

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 of 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, Visakhapattanam, 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) ¹[rupees three thousand] for attendance of each ordinary or special meetings of the board;
- (ii) ²[rupees one thousand] 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;

¹[Provided that, the aggregate amount of fees payable to any Trustee in respect of the meetings of the Board or the Committees held during any calendar month shall not exceed rupees ten 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.

¹ Substituted w.e.f. 30-11-2017 vide Ministry of Shipping Notification No.LB-11021/4/2013-L published in the Gazette of India under G.S.R. 1471(E) dated 30-11-2017.

² Substituted w.e.f. 30-11-2017 vide Ministry of Shipping Notification No.LB-11021/4/2013-L published in the Gazette of India under G.S.R. 1471(E) dated 30-11-2017.

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)

Sl No	Title of the rules repealed
1.	Major Port Trusts (Payment of Fees and Allowance to Trustees) Rules, 1964.
2.	Mormugao Port Trust (Payment of Fees and Allowance to Trustees) Rules, 1964.
3.	Paradip Port Trust (Payment of Fees and Allowance to Trustees) Rules, 1967.
4.	Board of Trustees of the Port of Bombay (Payment of Fees and Allowances to Trustees) Rules, 1975.
5.	Board of Trustees of the Port of Calcutta (Payment of Fees and Allowances to Trustees) Rules, 1975.
6.	Board of Trustees of the Port of Madras (Payment of Fees and Allowances to Trustees) Rules, 1975.
7.	Board of Trustees of the Port of Tuticorin (Payment of Fees and Allowances to Trustees) Rules, 1979.
8.	Board of Trustees of the Port of New Mangalore (Payment of Fees and Allowances to Trustees) Rules, 1980.

(PW / PGL - 25 / 80)

Dated : 28-1-1982

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