 /87 PG dated 28-7-88 and published in the Gazette of India under G.S.R 819 (E) dated 28-7-88
THE MAJOR PORT TRUSTS (PAYMENT OF FEES & ALLOWANCES TO TRUSTEES) RULES, 1981

Copy of letter No. PW / PGL-25 / 80 dated, the 11th March 82 from the Government of India, Ministry of Shipping and Transport (Port’s Wing) New Delhi addressed to the Chairman, Cochin Port Trust, Cochin-3 etc.

It is informed that the notification was published in the Gazette of India dated 6th February, 1982 under G. S. R. No. 134.

NOTIFICATION

G. S. R. 134 whereas the draft of the Major Port Trusts (Payment of fees and Allowances to Trustees) Rules, 1981 was published, as required by sub-section (2) of section 122 of the Major Port Trust Act, 1963 (38 of 1963), at pages 1559-1561 of the Gazette of India, Part II Section 3, Sub-section (i), dated the 4th July, 1981 under the notification of the Government of India in the Ministry of Shipping and Transport (Ports wing) No. G. S. R. 626, dated 23rd June, 1981, inviting objections and suggestions from all persons likely to be effected thereby till the expiry of a period or forty five days from the date of publication of the said notification in the Official Gazette.

AND WHEREAS the copies of the said Gazette were made available to the public on the 11th August, 1981;

AND WHEREAS no objections and suggestions have been received from the public before the expiry of the period aforesaid;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (I) of section 122 of the said Act, the Central Government hereby makes the following rules, namely :-

1. Rules

   (1) These rules may be called the Major Port Trusts (Payment of Fees and Allowances to Trustees) Rules, 1981.

   (2) They shall come into force on the date of their publication in the Official Gazette.

   (3) They shall, subject to the provisions of section 18 of the Act apply to the Port Trust Boards of Calcutta, Bombay, Madras, Cochin, Visakhapatnam, Kandla, Mormugao, Paradip, Tuticorin & New Mangalore.

2. Definitions

   Unless the context otherwise requires :-

   (a) “Act” means the Major Port Trusts Act, 1963, (38 of 1963);

   (b) words and expressions used in these rules have the meanings respectively assigned to them in the Act.

3. Fees Payable

   Every Trustee of the Board other than the Chairman and the Deputy Chairman, where appointed, or any other Trustee who is a servant of the Government or servant of the Board, shall be entitled to a fee of -

   (i) rupees $\text{1} \text{Two hundred and fifty for attendance of each ordinary or special meetings of the board;}

   \footnote{\text{Substituted vide G. O. I. Notification dated 11-2-97 under G. S. R. No. 70 (E) Ministry’s No. PR-11019 / 3 / 95 - PG effective from 11-2-97.}}
(ii) rupees one hundred for attendance at each meeting of any committee other than the meeting of the Committee held on the same day in continuation of or preparatory to an ordinary or special meeting of the board;

Provided that, the aggregate amount of fees payable to any Trustees in respect of the meetings of the Board and / or the Committees held during any calendar month shall not exceed rupees one thousand

NOTE: A Trustee present at any meeting of the board or a Committee thereof shall sign his name in a book or register to be kept for the purpose.

4. Payment of Travelling allowance

(i) All outstation Trustees, other than those who are servants of the Government or the servants of the Board, attending any meeting of the Board or any of its Committees shall, in addition to such fees as is payable under rule 3, be entitled to receive travelling allowance on the scale applicable to the highest class of officers of the Central Government.

(ii) All outstation Trustees, other than those who are servants of the Government or the servants of the Board, attending any meeting of the Board or of any of its Committees shall, in addition to such fees as are payable under Rule 3 and travelling allowance, also be entitled to receive daily allowance at the rate applicable to the highest class of officers of the Central Government for the period of journey performed to and from the place of Board or Committee meeting and Head quarters.

NOTE: I. For the purpose of daily allowance, the period of journey by the shortest possible route and from the place of Board or Committees meeting and the Head-quarters, shall be taken as the period of journey.

NOTE: II. The Headquarters for the purpose of this rule shall be normal place of residence of the Trustee.

5. Payment of certain allowances to a Trustee who is a Government Servant or the servant of the Board

A Trustee who is a servant of the Government or a servant of the Board and who attends any meeting of the Board or of any of its Committees shall be entitled to receive travelling allowance and daily allowance in accordance with the provisions of the service rules applicable to him.

6. Payment of certain allowances to a Trustee who is a member of Parliament or of the Legislature of State

Notwithstanding anything contained in Rules 3 and 4, a Trustee who is also a member of Parliament or a member of the Legislature of a State shall not be entitled to any fees other than the compensatory allowance as defined in clause (A) of section 2 of the Parliament (Prevention of Disqualification) Act, 1959 (10 of 1959) or, as the case may be, other than the allowances, if any, which a member of the Legislature of the State may, under any law for the time being in force in the State relating to the prevention of disqualification of membership of the State Legislature, receipts without incurring such disqualification.

7. **Repeal and savings**

(1) On and from the date of publication of these rules the rules mentioned in the Schedule annexed hereto are hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken or any order made or directions given under the said rules shall be deemed to have been done, taken, made or given, as the case may be, under the corresponding provisions of these rules.

**SCHEDULE**
(See rule 7)

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<th>No</th>
<th>Title of the rules repealed</th>
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<td>1.</td>
<td>Major Port Trusts (Payment of Fees and Allowance to Trustees) Rules, 1964.</td>
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<td>4.</td>
<td>Board of Trustees of the Port of Bombay (Payment of Fees and Allowances to Trustees) Rules, 1975.</td>
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<td>5.</td>
<td>Board of Trustees of the Port of Calcutta (Payment of Fees and Allowances to Trustees) Rules, 1975.</td>
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<td>6.</td>
<td>Board of Trustees of the Port of Madras (Payment of Fees and Allowances to Trustees) Rules, 1975.</td>
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<td>7.</td>
<td>Board of Trustees of the Port of Tuticorin (Payment of Fees and Allowances to Trustees) Rules, 1979.</td>
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<td>8.</td>
<td>Board of Trustees of the Port of New Mangalore (Payment of Fees and Allowances to Trustees) Rules, 1980.</td>
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(PW / PGL - 25 / 80)

Dated: 28-1-1982

Sd/-

( M. R. CATHWAL )
Under Secretary to Govt. of India