

GOVERNMENT OF INDIA
MINISTRY OF TRANSPORT AND COMMUNICATIONS
Department of Transport
(Transport Wing)

New Delhi, the 18th January, 1960

NOTIFICATION

G.S.R. 92 – 44 of 1958 – In exercise of the powers conferred by section of the Merchant Shipping Act, 1958, the Central Government hereby makes the following rules, namely :-

1. Short title - These rules may be called the National Shipping Board Rules, 1960
2. Definitions – In these rules unless there is anything repugnant in the subject of context ___
 - (i) “Act” means the Merchant Shipping Act, 1958 (44 of 1958) ;
 - (ii) “Board” means the National Shipping Board established under section 4 of the Act.
 - (iii) “Chairman” means Chairman of the National Shipping Board;
 - (iv) “Director General” means the Director General of Shipping Bombay;
 - (v) “Secretary” means the Secretary of the Board.
3. Establishment of the Board – The Board shall be established for a period of two years in the first instance and thereafter, it shall be re-established at the end of every two years.
4. Term of office of members – (1) The Chairman and other members of the Board shall hold office for a period of two years.

(2) A casual vacancy in the office of Chairman shall be filled by nomination by the Central Government, and a casual vacancy in the office of any other member shall be filled by election or appointment, as the case may be. The Chairman or the member so nominated, elected or appointed to fill such vacancy shall hold office for so long only as the Chairman or the member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

5. A member who is appointed by virtue of an office held by him shall cease to be a member when he ceases to hold that office and a member elected by Parliament shall cease to be a member when he ceases to be a member of Parliament.

6. Resignation by the Chairman and member of the Board –

The Chairman may resign his office by a letter in writing addressed to the Central Government and a member may resign his office by a letter in writing addressed to the Chairman :

Provided that the Chairman or the Member shall continue in office until his resignation takes effect.

(2) The resignation of the Chairman or a member shall not take effect until it is accepted or until the expiry of 30 days from the date of receipt of the letter of resignation by the Central Government or as the case may be by the Chairman, “whichever is earlier”

7. Removal of Chairman and Members from Office– The Central Government may at any time remove from office the Chairman or any member of the Board-

(i) if he is absent from India continuously for a period longer than six months and has not obtained the Board’s permission for such absence;

(ii) if he absent himself from three consecutive meetings of the Board without the permission of the Board;

(iii) if he become insolvent;

(iv) if he is convicted of an offence which, in the opinion of the Central Government, involves moral turpitude;

(v) if, in the opinion of the Central Government, he has ceased to represent the interests on whose behalf he was appointed;

(vi) if in the opinion of the Central Government it is for any other reason not desirable that he should continue to be a member.

8. Secretary of the Board – (1) The Central Government shall appointment one of the members of the Board or nay other person to be the Secretary of the Board.

(2) The Secretary shall be under the general control of the Board. His duties shall be to assist the Chairman in the discharge of his functions and in particular –

(a) to convene under the directions of the Chairman meetings of the Board;

(b) to maintain the minute books; and

(c) to undertake such other duties as may from time to time be entrusted to him

by the Board.

9. Secretarial assistance to the Board - The Board shall be given adequate secretarial assistance by the Director General. Any staff that may be needed for the work of the Board shall be appointed on the establishment of the Director –General in the usual manner and shall be borne on the cadre of his office, and be paid out of his own budget.

10. Travelling and daily allowance etc. of members - The Chairman and members of the Board shall be entitled to travelling and

Amendment Notification for Rule 10

GOVERNMENT OF INDIA
MINISTRY OF SURFACE TRANSPORT
(Shipping Wing)

New Delhi, the 24th October, 1991

NOTIFICATION

G.S.R.644 (E) In exercise of the powers conferred by section 6 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby makes the following rules further to amend the National Shipping Board Rules, 1960, namely :-

1. (1) These rules may be called the National Shipping Board (Amendment) Rules, 1991.

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

2. In the National Shipping Board Rules, 1960 for rule 10 the following rules shall be substituted, namely :-

(10) Non-official members other than members of Parliament :

(A) TRAVELLING ALLOWANCE :

(1) Journey by Rail

A non-official member other than the member of parliament, performing the journey to attend the meetings of the Board or its sub-committee or in connection with any work relating to the Board shall be treated at par with Government servants drawing the pay of Rs. 2,800/- and above but less than Rs. 5,100/- per month and shall be entitled to travel by first class or second class or second class A/C 2 tier sleeper by all trains (including the Rajdhani Express) :

Provided that where the Central Government considers that a non-official member should travel by air-conditioned first class they may, at their discretion, allow such non-official member to travel by air-conditioned first class in all trains (including the Rajdhani Express) where this concession in their opinion is justified by either of the following conditions :-

(i) Where a person is or was entitled to travel in air-conditioned first class under the rules of the Organization to which he belongs or might have belonged before retirement ;

(ii) Where Central Government is satisfied that travel by rail in the air-conditioned first class is the customary mode of travel by the non-official member in respect of journey unconnected with the performance of Government duty.

(2) Journey by Road :-

(i) in respect of journeys by road between places not connected by rail, a non-official member will be entitled to road mileage admissible to an officer of the first grade drawing pay between Rs. 2,800/- and above but less than rs. 5,100/- per month viz. actual fare by public bus(any type of bus including deluxe, super-deluxe, express, etc. but excluding air-conditioned bus) or at prescribed rates for auto-rickshaw for journeys by auto-rickshaw/own scooter/motor cycle/moped, etc. or at prescribed rate for taxi for journeys by full taxi/own car.

ii) In cases where journeys between two places connected by rail in performed by road, a non-official member will be entitled to the prescribed road mileage limited to first class fare by rail. However, if in any individual case, the Central Government is satisfied that the journey by road was performed in connection with any work relating to the Board full road mileage allowances may be allowed without restricting to rail fare.

3) Journey by sea or river steamer :-

In respect of journeys by sea or by river steamer, a non-official member shall be entitled to one fare at the lowest rate (exclusive of diet) of the highest class of accommodation.

(4) Journey by Air :-

(i) Air travel shall not be permitted as a matter of course. The Central Government may, however, subject to any general instructions in this behalf sanction travel by air of any non-official member of the Board where it is satisfied that the air travel is urgent and necessary in connection with any work relating to the Board.

(ii) A non-official member when authorized to travel by air shall be entitled to economy (Tourist) class where two classes of accommodation, that is, first and economy (Tourist) class accommodation, are available on the air lines.

(iii) In cases where air-travel is authorized, a non-official member shall be entitled to one standard air fare.

(iv) Every non-official member shall be required to purchase return ticket, wherever it is available, when it is expected that the return journey can be performed before the expiry of the ticket. The mileage allowance for the forward and return journeys when such return ticket is available, shall however, be the actual coast of the return ticket.

(v) If, in any individual case, a non-official member asks for general permission to travel by air in connection with his duties as a non-official member of the Board, the Central Government may examine the case on merits and grant, general permission to the non-official member, if the Central Government is satisfied that non-official member habitually travels by air on journeys to attend work not connected with the work of the Board, to travel by air at his discretion.

(B) Daily Allowances :-

(1) A non-official member shall be entitled to daily allowance at the rate prescribed vide para 1 (ii) of Ministry of Finance, Department of Expenditure Office Memorandum No.19020/1/84-E.IV, date 23.6.1986, as amended from time to time.

(2) In exceptional cases, where the Central Government is satisfied that the work on the Board is of such continuous or responsible nature as to necessitate the non-official member devoting far greater time and energy to it than he can be ordinarily expected to spare, the rate of daily allowance for stay at the place of meeting may be increased upto a maximum of Rs. 50/- per day. The enhanced rate of daily allowance shall be admissible for the day preceding or the day following the meeting or both, if the non-official member actually stays at the place on these days.

(3) Daily allowance shall be subject to the usual conditions laid down in S.R. 73, as amended from time to time. The Government shall, however, be competent to relax the rule in cases where the conditions prescribed in clauses (a) and (b) thereof are satisfied.

(4) When a non-official member is allowed freeboard and lodging at the expenses of the Central Government, he shall be entitled to only one-fourth of the daily allowance admissible to him under these rules. If only boarding is allowed free, daily allowance shall be admissible at one-half of the admissible rate. If only lodging is allowed free daily allowance shall be admissible at three-fourth of the admissible rates.

(C) Conveyance allowance -

(i) A non-official member resident at a place where the meeting of the Board is held, shall not be entitled to traveling and daily allowance on the scales indicated in sub-paras (a) and (b) above, but shall be allowed only the actual cost of conveyance hire, subject to a maximum, as prescribed in para 1(ii) of Ministry of Finance Office Memorandum No.19020/1/84-E.IV, dated 23.6.1986, as amended from time to time.

(ii) If such a member uses his own car, he shall be granted mileage allowance at the rates admissible to officials of the first grade subject to a maximum as prescribed in para 1 (ii) of the Ministry of Finance Office Memorandum NO. 19020/1/84-E.IV, dated 23.6.1986, as amended from time to time.

10A. Allowances to be paid to members of Parliament :

(A) Traveling Allowance

(1) In respect of journey performed by rail, road, air or steamer in connection with the work of the Board, a member of Parliament shall be entitled to traveling allowance on the same scale as is admissible to him under section 4 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954).

(2) A member of Parliament shall ordinarily travel by rail utilizing the free first class rail pass issued to him. He may also travel by air at his discretion. Air travel shall not, however, be resorted to as a matter of course and in exercising his discretion, the member shall take into account factors like urgency of work, distance to be traveled time at his disposal, etc.

(B) Daily Allowance

(1) A member of Parliament shall be entitled for each day of the meeting daily allowance the rate admissible to members of Parliament from time to time.

(2) When the Parliament or a Parliamentary Committee on which he is entitled to draw any daily allowance in connection with his assignment with the Committee, as he may be drawing his daily allowance under section 3 of the Salary, Allowances and pension of Members of Parliament Act, 1954 (30 of 1954) from the Parliament Secretariat concerned. However, if he certifies that he was prevented from attending the session of the House of Parliamentary Committee and did not draw any daily allowances from the Parliament Secretariat, he shall be entitled to draw daily allowances as indicated above. When a Member of Parliament is allowed free boarding and lodging at the expense of the Central Government or State Government or an autonomous industrial or commercial undertaking or corporation, or statutory body or a local authority in which Government funds have been invested or in which Government have any other interest, the payment of daily allowance will be regulated under Members of Parliament (Travelling and Daily Allowances) Rules , 1957.

108. Allowances to be paid to the official members :

An official member shall be governed by the rules formed by the Central Government for grant of traveling allowance and daily allowance as applicable to him while discharging his official duties.

Sd/-

(S.K.Kakar)

JOINT SECRETARY TO THE GOVT. OF INDIA

(No.SS.18016/1/90-SL)

Note: The principal Rules were published vide Notification GSR 92, dated 23.1.1960 and have been amended vide Gazette Notifications (GSR 1111, dated 24.9.1960 and GSR 12242, dated 22.10.1960.

11. Controlling office for the purpose of sanctioning travelling and daily allowances – The Director General or the Sr. Deputy Director General of Shipping shall be the Controlling Officer in respect of traveling allowance and Daily Allowance for the non-official Members of the Board.

(No.40-MD(134)/59)

sd/-

(S.K. GHOSH)

Deputy Secretary to the Government of India

RULES OF PROCEDURE OF THE NATIONAL SHIPPING BOARD

1. Procedure for Conduct of Business

(i) The Board shall normally meet once in three months and shall be convened by the Chairman of the Board.

(ii) The Board shall meet at such place and time as may be appointed by the Chairman of the Board.

(iii) Notice of not less than fifteen days from the date of posting shall be given of the time and place fixed for each meeting of the Board to every member of the Board present in India. The notice may be delivered either by hand or may be sent by registered post to the last known address of the member. Non-receipt of a notice by member of the Board duly forwarded or sent by the Secretary of the Board shall not invalidate the proceedings of any meeting of the Board.

Provided that if the Chairman of the Board calls a meeting for considering any matter which in his opinion is urgent, a notice giving such reasonable time as he may consider necessary shall be deemed sufficient.

(iv) A list of business proposed to be transacted shall either accompany the notice or be forwarded by the Secretary to each member as soon as possible after sending out the notice.

(v) A member of the Board desiring discussion of any specific item or of making a substantial proposition at any meeting of the Board shall give to the Secretary of the Board a written notice of the same at least seven days before the date fixed for the meeting. He shall also furnish sufficient data to enable proper discussion of the item.

(vi) Any business which is not on the list shall not be considered at the meeting except with the permission of the Chairman.

(vii) The Chairman of the Board shall preside at every meeting of the Board. In the absence of the Chairman, the members of the Board present shall choose one from among themselves to preside at the meeting.

(viii) The Chairman shall regulate the procedure at all meetings and in particular shall have full power to fix time limit for speeches, to apply the closure when in his opinion any matter has been sufficiently discussed and to adjourn the meeting.

2. Extra-ordinary Meetings:

Upon a requisition made in writing by not less than five members of the Board the Chairman of the Board shall, as soon as possible and in any case not later than fifteen days of the date of requisition, convene an extra-ordinary meeting of the Board. The requisition

shall state the objects of the meetings proposed to be called and shall be left at the office of the Board. The notice of every such meeting along with a copy of the requisition may be delivered either by hand or may be sent by registered post to the last known address of the member of the Board.

3. Quorum :

(i) No business shall be transacted at a meeting of the Board, unless at least eight members of the Board are present.

(ii) If at any meeting the number of members is less than the required quorum, the Chairman or in his absence, the member presiding at the meeting shall adjourn meeting to a date not less than seven days later, informing the members present and also the other members of the date, time and place of the adjourned meeting and it shall thereupon be lawful to dispose of the business at such adjourned meeting whether the quorum is secured or not.

4. Minutes of Meetings :

The minutes of the proceeding of a meeting of the Board shall be drawn up by the Secretary of the Board and circulated to all the members of the Board present in India. The minutes along with any amendments suggested shall be placed for confirmation at the next meeting of the Board. After the minutes are confirmed and signed by the Chairman or the member who presided at the meeting they shall be recorded in a minute book which shall be kept for inspection of the members of the Board at all times during office hours of the Board.

5. Recommendations :

Decisions arrived at by the Board requiring any further action for their implementation shall be recorded in the form of recommendation to be forwarded to the Ministry of Transport and Communication.

6. Voting :

(i) Ordinarily, it shall not be necessary to take any votes for the decision of any question. In case, however, the majority of the members present disagree to a proposal, the fact of such disagreement shall be recorded in the minute book.

(ii) Notwithstanding anything contained in sub-rule (i), the Chairman or the member presiding may, if he considers it necessary decide any question coming up before the Board by a majority of votes. In such cases , in the event of an equal division of votes, Chairman shall have a second or casting vote.

7. Non-Members Attending Meetings :

The Chairman may invite any person to be present at any meeting to participate in the discussions but such persons shall not be entitled to vote in the event of any decision being taken by the majority of votes.

8. Sub-Committees.

With a view to facilitating the task of the Board, the Board may appoint one or more sub-committees standing or otherwise to go into any report on any specific problem or problems before the Board.

9. The working year of the Board.

The working year of the Board shall be the year commencing on the first day of April and ending on the thirty first day of March of the following year.

10. Annual reports relating to the working of the Board.

The Board shall submit to Government at the end of every year a report relating to its working during that year.

11. All communications to a member of the Board shall be sent to him at the last address furnished by him to the Secretary of the Board.