

The Maharashtra Maritime Board (Procedure for Meetings of the Board and its Committees) Regulations, 1997

MAHARASHTRA

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Rule

THE-MAHARASHTRA-MARITIME-BOARD-PROCEDURE-FOR-MEETINGS of 1997

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The Maharashtra Maritime Board (Procedure for Meetings of the Board and its Committees) Regulations, 1997 Published vide Notification No. EPT. 1097/CR-72/Part-2, dated 27th June, 2001 (M.G.G., Part 4-B, dated 4.11.2004, pages 320-327) No. EPT. 1097/CR-72/Part-2, dated 27th June, 2001 (M.G.G., Part IV-B, dated 4.11.2004, pages 320-327). - In exercise of the powers conferred by section 111 read with clause (1) of section 108 of Maharashtra Maritime Board Act, 1996 (Maharashtra XV of 1997); and of all other powers enabling it in this behalf, the Government of Maharashtra hereby makes the Maharashtra Maritime Board (Procedure for meetings of the Board and its Committees) Regulations, 1997 as follows, namely :-

Chapter I Preliminary

1. Short title.

- These regulations may be called the Maharashtra Maritime Board (Procedure for meetings of the Board and its Committees) Regulations, 1997.

2. Definitions.

(1) In these regulations, unless the context otherwise requires, - (a) the "Act" means the Maharashtra Maritime Board Act, 1996, (b) "clear days" means days exclusive of the day of issue of a notice of intimation and of the day of meeting, (c) "resolution" means a proposal made to evoke action on the part of the Board and it includes an amendment of resolution, (d) "section" means a section of the Act, (e) "Chief Executive Officer" means the Chief Executive Officer appointed under section 17 of the Act, (f) "presiding authority" means the person presiding over the meeting of the Board. (2) The words and expressions used but not defined in these regulations shall have the meaning assigned to them in the Act.

Chapter II

Meeting of the Board

3. Date, time and place of meetings.

- The Board shall ordinarily meet once in three months or whenever necessary, as may be decided by the Board. The Board shall meet on such date and time at the headquarter of the Board or as such other place as may be fixed by the Chairman or the Vice-Chairman with the approval of the Chairman, or as may be fixed in the previous meetings of the Board.

4. Special meeting.

- The Chairman, may, if he thinks fit and shall, on receipt of a written requisition from the majority of the Members, call a special meeting and fix the date, time and place for the special meeting.

5. Notice of Meeting.

(1) The Chief Executive Officer, shall give at least seven clear days notice of every ordinary meeting to all the members stating Maharashtra Maritime Board Regulations, 1997 241 the date, time and place of, and the business to be transacted at, such meeting. The period of notice may be waived if the date, time and place of ensuing meeting has already been fixed at the previous meeting, or if the Chairman considers it necessary to hold a meeting for the transaction of any emergent business. In case of special meeting, three clear days' notice shall be given to all the members. (2) Non-receipt of notice of meeting by any member shall not by reason of such omission, invalidate the proceedings of, or any resolution passed at such meeting.

6. Mode of delivery of notice.

- Every notice of the meeting, when date is not fixed at the previous meetings, shall be sent to the members by ordinary post under certificate of posting or by hand delivery.

7. Agenda of the Meeting.

(1)A copy of the agenda (with notes, if any) shall be circulated to all the members of the Board, before the date fixed for the meeting, except where a meeting has been called by the Chairman; for the transaction of emergent business.(2)The papers connected with the items of agenda shall be made available, if required, at the time of meeting,(3)Notwithstanding anything contained in sub-regulation (1), any matter not included In the agenda of the meeting of the Board, on which decision of the Board is urgently required may, with the approval of the Chairman be placed before the Board at such meeting and the Board may consider such matter.(4)Any member desiring to ask any information relating to any of the items of the agenda of the meeting or any other point concerning the affairs of the Board, shall give adequate notice to enable the Chief Executive Officer, to collect the necessary information.

8. Presiding Authority of meeting.

- Where a member other than the Chairman or Vice-Chairman is presiding at the meeting and if, the Chairman or Vice-Chairman attends at any time during the course of such meeting, the member so presiding over the meeting, shall vacate the Chair and the meeting shall continue under Chairmanship of the Chairman, or the Vice-Chairman, as the case may be.

9. Quorum.

(1)The quorum necessary for the transaction of the business at a meeting of the Board shall be one-third of the total numbers of the Board including the Chairman.(2)If, at any time during the course of a meeting, it is brought to the notice of the Chairman or Presiding Authority that the number of members present inclusive of the Presiding Authority falls short of the number required for quorum, the Presiding Authority shall, if there be no quorum after waiting for a period of not less than thirty minutes, adjourn the meeting to some other day, fixing such time and place as he thinks convenient and the business which remains undisposed of at such meeting shall be disposed of at the adjourned meeting, or at any subsequent adjournment thereof even if there be quorum thereat or not :Provided that, no business shall be transacted at any adjourned meeting other than that left undisposed off at the previous meeting.

10. Adjournment of Meeting.

(1)If within thirty minutes from the time appointed for a meeting there be no quorum, the meeting shall, if called upon the requisition of members be dissolved and in any other case, unless all the members present agree to wait longer, the Presiding Authority shall adjourn the meeting to such hour on the same day or some other day as he may reasonably fix and the business which would have been brought before the original meeting had there been quorum thereat, shall be brought before adjourned meeting and may be disposed of at such meeting or at any subsequent adjournment thereof :Provided that, no business shall be transacted at any adjourned meeting other than that left undisposed off at the previous meeting.(2)A meeting may, with the consent of the

majority of members present be adjourned from time to time, but no business shall be transacted at any adjourned meeting other than that left undisposed at the previous meeting. The date, time and place of the adjourned meeting, shall be announced at the meeting before it is adjourned and no separate notice shall be necessary.

11. Order of business at a meeting.

- The items of business at a meeting of the Board shall generally be shown in the following order, namely:-(i)Confirmation of the minutes of the previous meeting;(ii)Reports of action taken on the decision at the previous meeting;(iii)Matters relating to urgent official business brought forward by the Chairman or Vice-Chairman;(iv)Any resolution regarding change of agenda;(v)Resolutions;(vi)Statement of receipts and expenditure;(vii)Progress Report;(viii)Items such as budget, plans, programmes and audit reports;(ix)Any matter which the State Government or any other officer authorised by the State Government in this behalf may require the Board to consider;(x)Any other matter which may be brought up at the meeting with the permission of the Chairman of Presiding Authority.

12. Ordinary business to be transacted according to agenda, except with the permission of Presiding Authority.

(a)no business which is not entered in the agenda, shall be transacted at any meeting.(b)the business to be transacted at any meeting shall be taken up in the order in which it is entered in the Agenda :Provided that, in granting permission for priority for transacting any business, the decision of Presiding Authority shall be final.

13. Conduct of members during meeting.

(1)A member who desires to make any observation on any matter before the meeting shall, if called upon by the Presiding Authority, address his remarks to Presiding Authority.(2)A member shall confine his speech strictly to the question before the meeting and shall cease to make remarks which are held by the Chairman to be irrelevant or offensive.

14. Moving of Resolution.

(1)A member who wishes to move any resolution, shall send a notice of such resolution together with a brief covering note setting out therein the reasons in support of resolution to the Chief Executive Officer, at least seven days in advance of the meeting, so as to enable the Chief Executive Officer to include the resolution in the agenda :Provided that, the Chairman may at his discretion, allow such resolution to be moved in a meeting, though the notice of the resolution is not received in time for inclusion in the agenda.(2)Any resolution on which the decision of the Board is urgently required may be circulated to the members and if it is approved by majority of members of the Board, it shall be deemed to have passed as a resolution at a meeting of the Board duly convened. Such decision shall be placed before the next meeting of the Board for ratification.

15. Resolution to be voted on conclusion of debate.

(1) The Presiding Authority may, on conclusion of a debate on a resolution, or at any time when the Presiding Authority is satisfied that the resolution has been sufficiently discussed, put the same to the vote of the meeting. Against all resolution passed at a meeting a remark shall be made in the minutes of the meeting as passed by majority, or as passed unanimously, as the case may be. (2) (i) When there are one or more amendments to a resolution the Presiding Authority shall first put to vote the amendment or amendments one by one. (ii) If all amendments are lost, the Chairman or the Presiding Authority shall put to resolution to vote. (iii) If any amendment or amendments are carried, the Presiding Authority shall put to vote the resolution incorporating the amendment or amendments which have been carried together. (iv) The Presiding Authority may group together the amendments which are substantially the same. (3) The resolution with or without an amendment or amendments as finally carried under sub-regulation (2), shall be considered to be the decision of the Board.

16. Manner of taking votes.

(1) The vote shall be taken by raising of hands, but if the majority of members present so decide, the votes shall be taken by ballot. (2) Any member present at a meeting may refrain from voting if he so choose. (3) Every question to be voted shall be first put to vote for ascertaining the number of members who are in favour of the question and subsequently for ascertaining the number of members who are against the question.

17. Procedure for leaving meeting.

- A member who wishes to leave the meeting before its closure shall, immediately before leaving intimate his intention to the Chairman or the Presiding Authority.

18. Recording of signing of minutes of a meeting.

(a) The decision reached in the meeting shall be recorded and compiled with by the Chief Executive Officer in an appropriate manner. (b) The Chief Executive Officer shall keep and maintain a minute book which shall contain the names of the members and officers of the Board present at a meeting, the minutes duly signed by the Presiding Authority of such meeting and confirmed by the Board. Each page of the minute book compiled in the register shall be initiated or signed by the Chief Executive Officer in a top corner of each page after it is passed. A copy of the approved minutes shall be sent to the Chairman and all other members and State Government and any other concerned authority which the Chief Executive Officer may think fit, within seven days after its approval. (c) The minutes book shall be kept in the safe custody of the Chief Executive Officer, and shall be open to inspection at all reasonable times by any member of the Board and the authorised representative of the State Government.

19. Confirmation of minutes of previous meeting.

- The minutes of the proceedings of the preceding meeting previously circulated shall be taken as read unless the majority of the members present request that such minutes be read before it is confirmed by the Board.

20. Corrections of errors in the minutes.

- If any member present draws the attention of the Presiding Authority of the previous meetings to any portion of the minutes of the proceedings of the previous meeting as 'being erroneously entered in the minutes, such amendment, as such Presiding Authority deems proper, shall be made before the minutes are confirmed by the Board.

Chapter III

Meetings of Committees

21. Chairman if Committee and notice of meeting of Committees.

- The Chairman of a Committee appointed by the Board shall be the convener. Three clear day's notice of an ordinary meeting and one day's notice of a special meeting shall be given.

22. Manner of service of notice.

- The manner of service of notice of meeting of the Committee shall be the same as that for the meeting of the Board.

23. All members to be present at meeting.

- No business shall be transacted at any meeting of the Committee, unless all members of the Committee are present.

24. Rules of Procedure

- The procedure for the meeting of the Board shall generally apply mutatis mutandis to the meetings of Committees.

25. Record.

- A written record of the proceedings of every meeting of the Committee shall be kept and maintained by the Chief Executive Officer.

26. Proceedings of meeting to be signed.

- All the members of the Committee shall affix their signatures to the record of the proceedings of the meetings of the Committee.

27. Maintenance of record of proceeding.

- The Chief Executive Officer shall maintain the record of proceedings of each meeting.

28. Proceedings to be placed before the Board of Committee and Government.

- The proceedings of every meeting of the Committee shall be placed before the Board at its next meeting and also to the Government thereafter.

29. Date, time and place of the meeting.

- The meetings of the Committee shall normally be held at the office of the Board, unless the members of the Committee unanimously decides to meet elsewhere. The Committee shall meet on such date and at such time as may be unanimously decided by the members of the Committee.