

**ADJUDICATORY BOARD FOR MAJOR PORTS (PROCEDURE FOR
ADMINISTRATIVE MEETINGS) REGULATIONS, 2025**

In exercise of the powers conferred under Rule 69 of the Major Ports Adjudicatory Board Rules, 2023, the Adjudicatory Board hereby makes the following Regulations, namely;

1. Short Title and Commencement:

- (1) These regulations may be called the Adjudicatory Board for Major Ports (Procedure for Administrative Meetings) Regulations, 2025.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions:

- (1) In these Regulations, unless the context otherwise requires, the following definitions shall apply:
 - (a) “**Act**” means the Major Port Authorities Act, 2021 (1 of 2021).
 - (b) “**Adjudicatory Board**” shall have the meaning assigned to it in the Act;
 - (c) “**Member**” means the member of the Adjudicatory Board appointed by the Central Government under section 55 of the Act;
 - (d) “**Presiding Officer**” means the Presiding Officer of the Adjudicatory Board appointed by the Central Government under section 55;
 - (e) “**Rules**” means the Major Ports Adjudicatory Board Rules, 2023;
 - (f) “**Secretary**” means the Secretary of the Adjudicatory Board appointed under sub-rule (1) of rule 29 of the Rules and includes an officer of the Adjudicatory Board who is authorised by the Presiding Officer to function as Secretary.
- (2) The words and expressions used in these Regulations but not defined herein and defined in the Act or the Rules or the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025, shall have the same meaning respectively assigned to them in the Act or the Rules or in the said Regulations, as the case may be.

3. Frequency, Date, Time and Place of meetings:-

- (1) The Adjudicatory Board shall hold its first meeting within thirty days of the date of its constitution and hold a minimum number of four meetings every year in such a manner that at least one meeting is held in each quarter.
- (2) A meeting shall be called by the Presiding Officer from time to time or in his absence, by the Member nominated by him to act on his behalf to determine the date and time of meetings:

Provided that if there is a vacancy in the office of the Presiding Officer, the Members may require the Secretary to convene the meeting of the Adjudicatory Board.

- (3) The meetings of the Adjudicatory Board shall ordinarily be held at its notified place of office:

Provided that the Presiding Officer, or in his absence, the Member nominated by him to act on his behalf, may call any meeting of the Adjudicatory Board at any other place for reasons to be recorded in writing.

- (4) The meetings of the Adjudicatory Board may be conducted in person or through video conferencing mode or audio-visual means.

4. Calling of Special meetings:-

The Presiding Officer or any Member nominated by him to act on his behalf, may, whenever he thinks fit, call a special meeting of the Adjudicatory Board to transact urgent business.

5. Notice for the Meetings of the Adjudicatory Board:-

- (1) Notice for a meeting shall ordinarily be issued at least ten days before the date of the meeting except where it is decided by the Presiding Officer or any Member nominated by him to act on his behalf, to call a meeting at shorter notice.
- (2) Notice for a meeting shall be issued by the Secretary, or in his absence, by any other officer authorised in this regard by the Presiding Officer.
- (3) The notice of the meeting shall inform the Presiding Officer and Members regarding the mode of meeting i.e. in person or through video conferencing or audio-visual means and shall specify all necessary information to enable them to participate in the meeting.

6. Agenda for the Meeting:-

- (1) The agenda for a meeting of the Adjudicatory Board shall be approved by the Presiding Officer or in his absence, by the Member nominated by him to act on his behalf.
- (2) The agenda for a meeting shall ordinarily be issued at least seven days before 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.

- (3) Agenda for administrative, financial or any other matter that is required to be reported, ratified or approved by the Adjudicatory Board shall be placed before the Adjudicatory Board for consideration.
- (4) Any decision taken by the Presiding Officer or in his absence, by the Member nominated by him to act on his behalf, in emergent circumstances, in anticipation of the Adjudicatory Board's approval, shall be reported for ratification to the Adjudicatory Board in the meeting immediately following such decision.
- (5) Depending upon exigencies of work, the Presiding Officer or in his absence, the Member nominated by him to act on his behalf, shall have the discretion either to withdraw any item from the agenda or add any item at short notice whenever necessary.

7. Adjournment of meeting:-

The Presiding Officer or any Member nominated by him to act on his behalf, may, for sufficient reasons to be recorded in writing, either before or after commencement of the meeting, adjourn or advance the meeting.

8. Quorum for a meeting:-

Presence of the Presiding Officer and any Member or presence of any two Members of the Adjudicatory Board shall constitute the quorum for a meeting.

9. Presiding over meeting:-

- (1) A meeting shall be presided over by the Presiding Officer or in his absence, by the Member nominated by him to act on his behalf:

Provided that if there is a vacancy in the office of the Presiding Officer, the senior most Member, determined on the basis of the date of his appointment, or where all Members are appointed on the same date, then on the basis of his age, shall preside over the meetings of the Adjudicatory Board until the appointment of the Presiding Officer.

- (2) The Member while presiding over a meeting under sub-regulation (1) shall have the same powers and duties as the Presiding Officer in respect of that meeting.

10. Attendance at meeting:-

- (1) The office of the Adjudicatory Board shall maintain an attendance register for the meetings of the Adjudicatory Board.
- (2) The Presiding Officer and Member(s) present at the meeting of the Adjudicatory Board shall sign their name in the attendance register and upon such signature their attendance shall be deemed to be registered.
- (3) Presence of and participation in deliberations by any official(s) of the Adjudicatory Board or any other person, who are invited to assist the Adjudicatory Board, shall be approved by the Presiding Officer, or in his absence by the Member nominated by him to act in his behalf.
- (4) Attendance of any official of the Adjudicatory Board or invitees shall be separately detailed in the minutes of the Meeting.
- (5) A meeting shall be called to closure by the Presiding Officer or in his absence, by the Member nominated by him to act on his behalf.

11. Discussion on items not included in the agenda:-

The Presiding Officer or in his absence, the Member nominated by him to act on his behalf, may, at his discretion, include for discussion at any of the meetings of the Adjudicatory Board including a special meeting any item not included in the agenda, if such item in his opinion, is of sufficient importance or urgency or both and cannot be held over for the consideration of the Adjudicatory Board at any subsequent meeting.

12. Passing of resolution by circulation:-

- (1) The Adjudicatory Board may pass resolution by circulation on any matter of the Adjudicatory Board:

Provided that no resolution shall be deemed to have been duly passed by the Adjudicatory Board by circulation, unless the resolution has been circulated in draft, together with the necessary papers, if any, to the Presiding Officer and Members of the Adjudicatory Board by hand delivery or by post or by courier, or by electronic means and has been approved by a majority of the Members including the Presiding Officer:

- (2) A resolution passed under sub-regulation (1) shall be confirmed at a subsequent meeting of the Adjudicatory Board and made part of the minutes of such meeting.

13. Disclosure of interest.-

The Presiding Officer and every Member of the Adjudicatory Board, who is directly or indirectly concerned or interested in any agenda coming up for consideration at a meeting of the Adjudicatory Board, shall, as soon as possible, after the relevant circumstances have come to his knowledge, disclose the nature of his interest at such meeting and such disclosure shall be recorded in the proceedings of the Adjudicatory Board and the Presiding Officer or such Member shall not take part in any deliberation or decision of the Adjudicatory Board with respect to that business.

Explanation: The expression “directly or indirectly” referred to in this regulation shall include any concern or interest of the Presiding Officer or a Member either by himself or through his relatives within the meaning of definition of section 2(77) of the Companies Act, 2013 (18 of 2013).

14. Decisions in Meeting:-

- (1) As far as possible, decisions in meetings shall be unanimous.
- (2) Where such unanimity is not possible, decisions shall be based on majority opinion established through voting.
- (3) The decisions taken and approved in the meetings shall be recorded as administrative orders of the Adjudicatory Board and the Presiding Officer or any Member presiding over the meeting shall give directions for issue or circulation of such orders or such action as deemed fit.
- (4) For the purpose of voting, the Presiding Officer and Members shall have one vote each.
- (5) The Presiding Officer or, in his absence, the Member presiding over the meeting, shall not have a second or casting vote.

15. Minutes of the meeting:-

- (1) The Presiding Officer, or in his absence, the Member presiding over the meeting, shall cause the minutes of the meeting to be recorded and maintained in the books kept for the purposes thereof.
- (2) The minutes of each meeting shall contain a fair and correct summary of the proceedings thereat.
- (3) With the approval of the Presiding Officer, or in his absence, the Member presiding over the meeting, a copy of the draft minutes of the proceedings of each meeting shall be circulated to the Member(s) for comments within fifteen days after the meeting.
- (4) After taking the comments into account, the Presiding Officer or, in his absence, the Member presiding over the meeting shall authorise the approved minutes to be circulated with such modifications as may be necessary.
- (5) Any such approved minutes shall invariably be included in the agenda of the next meeting for formal approval for being taken on record; provided that the action to implement the decisions shall not pend for such taking on record.

- (6) After such formal approval, the approved minutes shall be taken on record and every page of the minutes shall be authenticated with signature by the Presiding Officer or, in his absence, by the Member presiding over the meeting.
- (7) The names of the Presiding Officer and Members present at each meeting shall be recorded in the minutes of the Meeting.
- (8) There shall not be included in the minutes, any matter which, in the opinion of the Presiding Officer or, in his absence, the Member presiding over the meeting, –
 - (a) is or could reasonably be regarded as defamatory of any person; or
 - (b) is irrelevant or immaterial to the proceedings; or
 - (c) is detrimental to the interests of the Adjudicatory Board.
- (9) The Presiding Officer, or in his absence, the Member presiding over the meeting, shall exercise absolute discretion in regard to the inclusion or non-inclusion of any matter in the minutes on the grounds specified in sub-regulation (8).

16. Assistance to the Adjudicatory Board:-

The Adjudicatory Board may take the assistance of any Major Port or other institutions, consultants, advisors, experts, including legal experts, chartered accountants, surveyor and such other technical and professional persons, as it may consider necessary on payment, if any, of reasonable fee and ask them to submit reports or furnish any information.

17. Invitees at meeting.-

Any person whose presence at a meeting of the Adjudicatory Board is desired for his advice or consultation, may be invited to attend such meeting by the Presiding Officer or the Member presiding over such meeting.

18. Effect of any irregularity of procedure:-

No act or proceedings of the Adjudicatory Board shall be invalid merely by reason of any irregularity in the procedure of the Adjudicatory Board not affecting the merits of the case.

19. Residuary provision-

In a situation not provided for in these regulations, the Adjudicatory Board may, for reasons to be recorded in writing, determine the procedure in a particular case.

20. Power to review the regulations:-

The Adjudicatory Board shall have the power to amend, modify and review these regulations and notify the amended regulations after seeking approval of the Central Government.

21. Removal of difficulty:-

In the matter of interpretation or giving effect to the provisions of these regulations, if any doubt or difficulty arises, the Adjudicatory Board may, by order, make such provisions not inconsistent with the provisions of the Act or the Rules, as appears to it necessary or expedient for removing the doubt or difficulty.