



सत्यमेव जयते



महापत्तन न्यायनिर्णायिक बोर्ड
ADJUDICATORY BOARD FOR MAJOR PORTS
पत्तन, पोत परिवहन और जलमार्ग मंत्रालय, भारत सरकार
Ministry of Ports, Shipping and Waterways, Government of India



No.ABMP/4/2022-Misc.
23 December 2025

Subject: Comments on the proposed draft Regulations of Adjudicatory Board for Major Ports.

1. In pursuance of sub-sections (1) and (2) of Section 54 and Section 55 of the Major Port Authorities (MPA) Act, 2021, the Central Government has constituted the Adjudicatory Board for Major Ports (ABMP) on 13 August 2025 vide Gazette Notification No.3647 dated 13 August 2025, comprising of a Presiding Officer and two Members.
2. The Ministry of Ports, Shipping & Waterways (MOPSW) vide Gazette Notification dated 17 January 2023 has notified the Major Ports Adjudicatory Board (MPAB) Rules, 2023. The said Rules mandates the Adjudicatory Board to fix the criteria for various matters viz., procedure for filing of cases/ applications/ references by Applicants, filing of reply by the Respondents, acceptance, registration and hearing of cases/ applications by the ABMP, prescribe Forms for filing etc.
3. Accordingly, the following draft Regulations on the ABMP procedural matters along with Regulations for conduct of meetings of the Board are hosted on the website of ABMP <https://abmp.in> under the sub-menu "Regulations" under the Mega Menu "Acts/ Rules" -
 - (i). Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025.
 - (ii). Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025.
 - (iii). Adjudicatory Board for Major Ports (Procedure for Meetings of the Major Ports Adjudicatory Board) Regulations, 2025
4. You are requested to go through the same and give your valuable inputs on any improvisations to be made in the said draft Regulations, latest by **16 January 2026**, at the email id abmp@abmp.gov.in
5. This issues with the approvalz of the Competent Authority.

Yours faithfully,


(Anuradha Sharma)
Director

To

1. Chairmen, All Major Port Authorities
2. The Managing Director, Indian Ports Association, 1st Floor, South Block, NBCC Place, B.P. Marg, Load Road, New Delhi. (ipa@nic.in)
3. Secretary General, Indian Private Ports & Terminals Association, Ahura Centre, A Wing, 5th Floor, Mahakali Caves Road, Andheri East, Mumbai-400 093 (secygen@ippta.org.in)
4. BOT Operators governed Under 2008 Guidelines
5. BOT Operators governed Under 2013 Guidelines
6. BOT Operators governed Under 2019 Guidelines
7. All users / user associations operating in Major Port Authorities
8. On ABMP website for other stakeholders

ADJUDICATORY BOARD FOR MAJOR PORTS (TRANSACTION OF BUSINESS AND PROCEDURAL) REGULATIONS, 2025

In exercise of the powers conferred under clauses (a), (b) and (c) of sub-rule (3) of rule 28, clause (c) of sub-rule (1) of rule 30, clause (c) of sub-rule (1) of rule 31, sub-rule (1) of rule 32, sub-rule (1) of rule 34, sub-rule (1) of rule 37, sub-rule (1) of rule 40, sub-rule (1) of rule 55, sub-rule (2) of rule 56 and rule 62 of the Major Ports Adjudicatory Board Rules, 2023, the Adjudicatory Board hereby makes the following regulations, namely:-

**PART - I
Preliminary**

1. Short title and commencement.-

- (1) These regulations may be called the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- (3) They shall apply to the Major Ports of Chennai, Cochin, Deendayal (Kandla), Jawaharlal Nehru (Nhava Sheva), Kolkata, Mormugao, Mumbai, New Mangalore, Paradip, V.O. Chidambaranar (Tuticorin) and Visakhapatnam. They shall also apply to Private Operators and captive users with dedicated berth who operate in these major ports and any other port users as defined in these regulations. who avails the services or facilities offered by these major ports.

2. Definitions.-

- (1) In these regulations, unless the context otherwise requires, -
 - (a) “**Act**” means the Major Port Authorities Act, 2021 (1 of 2021);
 - (b) “**address for service**” shall mean the address furnished by a party or his authorised representative at which service of notices, summons or other processes may be effected under these regulations;
 - (c) “**Adjudicatory Board**” means the Board constituted by the Central Government under subsection (1) of Section 54 of the Act;
 - (d) “**Adjudicatory Board Point**” means the Courtroom where the hearing is physically convened.
 - (e) “**advocate**” means a person who is entitled to practice as such under the Advocates Act, 1961 (25 of 1961);
 - (f) “**applicant**” means the person making a case, application, reference, review or interlocutory application to the Adjudicatory Board under the Act, Rules and these regulations;
 - (g) “**application**” means an application made to the Adjudicatory Board in respect of any matter specified in Category B, C, D and F under clauses (b), (c), (d) and (f) of sub-rule (1) of rule 28 of the Rules and related matters thereto;
 - (h) “**authorised representative**” means a person authorised in writing by a party to present his case, application, reference, review or any document related thereto

including interlocutory application before the Adjudicatory Board as the representative of such party;

- (i) **“case”** means a case in respect of matters specified in Category A under clause (a) of sub-rule (1) of rule 28 of the Rules;
- (j) **“certified copy”** means in relation to a copy of a document or order of Adjudicatory Board, certified to be a true copy issued by the Registrar of the Adjudicatory Board or any other officer authorised by the Registrar under its hand and seal;
- (k) **“fee”** means the amount payable in pursuance of the provisions of the Rules and these regulations for any case, application, reference, review, interlocutory application, miscellaneous application, or a document or for a certified copy of document or certified copy of the order of the Adjudicatory Board or such other document as fixed by the Adjudicatory Board in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 and includes any modifications as may be approved by the Adjudicatory Board in this regard;
- (l) **“filed”** means filed in the office of the Registrar or the Secretary of the Adjudicatory Board, as the case may be;
- (m) **“Form”** means a form(s) stipulated in these regulations and prescribed by the Adjudicatory Board in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 with such modifications as may be required and where no form is prescribed, to cover a contingency, a form as may be approved by the Presiding Officer or any other officer authorised by the Presiding Officer in this regard;
- (n) **“interlocutory application”** means an application in any case, application, reference or review already instituted in the Adjudicatory Board for the purposes specified in regulation 10 of these regulations;
- (o) **“legal practitioner”** shall have the same meaning as assigned to it in clause (i) of sub-section (1) of section 2 of the Advocates Act, 1961 (25 of 1961);
- (p) **“member”** means the member of the Adjudicatory Board appointed by the Central Government under section 55 of the Act;
- (q) **“miscellaneous application”** means an application filed which does not fall under the definition of case, application, reference, review or interlocutory application;
- (r) **“party”** means a person who prefers a case, application, reference, review, interlocutory application or miscellaneous application before the Adjudicatory Board and includes the respondent;
- (s) **“pleadings”** means and includes a case, application, reference or review including interlocutory application, miscellaneous application, reply, rejoinder, statement, counter claim, additional statement or submissions under these regulations and as may be permitted by the Adjudicatory Board;
- (t) **“private operator”** means a person or body corporate who or which operates one or more port assets under a lease or license or agreement or contract in the major port or who has been authorized by the major port to provide services within the port limits or the land appurtenant thereto;

- (u) **“port user”** means a person who, either directly or through agents, avails of the services or facilities offered by any Major Port Authority and includes representative bodies of such port users;
 - (v) **“reference”** means a reference made by the Central Government or the Board of the Major Port Authority to the Adjudicatory Board under clause (e) of sub-section (1) of section 58 of the Act and categorized as ‘E’ under clause (e) of sub-rule (1) of rule 28 of the Rules;
 - (w) **“Registrar”** means the Registrar 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 Registrar;
 - (x) **“Registry”** means the registry of the Adjudicatory Board where all the case, application, reference, review, interlocutory application, miscellaneous application or any other related document are received and thereafter submitted to the Registrar or Secretary as the case may be and also keeps records of the cases, applications, reviews, references, interlocutory applications, miscellaneous applications and other documents related thereto;
 - (y) **“Remote point”** means a place where any person or persons are required to be present or appear through a video link.
 - (z) **“Remote user”** means a user participating in Court proceedings through video conferencing at a Remote Point.
 - (aa) **“respondent”** means any such person or party against whom the case, application, reference, review, interlocutory application, miscellaneous application or any other related document is filed under the Rules and these Regulations;
 - (bb) **“review”** means a review filed under sub-section (1) of section 60 of the Act read with rule 55 of the Rules;
 - (cc) **“Rules”** means the Major Ports Adjudicatory Board Rules, 2023;
 - (dd) **“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 the Secretary;
 - (ee) **“Sent by post”** means sent by registered post or speed post with acknowledgement due or courier service;
 - (ff) **“Website”** means the official website including e-filing portal of the Adjudicatory Board made publicly available.
- (2) The words and expressions used in these regulations but not defined herein and defined in the Act or the Rules, shall have the same meaning respectively assigned to them in the Act or the Rules, as the case may be.

PART - II
Procedure for filing of case, application, etc.

3. Procedure for filing of case, application, etc.-

- (1) Every application, review or interlocutory application with respect to the following matters specified in Category B, C, D and F under clauses (b), (c), (d) and (f) of sub-rule (1) of rule 28

of the Rules shall be filed by the applicant to the Registrar or to an officer authorised in this behalf, in the manner described in sub-regulations (3) and (4) below.

- (a) Category B – Any dispute, difference or claim related to the rights and obligations of Major Ports and Public Private Partnership concessionaires or captive users for dedicated berth within the framework of their concession agreements under clause (b) of sub-section (1) of section 58 of the Act;
 - (b) Category C – Stressed Public Private Partnership projects referred by the Central Government or the Board of the Major Port Authority to the Adjudicatory Board under clause (c) of sub-section (1) of section 58 of the Act;
 - (c) Category D – Complaints received from port users against the services and terms of service rendered by the Major Ports or the private operators operating in the Major Ports under clause (d) of sub-section (1) of section 58 of the Act;
 - (d) Category F – Applications from any person made under section 32 of the Act.
- (2) Every case, review or interlocutory application with respect to the following matter specified in Category A under clauses (a) of sub-rule (1) of rule 28 of the Rules, shall be filed by the applicant to the Secretary or to an officer authorised in this behalf in the manner described in sub-regulations (3) and (4) below.

Category A – Cases in respect of matters stipulated under clause (a) of sub-section (1) of section 58 of the Act viz. the functions envisaged to be carried out by the erstwhile Tariff Authority for Major Ports arising from the Tariff Guidelines of 2005, 2008, 2013, 2018 and 2019 and tariff orders issued by the said Authority.

- (3) Every case, application, interlocutory application or review shall be filed by the applicant as per **Form Nos.1A or 1B or 1C or 1D** as applicable and as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 along with an affidavit.
- (4) Every case, application, interlocutory application or review under sub-regulations (1) and (2) shall be filed by the applicant either in person or sent by post or in stipulated electronic form i.e., by e-filing mode on the website designated in this behalf by the Adjudicatory Board. For the purpose of filing a case, application, review, interlocutory application or any document related thereto through e-filing mode, the applicant may refer the user guidelines issued in this behalf by the Adjudicatory Board from time to time.
- (5) The Adjudicatory Board shall not entertain any case, application, interlocutory application or review including public interest litigation from unrelated parties on any matter specified in sub-regulation (1) and (2) above.
- (6) Any case, application, interlocutory application or review filed under sub-regulation (4) above shall be deemed to have been filed on the day on which it is received in the office of the Registrar or Secretary, as the case may be.
- (7) Every case, application, interlocutory application, review or any document related thereto filed or presented for adjudication to the Adjudicatory Board or any officer of the Adjudicatory Board authorised in this behalf shall be in English and in case it is in some other language, it shall be accompanied by a copy translated in English and shall be fairly and legibly type written, lithographed or printed in double spacing on one side of standard A-4 size paper within an inner margin of about 3 cm width on both top and bottom and with a right margin of 2.5 cm, and left margin of 4 cm, duly paginated, indexed and stitched together in paper book form.
- (8) Every case, application, interlocutory application, review or any document related thereto-

- (a) shall be filed or presented in three authenticated copies by the applicant or by his duly authorised representative or by a legal practitioner duly appointed in this behalf, in the prescribed form together with the stipulated fee as per the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 and non-compliance of this may constitute a valid ground to refuse to entertain the same;
 - (b) shall be divided into paragraphs and shall be numbered consecutively and each paragraph shall contain as nearly as may be, a separate fact or allegation or point;
 - (c) shall explicitly state the following:-
 - (i) full name, description and complete address of each party and in case a party sues or being sued in a representative character, full name, description and complete address of the representative of such party;
 - (ii) facts of the case, list of dates, application or review sought;
 - (iii) point of issue; and
 - (iv) relief sought, if any;
 - (d) shall be accompanied by documents duly certified by the applicant or his authorised representative or legal practitioner filing such case, application, interlocutory application or review duly verified from the originals;
 - (e) shall contain the documents relied upon by the applicant which shall be numbered in 'A' series. For example, A-1, A-2, A-3 and so on.
- (9) The cause title in every case, application, interlocutory application or review shall state "Before the Adjudicatory Board for Major Ports" and where applicable, shall set out the proceedings or order of the Authority against which it is preferred.
- (10) All documents filed before or in the Adjudicatory Board shall be accompanied by an index containing their details and the amount of fee paid thereon.
- (11) In addition to regulation 8(a) above, sufficient number of copies of the case, application, review, interlocutory application or any document related thereto shall also be filed for service on the respondent and one copy for the registry of ABMP, as specified under these regulations. Manner of service on the respondent shall be governed by regulation 18 of these Regulations.
- (12) In matters pending before the Adjudicatory Board, all documents with reference to application, case, review or interlocutory application shall be filed or presented in three authenticated copies by the applicant to the Adjudicatory Board alongwith one copy for the registry of ABMP. The applicant shall also serve copies thereof on the respondent or their authorised representative and furnish a copy of proof of such service to the Adjudicatory Board.
- (13) The names of the parties in any case, application, review or interlocutory application shall be numbered consecutively and a separate line should be allotted to the name and description of each party. These numbers shall not be changed and in the event of the death, insolvency or winding-up of a party during the pendency of any case, application, review or interlocutory application his legal heirs, representatives, executors, administrators or successors, as the case may be, if more than one shall be shown by sub-numbers.
- (14) Where fresh parties are brought in, they may be numbered consecutively in the particular category, in which they are brought in.
- (15) Every proceeding shall state immediately after the cause title the provision of law under which it is preferred.

4. Procedure to make reference by the Central Government or Major Port Authority

- (1) Every reference or its review or interlocutory application with respect to following matter specified in Category E under clause (e) of sub-rule (1) of rule 28 of the Rules, shall be filed by the Central Government or the Major Port Authority to the Secretary or to an officer authorised in this behalf, in the manner described in sub-regulations (2), (3) and (4) below.
 - (a) Category E- Reference on any other matter relating to the operations of the Major Port, as may be referred by the Central Government or the Board of Major Port Authority under clause (e) of sub-section (1) of section 58 of the Act.
- (2) A reference to the Adjudicatory Board shall be filed by the Central Government or the Major Port Authority in English and in **Form No.1B** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 together with stipulated fee applicable to the Major Port Authority and such reference shall contain following particulars as prescribed under sub-rule (4) of rule 56 of the Rules:
 - (a) the specific proposition of law or fact or specific issue or policy or any other matter relating to the operations of the major port on which the suggestion or order is solicited;
 - (b) background and historical data relevant for the determination of the proposition or the issue or the policy or any other matter;
 - (c) copies of the relevant statutes including the rules, regulations, notifications, orders as considered necessary, if applicable;
 - (d) updated list of the parties involved with their complete addresses, telephone numbers, fax numbers, e-mail addresses; and
 - (e) where applicable, proof of having informed the parties concerned about the matter having been referred to the Adjudicatory Board for suggestions or order under clause (e) of sub-section (1) of section 58 of the Act, if applicable.
- (3) The contents of the reference or its review or interlocutory application along with the appendices and attachments thereto, shall be complete and duly signed by an officer not below the rank of—
 - (a) a Joint Secretary to the Government of India, if the reference or its review or interlocutory application has been made by the Central Government; and
 - (b) the Chairperson or the Deputy Chairperson or any other officer of the Major Port Authority authorized by the Board on their behalf, if the reference or its review or interlocutory application has been made by the Board of the Major Port Authority.
- (4) A reference or its review or interlocutory application under sub-regulation (1) above shall be filed either in person or sent by post or in stipulated electronic form i.e., by e-filing mode on the website designated in this behalf by the Adjudicatory Board. For the purpose of filing a reference, review or interlocutory application or any document related thereto through e-filing mode, the applicant may refer the user guidelines issued in this behalf by the Adjudicatory Board from time to time.
- (5) Any reference or its review or interlocutory application filed under sub-regulation (4) above shall be deemed to have been filed on the day on which it is received in the office of the Secretary.

- 5. Particulars to be set out in the address for service.-** The address for service of notice shall be filed with every case, application, reference, review, interlocutory application or any document related thereto and shall, as far as possible, contain the following details, namely:-
- (a) name of the respondent;
 - (b) the name of the road, street, lane and Municipal Division or Ward, Municipal Door and other number of the house, office or premises, as the case may be;
 - (c) the name of the town or village;
 - (d) the post office, postal district and pin code, and
 - (e) any other particulars necessary to locate and identify the addressee such as fax number, mobile number, valid e-mail address, if any.
- 6. Initialling alteration.-** Every interlineation, eraser or correction or deletion in any case, application, reference, review, interlocutory application or any document related thereto shall be initialled by the party or his authorised representative filing or presenting it.
- 7. Endorsement and verification.-**
- (1) At the foot of every case, application, reference, review, interlocutory application or any document related thereto shall appear the name and signature of the authorised representative along with seal, wherever, applicable.
 - (2) Every case, application, reference, review or any document related thereto shall be signed and verified by the party concerned in the manner provided by these regulations.
- 8. Production of authorisation for and on behalf of an association.-** Where a case, application, review or interlocutory application purported to be filed or presented by or on behalf of an association or a body corporate, the person or person(s) who sign(s) or verify(ies) the same shall produce a copy of the authorisation letter duly signed and sealed by the association or body corporate empowering such person(s) to do so, along with such case, application, review or interlocutory application, for verification by the Registry:
- Provided that the Registrar or Secretary as the case may be, may at any time call upon the party to produce such further materials as he deems fit for satisfying himself about due authorisation:
- Provided further that, if directed by the Adjudicatory Board, the applicant shall set out the list of members of the association or body corporate who may be impacted or for whose benefit the proceedings are instituted in such case, application, review or interlocutory application.
- 9. Interlocutory application.-**
- (1) Every interlocutory application for seeking stay, direction, condonation of delay, exemption from production of any document, extension of time or any other relief in matters pending before the Adjudicatory Board shall be in **Form No. 1C** alongwith index as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 and the requirements in that behalf shall be complied with by the applicant or the respondent, as the case may be, besides filing an affidavit supporting such interlocutory application.
 - (2) The corresponding provisions relating to procedure for filing of case, application or reference as specified under regulation 3 or regulation 4 of these regulations shall apply to filing of interlocutory application in respect of such case, application or reference.
- 10. Procedure on production of defaced, torn or damaged documents.-** When a document produced along with any case, application, reference, review, interlocutory application or pleading appears to be defaced, torn or in any way damaged or otherwise its condition or appearance requires special notice, a mention regarding its condition and appearance shall be

made by the party producing the same in the index of such case, application, reference, review, interlocutory application or pleading, and the same shall be verified and initialled by the officer authorised to receive the same.

PART - III

Fees

11. Fees

- (1) Every case, application, reference, review or interlocutory application filed under the Rules and these regulations, and any other miscellaneous application shall be accompanied with such fee as fixed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 from time to time.
- (2) Fees as fixed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 shall be payable for obtaining certified copy of any order or document in relation to any case, application, reference, review or interlocutory application filed under the Rules and these regulations.
- (3) The fees shall be paid either by means of a crossed demand draft drawn in favour of 'the Adjudicatory Board for Major Ports' payable at Mumbai or through digital payment mode in the designated bank account of the Adjudicatory Board or through online transfer on the website of the Adjudicatory Board, as decided by the Adjudicatory Board or any officer authorised by the Adjudicatory Board in that behalf, from time to time.
- (4) The fees received shall be entered into a receipt register to be maintained by the Registry of the Adjudicatory Board with details such as name of the person or entity remitting the payment, purpose of remittance, amount, number and date of demand draft or particulars of digital payment, as the case may be.
- (5) No fees shall be applicable in case of reference made by the Central Government under clause (e) of sub-section (1) of section 58 of the Act.

PART - IV

Procedure for scrutiny and registration

12. Procedure for scrutiny and registration of application.-

- (1) The Registrar shall immediately on receipt of an application, affix the date stamp of the Adjudicatory Board thereon and return the acknowledgement to the party filing the same and assign a diary number and thereafter send it for scrutiny.
- (2) Every application received in the Adjudicatory Board shall be scrutinized by the Registrar to check whether it conforms to the Rules and these regulations and whether the stipulated fee in respect of such application has been paid or not and the defects, if any shall be communicated to the party filing the same, within a reasonable time not exceeding fifteen days of the receipt of such application.
- (3) The party referred to in sub-regulation (2) shall, on receipt of the communication about the defects under sub-regulation (2), remove the defects within fifteen days of receiving the intimation.
- (4) The Registrar may for sufficient cause allow the party such reasonable time as he may consider necessary and extend the time for removal of defects for such period not exceeding one month from the date of receipt of the first intimation about removal of defects.

- (5) Where the party concerned fails to take any steps for the removal of defects in the application or the defects are not removed by him within the specified time including extended time, if granted, the application filed by such party shall be treated as invalid and the Registrar may, for reasons to be recorded in writing, decline to register the application:

Provided that the concerned party shall be entitled to file fresh application for consideration by the Adjudicatory Board together with the applicable fees.

- (6) In the event of the application having been treated as invalid under sub-regulation (5), the fee paid on such application shall stand forfeited.
- (7) The Registrar shall, after scrutiny and removal of defects, if any, in the application register the same by assigning a number and entering it into appropriate register maintained in this behalf and thereafter place the same for consideration by the Adjudicatory Board.

13. Procedure for scrutiny and registration of case.-

- (1) The Secretary shall immediately on receipt of any case affix the date stamp of the Adjudicatory Board thereon and return the acknowledgement to the party filing the same and assign a diary number and thereafter send it for scrutiny.
- (2) Every case received in the Adjudicatory Board shall be scrutinized by the Secretary to check whether it conforms to the Rules and these regulations and whether the stipulated fee stipulated in respect of such case has been paid or not and the defects, if any shall be communicated to the party filing the same, within a reasonable time not exceeding fifteen days of the receipt of such case.
- (3) The party referred to in sub-regulation (2) shall, on receipt of the communication about the defects under sub-regulation (2), remove the defects within fifteen days of receiving the intimation.
- (4) The Secretary may for sufficient cause allow the party such reasonable time as he may consider necessary and extend the time for removal of defects for such period not exceeding one month from the date of receipt of the first intimation about removal of defects.
- (5) Where the party concerned fails to take any steps for the removal of defects in the case or the defects are not removed by him within the specified time including extended time, if granted, the case filed by such party shall be treated as invalid and the Secretary may, for reasons to be recorded in writing, decline to register the case:

Provided that the concerned party shall be entitled to file fresh case for consideration by the Adjudicatory Board together with the applicable fees.

- (6) In the event of the case having been treated as invalid under sub-regulation (5), the fee paid on such case shall stand forfeited.
- (7) The Secretary shall, after preliminary scrutiny and removal of defects, if any, in the case place the case before the Adjudicatory Board for decision as to whether the matter is to be administratively decided or adjudicated; and if the case is to be adjudicated, register the same by assigning a number and entering in the register maintained in this behalf and thereafter place the same for consideration by the Adjudicatory Board.

14. Procedure for scrutiny and registration of reference:

The procedure for scrutiny of a case as specified under these regulations shall *mutatis mutandis* apply in case of scrutiny of any reference filed under these regulations.

15. Admission of case, application, reference, review or interlocutory application:

On registration of a case, application, reference, review or interlocutory application, the same shall be processed for admission before the Adjudicatory Board.

PART - V
Procedure for issuance of notice and service

16. Issue of notice.-

- (1) Notice for service of the application under Categories B, C, D or F or its review or interlocutory application shall be served by the Registrar or any authorised officer on the respondents as per **Form No.10A** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025. Further, notice on any other matter related thereto including notice for hearing shall be served by the Registrar on the concerned parties as per **Form No.10A** or **Form No. 10B** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025.
- (2) A copy of any case filed under Category A or any reference under Category E or its review or interlocutory application shall be served by the Secretary or any authorised officer on the concerned Board of the Major Port Authority and any other respondents or concerned stakeholders. Further, notice on any other matter related thereto including notice for hearing, if hearing is required, shall be served by the Secretary to the concerned parties and stakeholders, if any.
- (3) The service under sub-regulations (1) and (2) may be done by hand delivery, post or e-mail or through e-filing portal from the designated website of the Adjudicatory Board.
- (4) The notice for hearing shall show the date and place of filing the case, application, reference, review or interlocutory application, the name of the parties and their authorised representative, if any and any other details as deemed fit.
- (5) The Adjudicatory Board may order for issuing notice in appropriate cases and also permit the party concerned for service of the notice on the respondent by *Dasti* and in such case, deliver the notice to such party and it is for such party to file affidavit of service with its proof of acknowledgement with the Registry before the date fixed for hearing.
- (6) If the respondent does not appear on the date specified in the notice, the Adjudicatory Board may, in its discretion, adjourn the hearing or hear and decide the case, application, reference, review or interlocutory application, as the case may be, *ex parte*.

17. Service of notice and processes.-

- (1) Any notice or other document required to be served on or delivered to any person, under these regulations, may be served personally or sent by post or electronic mail at the address provided in the case, application, reference, review, interlocutory application or any document related thereto, as the case may be, or in case such address is not so provided then, at the place where the person ordinarily resides or carries on business or occupation or works for gain.
- (2) An endorsement made by a postal or courier employee that the addressee or his agent has refused to take delivery of the notice shall be deemed to be proof of service by way of refusal.
- (3) In case, the postal or courier employee reports that the addressee has since left or is not available at the given address, the Registrar or Secretary, as the case may be, or any officer of the

Adjudicatory Board authorised in this behalf, relying on the information so furnished, may take a view as it may deem appropriate and may proceed to take steps for substituted service.

- (4) Where notice or any other document was properly addressed, prepaid and duly sent by post, and the acknowledgement having been lost or mislaid or for any other reason, has not been received by the Registrar or Secretary, as the case may be, or any officer of the Adjudicatory Board authorised in this behalf, within thirty days from the date of issue of such notice or other document, the Registrar or Secretary or any officer of the Adjudicatory Board authorised in this behalf, may deem the service to be sufficient and may make a declaration accordingly.
 - (5) Where the service of notice or any other document is not possible under the above referred modes and where the addressee cannot be found or is not traceable, the service may be effected by way of affixing a copy of notice or other document on the conspicuous part of the house in which the recipient ordinarily resides or conspicuous part of place where the recipient carries on business or occupation or works for gain. Such service may be deemed to be sufficient in view of Rule 20 of Order V of the Code of Civil Procedure, 1908 (5 of 1908).
 - (6) Where the Registrar or Secretary, as the case may be, or any officer of the Adjudicatory Board authorised in this behalf is satisfied that, the recipient of the notice is avoiding service or that for any other reason notice or other document cannot be served in the ordinary way, he shall order service by an advertisement in the daily newspaper circulated in the locality where the recipient is last known to have resided or carried on business or occupation or worked for gain.
 - (7) Where a notice or other document issued by the Registrar or Secretary, as the case may be, or any officer of the Adjudicatory Board authorised in this behalf, is served by the party himself by hand delivery, he shall file with the concerned officer of the Adjudicatory Board, the acknowledgement together with an affidavit of service and in case of service by registered post, speed post or courier, file with the concerned officer of the Adjudicatory Board, an affidavit of service of notice along with the proof of delivery.
- 18. Entry regarding service of notice or process-** The Registry shall record in the column in the order sheet 'Notes of the Registry', the details regarding completion of service of notice on the respondent, such as date of issue of notice, date of service, date of return of notice, if unserved, steps taken for issuing fresh notice, if any, date of completion of services and any other related matter.

PART - VI
Affidavits

19. Filing of Affidavits.-

- (1) Every case, application, review, interlocutory application, reply or rejoinder, shall be verified by an affidavit in **Form No.3A** and **Form No.3B** (applicable for additional applicant(s)) as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025.
- (2) Every affidavit shall be titled as 'Before the Adjudicatory Board for Major Ports' and state the subject title of the case, application, review, interlocutory application or other proceeding in which the affidavit is sought to be used.
- (3) The affidavit shall conform to the requirements of Order XIX, Rule 3 of Civil Procedure Code, 1908 (5 of 1908).
- (4) Affidavits shall be sworn or affirmed before an advocate or notary, who shall affix his official seal.
- (5) Where an affidavit is sworn or affirmed by any person who appears to be illiterate, visually challenged or unacquainted with the language in which the affidavit is written, the attester shall certify that the affidavit was read, explained or translated by him or in his presence to the deponent and that he seemed to understand it, and made his signature or mark in the presence of the attester in **Form No. 4** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025.
- (6) Any document accompanying an affidavit shall be referred to therein as Annexure number and the attester shall make the endorsement thereon that this is the document marked putting the Annexure number in the affidavit. The attester shall sign therein and shall mention the name and his designation.

20. Production of evidence by affidavit.-

- (1) The Adjudicatory Board may direct the parties to give evidence, if any, by affidavit.
- (2) Notwithstanding anything contained in sub-regulation (1), where the Adjudicatory Board considers it necessary in the interest of natural justice, it may order cross-examination of any deponent on the points of conflict either through information and communication technology facilities such as video conferencing or otherwise as may be decided by the Adjudicatory Board, on an application moved in this behalf by any party.
- (3) Every affidavit under sub-regulation (1) to be filed before the Adjudicatory Board shall be in **Form No.8** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025.

PART - VII

Procedure for filing reply, rejoinder and review, and related matters

21. Filing of reply and other documents by respondent.-

- (1) On receipt of notice under these regulations, the respondent may file his reply in the **Form No. 2** along with index and Affidavit in the **Form No.3A** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 along with documents, if any, relied upon by him in three authenticated copies in paper book form alongwith one copy for the registry of ABMP within the time permitted by the Adjudicatory Board before the date of hearing and; such reply and copies of documents shall form part of the record.

- (2) The reply under sub-regulation (1) may be filed by the respondent(s) in person or through an authorised representative or a duly authorised legal practitioner to —
 - (a) the Secretary, if the reply pertains to a case under Category A or reference under Category E or its review or an interlocutory application filed in respect of such case or review; and
 - (b) the Registrar, if the reply pertains to an application under Categories B, C, D or F or its review or an interlocutory application filed in respect of such application or review.
- (3) The reply under sub-regulation (1) shall be filed by the respondent either in person or sent by post or in stipulated electronic form i.e., by e-filing mode on the website designated in this behalf by the Adjudicatory Board. For the purpose of filing a reply or any document related thereto through e-filing mode, the respondent may refer the user guidelines issued in this behalf by the Adjudicatory Board from time to time.
- (4) Any reply filed under sub-regulation (3) shall be deemed to have been filed on the day on which it is received in the office of the Secretary or the Registrar, as the case may be.
- (5) In the reply filed under sub-regulation (1), the respondent shall specifically admit, deny or rebut the facts stated by the applicant in his case, application, reference, review or interlocutory application and state such additional facts as may be found necessary in his reply.
- (6) The documents accompanying the reply shall also be filed along with the reply and the same shall be marked in R series. For example, for Respondent No.1, it will be R1-1, R1-2, R1-3 and so on and for Respondent No.2, it will be R2-1, R2-2, R2-3 and so on.
- (7) The respondent shall also serve a copy of the reply along with documents as mentioned in sub-regulation (6) on the applicant and file proof of such service with the officer of the Adjudicatory Board authorised to receive the same. For this purpose, respondent shall be governed by regulation 18 of these Regulations.
- (8) The Adjudicatory Board may allow filing of the reply after the expiry of the specified period with or without cost.
- (9) The Adjudicatory Board may permit the parties to amend the pleadings in the same manner as provided under Order VI, Rule 17 of the Code of Civil Procedure, 1908 (5 of 1908).
- (10) Every interlineation, eraser or correction or deletion in any reply, rejoinder or any document related thereto shall be initialled by the party or his authorised representative filing or presenting it.

22. Filing of Rejoinder.-

- (1) Where the respondent states such additional facts as may be necessary for the just decision of the case, application, reference, review or interlocutory application, the Adjudicatory Board may allow the applicant to file a rejoinder to the reply filed by the respondent within the time prescribed by the Adjudicatory Board in **Form No.7** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 along with index.
- (2) The corresponding provisions relating to procedure for filing of case, application or reference as specified in regulation 3 or regulation 4 of these Regulations shall apply to filing of rejoinder in such case, application or reference.

- (3) The rejoinder filed in the case, application, review or interlocutory application shall be accompanied with an Affidavit, in **Form No. 3A** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025.
- (4) The applicant shall serve a copy of the rejoinder along with documents, if any, on the respondent and file the proof of service with the officer of the Adjudicatory Board authorised to receive the same. For this purpose, the applicant shall be governed by regulation 18 of these Regulations.

23. Application for review.-

- (1) No application for review of any order in any case, application or reference shall be entertained by the Adjudicatory Board, unless it is filed before the Registrar or the Secretary, as the case may be, by an aggrieved party in **Form No. 1D** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 along with index and documents, if any, together with stipulated fee within thirty days from the date of receipt of copy of the order sought to be reviewed and is filed on account of some mistake or error apparent on the face of the record only. The mistake or error apparent on the face of the record shall be explicitly stated in the review application.
- (2) The application for review may be filed in person or sent by post or in stipulated electronic form i.e., by e-filing mode on the website designated in this behalf by the Adjudicatory Board. For the purpose of filing a review or any document related thereto through e-filing mode, the applicant may refer the user guidelines issued in this behalf by the Adjudicatory Board from time to time.
- (3) A review filed under sub-regulation (2) above shall be deemed to have been filed on the day on which it is received in the office of the Registrar or Secretary, as the case may be.
- (4) No application for review shall be entertained unless it is supported by a duly sworn affidavit in **Form No. 3A** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025.
- (5) The corresponding provisions relating to procedure for filing of case, application or reference as specified under in regulation 3 or regulation 4 of these regulations, shall apply to filing of review in respect of such case, application or reference.
- (6) The applicant may serve a copy of the review application on each of the Respondent and file proof of service to the officer of the Adjudicatory Board authorised to receive the same. For this purpose, applicant shall be governed by regulation 18 of these Regulations.
- (7) The procedure for filing of reply, if any, by the respondent in a review application shall be governed by regulation 22 of these Regulations.
- (8) Where an application for review of any order has been disposed of by the Adjudicatory Board, thereafter no application for further review shall lie.
- (9) The Presiding Officer may for sufficient cause allow the party such reasonable time as he may consider necessary not exceeding six months from the date of receipt of order for filing of the review application by condoning the delay.

- 24. Procedure for scrutiny of reply, rejoinder or review-** The procedure for scrutiny of a case, application or reference as specified under these regulations shall *mutatis mutandis* apply in case of scrutiny of any reply, rejoinder or review filed in respect of such case, application or reference.

PART - VIII
Cause List

25. Preparation and publication of cause list.-

- (1) The Registry shall prepare daily / weekly/ fortnightly/ monthly cause list in advance and publish it on the notice board of the Registry and on the designated website of the Adjudicatory Board subject to the directions of the Presiding Officer.
- (2) Listing of cases, applications, reviews, references, interlocutory applications and other related matters in the cause list may generally be in the following order of priority subject to the directions of the Presiding Officer or any other official of the Adjudicatory Board as authorised by the Presiding Officer.
 - (a) for admission;
 - (b) for clarification;
 - (c) for interlocutory application;
 - (d) partly heard matters;
 - (e) for orders or directions;
 - (f) for pronouncement of judgement; and
 - (g) Miscellaneous matters.
- (3) The title of the cause list shall consist of the number of the case, application, reference, review or interlocutory application, the day, date and time of sitting of the Adjudicatory Board, and the quorum indicating the names of the Presiding Officer and member(s) of the Adjudicatory Board hearing the matter.
- (4) Against the number of each case, application, reference, review and interlocutory application listed in the cause list, the following shall be shown, namely:-
 - (a) purpose;
 - (b) name of the parties;
 - (c) names of the authorised representative or legal practitioners, if any, appearing for the parties;
 - (d) any other details.
- (5) The objections and special directions, if any, shall be briefly indicated by the Registry in the cause list in remarks column, whenever compliance is required.

26. Carry forward of cause list and adjournment of cases, application, etc. -

- (1) If by reason of declaration of holiday or for any other unforeseen reason, the Adjudicatory Board does not function for the day, the cause list for that day, unless otherwise directed by the Presiding Officer or any officer of the Adjudicatory Board authorised in that behalf, be treated as the cause list for the next working day in addition to the cases, applications, references, review or interlocutory application, if any, posted for that day.
- (2) If on any day, the sitting of the Adjudicatory Board is cancelled for the reason of inability of the Presiding Officer or a member of the Adjudicatory Board, the Registrar or any other officer of the Adjudicatory Board authorised in that behalf, shall, unless otherwise directed, adjourn the cases, applications, reviews, references or interlocutory application posted for that day to a convenient date in addition to the matters, if any, posted for that day and the adjournment or posting or directions shall be published on the notice board of the Registry and the designated website of the Adjudicatory Board.

- (3) The Presiding Officer may for sufficient reason adjourn the hearing of any case, application, reference, review or interlocutory application.

PART – IX
Hearings

27. Hearing of cases-

- (1) For hearing cases, the Adjudicatory Board shall adopt a consultative process so as to promote the greatest participation of the greatest number of interested parties including Major Port Authorities, private operators and port users.
- (2) The hearings under sub-regulation (1) shall be organised on behalf of the Adjudicatory Board by the Presiding Officer or any member or members authorised by the Presiding Officer.
- (3) The mode of hearing by the Adjudicatory Board can either be a physical in-person or a virtual hearing through video conferencing or with hybrid mode allowing parties to participate remotely or in person in the same case.
- (4) The virtual hearing through video conferencing shall be governed by the following general principles:
- (i). Video conferencing facilities may be used at all stages of judicial proceedings and proceedings conducted by the Adjudicatory Board.
 - (ii). All proceedings conducted by the Adjudicatory Board by way of video conferencing shall be judicial proceedings and all the courtesies and protocols applicable to a physical hearing shall apply to these virtual proceedings.
 - (iii). All relevant statutory provisions applicable to judicial proceedings including provisions of the Code of Civil Procedure, 1908, Bharatiya Sakshya Adhinyam, 2023, (earlier known as the Indian Evidence Act), and Information Technology Act, 2000, and any other law applicable to the proceedings, shall apply to proceedings conducted by video conferencing.
 - (iv). For virtual hearing through Video Conference, the concerned official of Adjudicatory Board shall send the link / Meeting ID / Room Details via the email id furnished by the party / Advocate or through any other mode.
 - (v). The parties to the Video Conferencing are to ensure that the link of video conferencing shared by the Adjudicatory Board should be shared only with authorized persons or persons related to the case. No other persons will be permitted to participate in the virtual hearing, save and except with the permission of the court.
 - (vi). If in the course of virtual hearing, party is at a Remote Point and it is necessary to show a document to the person, the Adjudicatory Board may permit the document to be shown in electronic mode. The hard copy of such documents shared by the party at remote location shall be self-attested and dispatched thereafter to Adjudicatory Board.
 - (vii). If in the course of virtual hearing, the document is at the Adjudicatory Board Point and it is necessary to show such document to the person at remote point, the Adjudicatory Board may permit the document to be shown in electronic mode.
 - (viii). Participation in the proceedings shall constitute consent by the participants to the proceedings being recorded by video conferencing.

- (ix) There shall be no unauthorized recording of the proceedings by any person or entity.
- (x). The Adjudicatory Board may adopt technological advances as may become available from time to time for virtual hearings.
- (xi). The User Manual detailing the protocol and the procedure to be adhered to by the parties during the virtual hearing are hosted on the website of the Adjudicatory Board. The Adjudicatory Board reserves rights to amend the User Manual from time to time, to facilitate smooth conduct of virtual hearings.

28. Date and place of hearing to be notified-

- (1) Notice for hearing shall be issued by the Adjudicatory Board or any other officer authorised in this regard by the Adjudicatory Board as per **Form No.10A** or **Form No. 10B** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations.
- (2) Where at any stage prior to the hearing of any case, application, reference, review or interlocutory application, the applicant desires to withdraw such case, application, reference, review or interlocutory application, he shall make an application to that effect to the Adjudicatory Board, and the Adjudicatory Board on hearing the applicant and if necessary, such other party arrayed as opposite party in the said matter or otherwise, may permit such withdrawal upon imposing such costs as it may deem fit and proper for the Adjudicatory Board in the interests of the justice.

29. Quorum for hearing by Adjudicatory Board.-

- (1) The **quorum** for hearing of any case or reference to be decided administratively by the Board, or an interlocutory application or review in such matters shall constitute of the Presiding Officer, or any member or members of the Adjudicatory Board as authorised by the Adjudicatory Board in this behalf.
- (2) The **quorum** for hearing of any application, reference to be adjudicated or its review or interlocutory application in such application, reference or review of any case shall constitute of the Presiding Officer and at least one Member of the Adjudicatory Board.

30. Action on case, application, reference, review or interlocutory application for applicant's default-

- (1) Where on the date fixed for hearing of the case, application, reference, review interlocutory application or any other date to which such hearing may be adjourned, the applicant does not appear when called for hearing, the Adjudicatory Board may, in its discretion, either dismiss the case, application, reference, review or interlocutory application for default or hear and decide it on merits.
- (2) Where the case, application, reference, review or interlocutory application has been dismissed for default and the applicant files an application within thirty days from the date of dismissal and satisfies the Adjudicatory Board that there was sufficient cause for his non-appearance when the case, application, reference, review or interlocutory application was called for hearing, the Adjudicatory Board shall make an order setting aside the order dismissing the said case, application, reference, review or interlocutory application and restore the same:

Provided that, where the case, application, reference or interlocutory application has been disposed of on merits, the same shall not be reopened except by way of review.

31. Ex parte hearing and disposal of case, application, reference, review or interlocutory application -

- (1) Where on the date fixed for hearing or any other date to which such hearing has been adjourned, the applicant appears and the respondent does not appear, the Adjudicatory Board may, in its discretion, adjourn the hearing or hear and decide the case, application, reference, review or interlocutory application *ex parte*.
- (2) Where case, application, reference, review or interlocutory application has been heard *ex parte* against a respondent or respondents, such respondent or respondents may apply within thirty days from the date of order of the Adjudicatory Board for an order to set aside and if such respondent or respondents satisfy the Adjudicatory Board that the notice was not duly served, or that he or they were prevented by any sufficient cause from appearing when the case, application, reference, review or interlocutory application was called for hearing, the Adjudicatory Board may make an order setting aside the *ex parte* hearing as against him or them upon such terms as it thinks fit, and shall appoint a day for proceeding on the said matter:

Provided that where the *ex parte* hearing of the case, application, reference, review or interlocutory application is of such nature that it cannot be set aside as against one respondent only, it may be set aside as against all or any of the other respondents also.

32. Adjournment of hearing-

- (1) The Adjudicatory Board may, if sufficient cause is shown at any stage of proceedings, grant time to the parties or any of them and adjourn the hearing.
- (2) The Adjudicatory Board may make such order as it deems fit with respect to the costs occasioned by the adjournment.
- (3) All adjournments shall be to a day certain, and no case, application, reference, review or interlocutory application shall be adjourned *sine die* except for the reasons recorded in writing.
- (4) The Adjudicatory Board shall have the power to decline an adjournment.

PART - X

Appearance of Advocate or Legal Practitioner or Authorised Representative

- 33. Appearance of Advocate or Legal Practitioner or Authorised Representative -** No advocate or legal practitioner or authorised representative shall be entitled to appear and act, in any proceeding before the Adjudicatory Board unless he files before the Adjudicatory Board a Vakalatnama in **Form No. 5A** (for Advocate/ Legal Practitioner) or **Form No. 5B** (for authorised representative) or **Form No. 6** (Memorandum of appearance) as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 and duly executed by or on behalf of the party for whom he appears.
- 34. Consent for engaging another advocate or legal practitioner-** An advocate or legal practitioner proposing to file a Vakalatnama or Memorandum of Appearance, as the case may be, in any pending proceeding before the Adjudicatory Board in which there is already an advocate or legal practitioner on record, shall do so only with the written consent of such advocate or legal practitioner on record or when such consent is refused, with the permission of the Adjudicatory Board after the revocation of Vakalatnama or Memorandum of Appearance, as the case may be, on an application filed in this behalf, which shall receive consideration only after service of such application on the counsel already on record.
- 35. Restrictions on appearance-** An advocate or legal practitioner or the authorised representative as the case may be, who has tendered advice in connection with the institution on any matter or other proceeding before the Adjudicatory Board or has drawn pleadings in connection with any

such matter or has during the progress of any such matter acted for a party, shall not, appear in such matter or proceeding or other matter arising therefrom or in any matter connected therewith for any person whose interest is opposed to that of his former client, except with the prior permission of the Adjudicatory Board.

36. Substitution of legal representatives-

- (1) Where a party to a proceeding pending before the Adjudicatory Board dies or is adjudged insolvent or, in the case of a company, being wound up, the proceeding shall not abate and may be continued by or against the executor, administrator or other legal representative of the parties or by or against the assignee, receiver or liquidator, as the case may be.
- (2) In the case of death of a party during the pendency of the proceedings before the Adjudicatory Board, the legal representative of the deceased party may apply within ninety days from the date of such death for being brought on record.
- (3) Where no application is received from the legal representatives within the period specified in sub-regulation (2), the proceedings shall abate:

Provided that for good and sufficient reasons shown, the Adjudicatory Board may allow substitution of the legal representatives of the deceased at any time before disposing the application on merits.

PART - XI

Discovery, production and return of documents

37. Application for production of documents, form of summons.-

- (1) Except otherwise provided hereunder, discovery or production and return of documents shall be regulated by the provisions of the Code of Civil Procedure, 1908 (5 of 1908).
- (2) At the request made by either of the parties, the Adjudicatory Board may issue an application for summons to produce documents setting out the document the production of which is sought, the relevancy of the document and whether to be produced in original or certified copy. Where the production of a certified copy is sought, it shall be certified by the proper officer.
- (3) A summons for production of documents shall be in the **Form No. 11A** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 and shall be addressed to the concerned head of the organisation or department or such other authority as may be specified by the Adjudicatory Board.
- (4) The Adjudicatory Board may direct the party to deposit with the Adjudicatory Board by way of crossed Demand Draft drawn in favour of the Adjudicatory Board for Major Ports or through digital payment mode a sum sufficient to defray the expenses for transmission of the records before the summons is issued.

38. *Suo motu* summoning of documents.- Notwithstanding anything contained in these regulations, the Adjudicatory Board may, *suo motu*, issue summons in **Form No.11A** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 for production of any document.

39. Marking of documents by Adjudicatory Board.- The documents when produced shall be marked as follows:

- (a) if relied upon by the applicant's side, they shall be numbered as 'A' series in continuation to their original filing;

- (b) if relied upon by the respondent's side, they shall be marked as 'R' series in continuation to their reply;
- (c) the Adjudicatory Board exhibits shall be marked as 'B' series.

40. Return and transmission of documents.-

- (1) An application for return of the original documents produced shall be considered by the Adjudicatory Board and no such application shall be entertained after the destruction of the records.
- (2) The Adjudicatory Board may, at any time, direct return of documents produced subject to such conditions as it deems fit.

PART - XII
Examination of Witnesses and Issue of Commissions

41. Procedure for examination of witnesses, issue of Commissions.- The provisions of the Orders XVI and XXVI of the Code of Civil Procedure, 1908 (5 of 1908), shall *mutatis mutandis* apply in the matter of summoning and enforcing attendance of any person and examining him on oath and issuing commission for the examination of witnesses or for production of documents. Summons for enforcing attendance of a person may be issued by the Adjudicatory Board as per **Form No. 11B** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025.

42. Examination in camera.- The Adjudicatory Board may in its discretion examine any witness in camera.

43. Form of oath or affirmation to witness.- Oath shall be administered to a witness in the following form :

"I do swear in the name of God/solemnly affirm that what I shall state shall be truth, the whole truth and nothing but the truth".

44. Form of oath or affirmation to interpreter.- Oath or solemn affirmation shall be administered to the interpreter in the following form before the Adjudicatory Board or any officer authorised by the Adjudicatory Board in this behalf, as taken for examining a witness:

"I do swear in the name of God/solemnly affirm that I will faithfully and truly interpret and explain all questions put to and evidence given by witness and translate correctly and accurately all documents given to me for translation."

45. Officer to administer oath.- The oath or affirmation shall be administered by an officer authorised by the Presiding Officer in this behalf.

46. Numbering of witnesses.- The witnesses called by the applicant shall be numbered consecutively as AWs and those by the respondents as RWs.

47. Form recording of deposition.-

- (1) The deposition of a witness shall be recorded in the **Form No.12** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025.
- (2) Each page of the deposition shall be initialled by the Presiding Officer and member(s) of the Adjudicatory Board sitting on the bench.

(3) Corrections, if any, pointed out by the witness may, if the Adjudicatory Board is satisfied, be carried out and duly initialled. If not satisfied, a note to the effect be appended at the bottom of the deposition.

48. Grant of discharge certificate.- Witness discharged by the Adjudicatory Board may be granted a certificate in **Form No.13** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 by the Registrar or any other officer of the Adjudicatory Board authorised in this regard by the Registrar.

49. Witness allowance payable.-

(1) Where the Adjudicatory Board issues summons to a government servant to give evidence or to produce documents, the person so summoned may draw from the Government travelling and daily allowances admissible to him as per his service rules.

(2) Where there is no provision for payment of travelling allowances and daily allowance by the employer to the person summoned to give evidence or to produce documents, he shall be entitled to be paid as allowance, a sum in the opinion of the Registrar sufficient to defray the travelling and other expenses, having regard to the status and position of the witness.

(3) The party applying for the summons shall deposit with the Registrar the amount of allowance as estimated by the Registrar well before the summons is issued.

(4) If the witness is summoned suo muto by Adjudicatory Board for Major Ports, the amount estimated by the Registrar shall be paid as per the directions of the Adjudicatory Board.

(5) The aforesaid provisions would govern the payment of allowances to the interpreter as well.

PART – XIII

Power of Adjudicatory Board to call for further information or evidence

50. Power of Adjudicatory Board to call for further information or evidence-

(1) The Adjudicatory Board may, before passing orders in any case, application, reference, review or interlocutory application, require the applicant or respondent or both of them, to produce such further documentary or other evidence as it may consider necessary:

(a) for the purpose of satisfying itself as to the truth of the allegations made in such case, application, reference, review or interlocutory application; or

(b) for ascertaining any information which, in the opinion of the Adjudicatory Board, is necessary for the purpose of enabling it to pass orders in such case, application, reference, review or interlocutory application.

(2) Without prejudice to sub-regulation (1), the Adjudicatory Board may, for the purpose of inquiry or investigation, as the case may be, admit such documentary and other mode of recordings in electronic form including e-mails, books of accounts, book or paper, written communications, statements, contracts, electronic certificates and such other similar mode of transactions as may legally be permitted to take into account of those as admissible as evidence under the relevant laws.

(3) The Adjudicatory Board, where it deems it necessary and for reasons to be recorded in writing, may allow oral evidence to be adduced. The Adjudicatory Board shall have powers to limit the time for oral arguments.

PART – XIV
Record of proceedings

51. Diaries.-

- (1) Diaries shall be kept by the clerk-in-charge in such form as may be specified by the Adjudicatory Board in each case, application, reference, review or interlocutory application and they shall be written legibly.
- (2) The diary in the main file shall contain a concise history of the case, application, reference, review or interlocutory application, the substance of the order passed thereon and shall be checked by the concerned officer of the Adjudicatory Board and initialled once in a fortnight.

52. Order sheet.-

- (1) All orders passed by the Adjudicatory Board shall be in English and the same shall be signed by the Presiding Officer and Member(s) of the Adjudicatory Board who have passed the order:

Provided that the routine orders, such as call for of the records, put up with records and any other order as may be directed by the Presiding Officer of the Adjudicatory Board shall be signed by an officer of the Adjudicatory Board authorised in this behalf.

- (2) An officer authorised by the Adjudicatory Board shall maintain order sheet in every proceeding, which shall contain all orders passed by the Adjudicatory Board from time to time.
- (3) The order sheet shall also contain the reference number of the case, application, reference, review or interlocutory application, date of order and all incidental details including short cause title thereof.

53. Record of proceedings.-

- (1) An officer authorised by the Adjudicatory Board shall maintain legibly a diary, wherein he shall record the proceedings of the Adjudicatory Board for each sitting with respect to the cases, applications, reference, review or interlocutory application listed in the cause list.
- (2) The matters to be recorded in the diary shall include amongst other details, details as to whether the case, application, reference, review or interlocutory application, as the case may be, is adjourned, or part-heard or heard and disposed of or heard and orders reserved, as the case may be, along with dates of next sitting wherever applicable.

- 54. Statutes or citations for reference.-** The parties or legal practitioners shall, before the commencement of the proceedings for the day, furnish to an officer authorised by the Adjudicatory Board in this behalf, a list of law journals, reports, statutes and other citations, which may be needed for reference or photocopy of full text thereof.

- 55. Calling of matters listed in cause list.-** Subject to the orders of the Adjudicatory Board, an officer authorised by the Adjudicatory Board shall call the matters listed in the cause list in the serial order.

56. Regulation of the work of Adjudicatory Board.-

- (1) When the Adjudicatory Board is holding a sitting, the Deputy Registrar or any other officer of the Adjudicatory Board authorised in that behalf shall ensure that:
 - (a) no inconvenience or wastage of time is caused to the Adjudicatory Board in making available the services of any official or stenographer or peon or attender;

- (b) perfect silence is maintained in and around the room where the Adjudicatory Board is holding a sitting and no disturbance whatsoever is caused to the functioning of the Adjudicatory Board and that proper care is taken to maintain the dignity and decorum of the Adjudicatory Board.
- (2) When the Adjudicatory Board passes an order or issues directions, the concerned officer of the Adjudicatory Board shall ensure that the records of the matter along with proceedings or orders or directions of the Adjudicatory Board are transmitted immediately to the Registry and the Registry shall thereafter verify such records with reference to the cause list and take immediate steps to communicate the orders or directions of the Adjudicatory Board.

PART – XVI

Issuance and pronouncement of orders and matters related thereto

57. Matters relating to the orders of the Adjudicatory Board.-

- (1) Once the final text of any order passed by the Adjudicatory Board in any case, application, reference, review or interlocutory application has been approved and adopted, it shall contain the name of the Presiding Officer and the member or members of the Adjudicatory Board who have passed such order and the same shall be signed and dated by them.
- (2) Any member of the Adjudicatory Board differing as to the grounds upon which the order was based or some of its conclusions, or dissenting from the judgment, may append a separate or dissenting opinion. The decision passed by the majority shall be final.
- (3) In case the members of the Adjudicatory Board who have heard any case, application, reference, review or interlocutory application are equally divided in passing the order, then such case, application, reference, review or interlocutory application shall be heard by the Presiding Officer and both the members of the Adjudicatory Board and the decision passed by the majority shall be final.

58. Issuance of orders- The Adjudicatory Board shall send a copy of every order made by it to the applicant and the respondent free of cost:

Provided that unless otherwise ordered by the Adjudicatory Board, a copy of the final order need not be sent to any respondent who has not entered appearance.

59. Operative portion of the order- All orders or directions of the Adjudicatory Board shall be stated in clear and precise terms in the last paragraph of the order.

60. Corrections- Every member of the Adjudicatory Board who has prepared the order shall initial all corrections and affix his initials at the bottom of each page.

61. Pronouncement of order by any one member of the Adjudicatory Board-

- (1) Any member of the Adjudicatory Board may pronounce the order for and on behalf of the Adjudicatory Board.
- (2) When an order is pronounced under sub-regulation (1), an officer authorised by the Presiding Officer shall make a note in the order sheet, that the order of the Adjudicatory Board consisting of the Presiding Officer and member or members of the Adjudicatory Board was pronounced in open on behalf of the Adjudicatory Board.

62. Authorising any member to pronounce order-

- (1) If the members of the Adjudicatory Board who heard the case, application, reference, review or interlocutory application are not readily available or have ceased to be members of the Adjudicatory Board, the Presiding Officer may authorise any other member of the Adjudicatory Board to pronounce the order on his behalf after being satisfied that the order has been duly prepared and signed by all the members of the Adjudicatory Board who heard such case, application, reference, interlocutory application or review.
- (2) The order pronounced by the member so authorised shall be deemed to be duly pronounced.
- (3) The member so authorised for pronouncement of the order shall affix his signature in the order sheet of the case, application, reference, review or interlocutory application stating that he has pronounced the order as provided in this regulation.
- (4) If the order cannot be signed by reason of death, retirement or resignation or for any other reason by any one of the members of the Adjudicatory Board who heard the case, application, reference, review or interlocutory application, it shall be deemed to have been released from part heard and listed afresh for hearing.

63. Recusal.-

- (1) For the purpose of maintaining the high standards and integrity of the Adjudicatory Board, the Presiding Officer or a member of the Adjudicatory Board shall recuse himself:-
 - (a) in any case, application, reference, review or interlocutory application involving persons with whom the Presiding Officer or such member has or had a personal, familial or professional relationship;
 - (b) in any case, application, reference, review or interlocutory application concerning which the Presiding Officer or such member has previously been called upon in another capacity, including as advisor, representative, expert or witness; or
 - (c) if there exist other circumstances such as to make the Presiding Officer or such member's participation seem inappropriate.
- (2) The Presiding Officer or any member of the Adjudicatory Board recusing himself may record reasons for recusal:

Provided that no party to the proceedings or any other person shall have a right to know the reasons for recusal by the Presiding Officer or such member in the concerned case, application, reference, review or interlocutory application.

64. Rectification of Order.-

- (1) Any clerical or arithmetical mistakes in any order of the Adjudicatory Board or error therein arising from any accidental slip or omission may, at any time, be corrected by the Adjudicatory Board on its own motion or on application of any party by way of rectification.
- (2) An application under paragraph (1) may be made in **Form No.9** as prescribed in the Adjudicatory Board for Major Ports (Fees and Forms) Regulations, 2025 within thirty days from the date of the final order for rectification of the final order not being an interlocutory order.

65. Format of order.-

- (1) All orders passed by the Adjudicatory Board shall be neatly and fairly typewritten in double space on one side only on standard A-4 size paper with left side margin of 4 cm and right side margin of 2.5 cm. Corrections, if any, in the order shall be carried out neatly and sufficient space may be left both at the bottom and at the top of each page of the order to make its appearance elegant.
- (2) Members constituting the Adjudicatory Board shall affix their signatures in the order of their seniority from right to left.

66. Indexing of case files after disposal.- After communication of the order to the parties or legal practitioners, the official concerned shall arrange the records with pagination and prepare in the Index Sheet in the Form to be prescribed by the Registrar. He shall affix initials and then transmit the records with the Index initials to the records room.

67. Copies of orders in library.-

- (1) The officer in charge of the Registry shall send copies of every final order to the library of the Adjudicatory Board.
- (2) Copies of all orders received in each month shall be kept at the library in a separate folder, arranged in the order of date of pronouncement and duly indexed.
- (3) At the end of every year, copies of all final orders passed during the year shall be stitched and a consolidated index shall be prepared and kept in a separate file in the library.
- (4) The order folders and the indices may be made available for reference in the library.

PART - XVII

Maintenance of registers and records

68. Registers to be maintained.- The following registers shall be maintained by the Registry of the Adjudicatory Board or by such officer or officers as the Registrar may direct –

- (a) register of cases, applications, references and reviews;
- (b) register of provisional cases, applications, references and reviews;
- (c) register of interlocutory applications;
- (d) register of fees and other charges received by the Adjudicatory Board;
- (e) any other registers as deemed fit.

69. Maintenance of receipt register. –

- (1) If any payment has been received by way of crossed demand drafts or by digital mode, the transaction shall be entered immediately by the registration clerk on the receipt side in a receipt register kept for the purpose.
- (2) On every next working day, the payments received by way of crossed demand drafts or proof of payment made by digital mode shall be transmitted to the concerned official vested with the work pertaining to the accounts who after scrutiny and verification shall acknowledge the receipt of all moneys and make entry in the receipt register.
- (3) The official referred to in sub-regulation (2) shall deposit all payments received by way of crossed demand draft in the bank account of the Adjudicatory Board.

- 70. Arrangement of records in pending matters.-** The record of cases, applications, references, reviews or interlocutory application, as the case may be, shall be divided into the following three parts and shall be collated and maintained in:
- (a) main file;
 - (b) miscellaneous file; and
 - (c) process file.
- 71. Contents of main file.-** The main file shall be kept in the following order and it shall be maintained as permanent record till ordered to be destroyed under these regulations:-
- (a) index;
 - (b) order sheet;
 - (c) final order or recommendation;
 - (d) memo of case, application, reference, review or interlocutory application, as the case may be, together with any schedule annexed thereto;
 - (e) counter or reply or objection, if any;
 - (f) (i) oral evidence or proof of affidavit;
(ii) evidence taken on commission; and
(iii) documentary evidence;
 - (g) written arguments.
- 72. Contents of process file.-** The process file shall contain the following items; namely-
- (a) index;
 - (b) power of attorney or vakalatnama;
 - (c) notices, summons and other processes and affidavits relating thereof;
 - (d) applications for summoning witness;
 - (e) letters calling records; and
 - (f) all other miscellaneous papers including but not limited to postal acknowledgements.
- 73. File for miscellaneous applications.-** For all miscellaneous applications there may be only one file with a title page prefixed to it and immediately after the title page, the diary, the miscellaneous applications, supporting affidavit and all other documents shall be filed.
- 74. Preservation of record.-**
- (1) All necessary documents and records relating to any case, application, reference, review or interlocutory application dealt with by the Adjudicatory Board shall be stored or maintained in a record room and shall be preserved for a period of five years after the passing of the final order:
Provided that the aforesaid preservation period shall not apply in respect of documents and records relating to any case, application, reference, review or interlocutory application in respect of which an appeal is pending in the Supreme Court of India and such documents and records shall not be destroyed till such appeal is disposed of by the Supreme Court; whereafter the documents and records shall be kept for a period of five years after passing of the final judgment or order of the Supreme Court.
 - (2) The record keeping officer or any other officer so designated shall be responsible for the records consigned to the record room. He shall scrutinize the records received by him and prepare an index.
 - (3) On the expiry of the period for preservation of the documents and records specified under sub-regulation (1), the Registrar or any person authorised by the Adjudicatory Board in this behalf shall weed out such documents and records.

PART - XVIII
Miscellaneous

75. Office of the Adjudicatory Board:

The office of the Adjudicatory Board shall be in Mumbai or such other place as may be notified by the Central Government.

76. Holidays

- (1) The office of the Adjudicatory Board shall observe such public and other holidays as observed by the offices of the Central Government in the locality where the office of the Adjudicatory Board is situated.
- (2) Where the last day for doing any act falls on a day on which the office of the Adjudicatory Board is closed and by reason thereof the act cannot be done on that day, it may be done on the next day on which the office opens.

77. Working hours of Adjudicatory Board-

- (1) Except on Saturdays, Sundays and other public holidays, the office of the Adjudicatory Board shall, subject to any other order made by the Presiding Officer, remain open daily from 9.30 AM to 6.00 PM but no work, unless of an urgent nature, shall be admitted after 4:30 PM on any working day.
- (2) Subject to any other order made by the Presiding Officer, the sitting hours of the Adjudicatory Board shall ordinarily be from 10.30 AM to 1.00 PM and 2.00 PM to 4.30 PM.

78. Working hours of Registry- The filing counter of the Registry shall be open on all working days from 10.00 A.M. to 5.00 P.M.

79. Computation of time period- Where a period is specified under these regulations or is fixed by the Adjudicatory Board for doing any act or taking a proceeding, in computing the time, the day from which the said period is to be reckoned with shall be excluded, and if the last day expires on a day when the office of the Adjudicatory Board is closed, that day and any succeeding days on which the office of the Adjudicatory Board remains closed shall also be excluded.

80. Format of order or direction or rule- Every rule, direction, order, summons or other mandatory process shall be issued in the name of the Presiding Officer and shall be signed by the Registrar or Secretary as the case may be or any other officer specifically authorised in that behalf by the Presiding Officer, with the day, month and year of signing and shall be sealed with the seal of the Adjudicatory Board.

81. Listing of cases- An urgent matter filed before 12 noon shall be listed before the Adjudicatory Board on the following working day, if it is complete in all respects as provided in these regulations and in exceptional cases, it may be received after 12 noon but before 3.00 P.M. for listing on the following day, with the specific permission of the Presiding Officer or Members of the Adjudicatory Board.

82. Power to exempt- The Adjudicatory Board may on sufficient cause being shown, exempt the parties from compliance with any requirement of these regulations and may give such directions in matters of practice and procedure, as it may consider just and expedient on the application moved in this behalf to render substantial justice.

- 83. Power to extend time-** The Adjudicatory Board may extend the time appointed by these regulations or fixed by any order, for doing any act or taking any proceeding, upon such terms, if any, as the justice of the case, application, reference, review or interlocutory application, may require, and any extension of time may be ordered, although the application therefor is not made until after the expiration of the time appointed or allowed.
- 84. Powers of Adjudicatory Board with regards to certain orders and directions-** Nothing in these regulations shall be deemed to limit or otherwise affect the inherent powers of the Adjudicatory Board to make such orders or give such directions as may be necessary or expedient to give effect to its orders or to prevent abuse of its process or to secure the ends of justice.
- 85. Power to review the regulation-** 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.
- 86. Award of costs in the proceedings-** Whenever the Adjudicatory Board deems fit, it may award cost for meeting the legal expenses of the applicant or respondent on defaulting party and in case of abuse of process of the Adjudicatory Board, impose exemplary costs on defaulting party.
- 87. Effect of non-compliance-** Failure to comply with any requirement of these regulations shall not invalidate any proceeding, merely by reason of such failure, unless the Adjudicatory Board is of the view that such failure has resulted in miscarriage of justice.
- 88. 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 in accordance with the principles of natural justice.
- 89. 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.

ADJUDICATORY BOARD FOR MAJOR PORTS (FEES AND FORMS) REGULATIONS,
2025

In exercise of the powers conferred under sub-rule (1) of rule 32, sub-rule (1) of rule 34, sub-rule (1) of rule 37, sub-rule (1) of rule 40, sub-rule (1) of rule 55, sub-rule (2) of rule 56 and rule 62 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 (Fees and Forms) Regulations, 2025.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- (3) They shall apply to the Major Ports of Chennai, Cochin, Deendayal (Kandla), Jawaharlal Nehru (Nhava Sheva), Kolkata, Mormugao, Mumbai, New Mangalore, Paradip, V.O. Chidambaranar (Tuticorin) and Visakhapatnam. They shall also apply to Private Operators and captive users with dedicated berth who operate in these major ports and any other port users as defined in these regulations. who avails the services or facilities offered by these major ports.

2. Definitions.-

- (1) In these regulations, unless the context otherwise requires, -
 - (a) “**Act**” means the Major Port Authorities Act, 2021;
 - (b) “**Adjudicatory Board**” shall have the meaning assigned to it in the Act;
 - (c) “**fee**” means the amount payable in pursuance of the provisions of the Rules and these regulations for any case, application, reference, review, interlocutory application, miscellaneous application, or a document or for a certified copy of document or certified copy of the order of the Adjudicatory Board or such other document as fixed by the Adjudicatory Board in these regulations and includes any modifications as may be approved by the Presiding Officer or any other officer authorised by the Presiding Officer in this regard;
 - (d) “**Form**” means a form(s) prescribed in these regulations with such modifications as may be required and where no form is prescribed, to cover a contingency, a form as may be approved by the Presiding Officer or any other officer authorised by the Presiding Officer in this regard;
 - (e) “**Rules**” means the Major Ports Adjudicatory Board Rules, 2023.
- (2) The words and expressions used in these regulations but not defined herein and defined in the Act, Rules or other regulations of the Adjudicatory Board, shall have the same meaning respectively assigned to them in the Act, Rules or other regulations, as the case may be.

3. Fees

- (1) Every case, application, reference, review, interlocutory application or miscellaneous application filed under the Rules and the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025 shall be accompanied with such fee as fixed in the Schedule of Fees of these regulations.

- (2) Fees as prescribed in the Schedule of Fees of these regulations shall be payable for obtaining certified copy of any order or any other document in relation to any case, application, reference, review or interlocutory application filed under the Rules and the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025.
- (3) The fees referred to in these regulations shall be paid either by means of a crossed demand draft drawn in favour of 'the Adjudicatory Board for Major Ports' payable at Mumbai or through digital payment modes in the designated bank account of the Adjudicatory Board or through online transfer on the website of the Adjudicatory Board, as decided by the Adjudicatory Board or any officer authorised by the Adjudicatory Board in that behalf, from time to time.
- (4) The fees received shall be entered into a receipt register to be maintained by the Registry of the Adjudicatory Board with details such as name of the person or entity remitting the payment, purpose of remittance, amount, number and date of demand draft or particulars of digital payment, as the case may be.
- (5) No fees shall be applicable in case of reference made by the Central Government under clause (e) of sub-section (1) of section 58 of the Act.

4. Power to review and modify Fees and Forms-

- (1) The Adjudicatory Board shall have the power to review and modify the Schedule of Fees and Forms under these regulations from time to time.
- (2) The Adjudicatory Board may also at any time, on reference from any affected party, and for good and sufficient reasons, review and modify the fee payable by such affected party.

5. Residuary provision- In a situation not provided for in these regulations, the Adjudicatory Board may, for reasons to be recorded in writing, determine the Fees or Forms in a particular case.

6. 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.

7. SCHEDULE OF FEES

S. No.	Particulars	Fees (in Rupees)
1.	Case in respect of matters specified in Category A under clause (a) of sub-rule (1) of rule 28 of the Rules	Rupees 10,000 (ten thousand) per case
2.	Application in respect of any matter specified in Category B under clause (b) of sub-rule (1) of rule 28 of the Rules	(i) Rupees 10,000 (ten thousand) per application in case of a Major Port, firm (including proprietorship, partnership or limited liability partnership) or company having turnover in the immediate preceding year upto rupees one crore, or (ii) Rupees 20,000 (twenty thousand) per application in case of a Major Port, firm (including proprietorship, partnership or limited liability partnership) or company having turnover in the immediate preceding year exceeding rupees one crore and upto rupees five crore, or

		<p>(iii) Rupees 50,000 (fifty thousand) per application in case of a Major Port, firm (including proprietorship, partnership or limited liability partnership) or company having turnover in the immediate preceding year exceeding rupees five crores and upto rupees 50 crore; or</p> <p>(iv) Rupees 1,00,000 (one lakh) per application in case of Major Port, firm (including proprietorship, partnership or limited liability partnership) or company having turnover in the immediate preceding year exceeding rupees fifty crores and upto rupees hundred crores; or</p> <p>(v) Rupees 2,50,000 (two lakhs fifty thousand) per application in case of a Major Port, firm (including proprietorship, partnership or limited liability partnership) or company having turnover in the immediate preceding year exceeding rupees hundred crores.</p>
3.	Application in respect of any matter specified in Category C under clause (c) of sub-rule (1) of rule 28 of the Rules	<p>Rupees 25,000 (twenty five thousand) per application filed by the Major Port Authorities.</p> <p>No fees shall be applicable for matters under Category C referred by the Central Government.</p>
4.	Application in respect of any matter specified in Category D under clause (d) of sub-rule (1) of rule 28 of the Rules	<p>(i) Rupees 10,000 (ten thousand) per application in case the sum of the total relief claimed by the applicant vide his application is upto Rupees one crore, or</p> <p>(ii) Rupees 20,000 (twenty thousand) per application in case the sum of the total relief claimed by the applicant vide his application is exceeding rupees one crore and upto rupees five crore, or</p> <p>(iii) Rupees 50,000 (fifty thousand) per application in case the sum of the total relief claimed by the applicant vide his application is exceeding rupees five crores and upto rupees 50 crore; or</p> <p>(iv) Rupees 1,00,000 (one lakh) per application in case the sum of the total relief claimed by the applicant vide his application is exceeding rupees fifty crores and upto rupees hundred crores; or</p> <p>(v) Rupees 2,50,000 (two lakhs fifty thousand) per application in case the sum of the total relief claimed by the applicant in the application is exceeding rupees hundred crores; or</p> <p>(vi) Rupees 25,000 (twenty five thousand) per application in case no monetary relief is sought by the applicant in the application.</p>
5.	Application/ reference in respect of any matter specified in Category E under	Rupees 25,000 (twenty five thousand) per application referred by the Major Port Authorities.

	clause (e) of sub-rule (1) of rule 28 of the Rules	No fees shall be applicable for matters under Category E referred by the Central Government.
6.	Application in respect of any matter specified in Category F under clause (f) of sub-rule (1) of rule 28 of the Rules	Same fee as specified in Item 4 above.
7.	Fee for filing an interlocutory application / CAVEAT / any other miscellaneous application not specifically mentioned herein above.	Rupees 10,000 (ten thousand) per application
8.	Review filed under sub-section (1) of section 60 of the Act read with rule 55 of the Rules	Rupees 25,000 (twenty five thousand).
9.	Fee for obtaining certified copy of any order or document in relation to any proceeding of the Adjudicatory Board	Rupees 5 (five) per page of the certified copy of the order / document.

8. SCHEDULE OF FORMS:

The table of various forms and their formats are prescribed hereunder:

TABLE OF FORMS:

Sr. No.	Particulars	Form Nos.
A	Forms for Applicants / Respondents / Others	
1.	For filing of case/application	1A
2.	For filing of reference by Major Port Authorities / Central Government	1B
3.	For filing of interlocutory application	1C
4.	For filing of review application	1D
5.	For filing of reply by respondent	2
6.	Format of affidavit (for filing of case / application / review / interlocutory application/ reply)	3A
7.	Format of affidavit for additional applicant	3B
8.	Certification when deponent is unacquainted with the language of the affidavit or is visually challenged or illiterate	4
9. (a).	Format of Vakalatnama	5A
(b).	Format of Authorised Representative	5B
10	Format of Memorandum of Appearance	6
11	Format of rejoinder by the applicant on the reply of the respondent(s)	7
12	Format of affidavit by way of evidence	8
13	Format for application for rectification of order	9
B	Forms for Adjudicatory Board for Major Ports	
1.	Format of Notice for Serving on respondent(s)	10A
2.	Format of notice for hearing	10B
3.	Format of summon for production of documents	11A
4.	Format of summon for enforcing attendance of a person	11B
5.	Format of Deposition of Applicant Witness (AW)/ Respondent Witness (RW)	12
6.	Format of Certificate of discharge for appearance as a witness	13

FORM NO.1A

(for filing of case / application)

[see regulations 3(1) and (2) of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

In the matter of:

[Name of applicant (s)] Applicant (s)
(The applicant should mention complete name of the applicant(s) and address such as name / organisation name, occupation, capacity, complete address and contact details viz., mobile number, email id, etc.)

VERSUS

[Name of respondent (s)] Respondent (s)

(The applicant should mention complete name of the respondent(s) alongwith complete address (such as name / organisation name, occupation, capacity, complete address and contact details viz., mobile number, email id, etc.) for service of notice to the respondent(s) in each case / application / reference as per regulation 5 read with regulation 17 of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025.)

1. Subject title in brief:

Applicant to give the subject title of case / application / reference briefly not exceeding 100 words.

2. Synopsis:

Applicant to give the synopsis of case / application / reference briefly not exceeding 500 words.

3. Jurisdiction of the Adjudicatory Board:

The applicant to mention the relevant section of Major Port Authorities Act, 2021 and to declare that the subject title of the case / application / reference is within the jurisdiction of the Adjudicatory Board.

4. Limitation (if applicable):

The applicant declares that the case / application / reference is within the limitation period laid down in the Limitation Act, 1963 as per the Rule 71 of the Major Port Adjudicatory Board Rules, 2023.

5. List of Dates:

The applicant shall compile the list of dates in a chronological order showing the timeline of events that pertain to the subject title of the case / application / reference, as the case may be.

6. **Facts of the case / application:**

The applicant to give a concise statement of facts in line with the chronology of events, each paragraph containing as nearly as possible a separate issue, fact or otherwise.

7. **Point of issue and the grounds of the case/ application:**

The applicant to furnish point of issue of the matter and the grounds for filing the case/ application / reference in a concise and explicit manner. Each point of issue and the grounds to be titled and given in a separate paragraph as far as possible.

8. **Prayers / Relief(s) sought:**

In view of the facts mentioned above, the applicant prays for the following relief(s):

(Specify below the relief(s) sought based on the point of issue, grounds for relief(s) and the legal provisions (if any) relied upon).

- (i). -----
(ii). -----
(iii). -----
(iv). **Amount of relief claimed (if any)*:**

Sr. Nos.	Particulars	Amount claimed (in ₹)	Give para reference of the case / application
1.			
2.			
3.			
	Total Relief Amount Claimed		

(*Delete Sr. No.8 (iv) above if not applicable.)

Date:

Place:

Name and Signature of Applicant /
authorised signatory with seal

VERIFICATION

I _____ son / daughter/wife of _____, do solemnly affirm and say as follows:

I have read the contents of the case /application submitted before the Adjudicatory Board for Major Ports and declare that they are true and correct to the best of my knowledge.

I hereby acknowledge and certify that the documents / annexures / exhibits enclosed herewith along with the above case /application in the form of paper book are true and correct and are valid as per original documents.

I understand that any misrepresentation, falsification or omission of information shall be a valid ground for rejection of the case /application.

I further declare that other applicants have authorized the undersigned to submit the case / application before the Adjudicatory Board for Major Ports and the consent letters of each of the applicants is attached herewith in the prescribed **Form No.3B**. (Applicable only when there is more than one applicant)

Date:

Place:

Signature of the applicant / authorised signatory

Name of the applicant / authorised signatory

Notes:

- (i). Every application with respect to the following matters specified in Category B, C, D and F under clauses (b), (c), (d) and (f) of sub-rule (1) of rule 28 of the Rules shall be filed by the applicant **to the Registrar** or to an officer authorised in this behalf.
- (ii). Every case / reference with respect to matter specified in Category A and E under clauses (a) and (e) respectively of sub-rule (1) of rule 28 of the Rules, shall be filed by the applicant **to the Secretary** or to an officer authorised in this behalf.
- (iii). Every application / case / reference shall be fairly and legibly type written, lithographed or printed in double spacing on one side of standard A4 size paper within an inner margin of about 3 cm width on both top and bottom and with a right margin of 2.5 cm, and left margin of 4 cm, duly paginated, indexed and stitched together in paper book form.
- (iv). The application shall file authenticated 4 copies of the paginated paper book for the use of ABMP and in addition shall also file sufficient copies of the paginated paper book to be served on the Respondents by ABMP.
- (v). Exhibits to be attached by Applicant to be in A series. For example, it will A-1, A-2, A-3 and so on.
- (vi). Reference or its review or interlocutory application filed by the Major Port Authority shall be signed by the Chairperson or the Deputy Chairperson or any other officer authorised by the Board of the Major Port Authority, as per Regulation 4(3)(b) of Adjudicatory Board for Major Ports (ABMP) (Transaction of Business and Procedural) Regulations, 2025.
- (vii). The proof of payment of the applicable fees as per the Schedule of Fees and Forms shall be attached by the applicant along with the hard copy of the case / application.
- (viii). In case of reference filed by the Major Port Authorities, the port shall serve copies thereof on each of the respondents and furnish a copy of proof of service of the same to the Adjudicatory Board for Major Ports.
- (ix). Every application / case shall be accompanied by an Affidavit as in Form No.3A.
- (x). This Form shall be submitted along with an Index.

FORM NO.1B

*(for filing of reference by the Central Government / Major Port Authorities)
[see regulation 4(2) of the Adjudicatory Board for Major Ports (Transaction of Business and
Procedural) Regulations, 2025]*

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

1. Subject title in brief:

2. Facts of the matter:

The facts of matter may contain the following;

- (a). background and historical data relevant on the matter referred.
- (b). the law or fact or specific issue or policy or any other matter on which the suggestion or clarification or order is sought.
- (c). copies of the relevant documents, if any.

3. Suggestion or clarification or order sought:

4. List of parties to be consulted:

List of the parties to be consulted with their complete contact details.

Date:

Name and Signature

Place:

Notes:

- (i). If the concerned parties have been informed about the matter having been referred to the Adjudicatory Board for Major Ports, a copy of intimation to the parties may be furnished to the Adjudicatory Board for Major Ports.
- (ii). As per Rule 56 (5) of MPAB Rules, 2023, reference to be duly signed by an Officer not below the rank of-
 - (a). a Joint Secretary to the Government of India, if the reference has been made by the Central Government; and
 - (b). the Chairperson or the Deputy Chairperson or any other officer of the Major Port Authority authorised by the Board on their behalf, if the reference has been made by the Board of the Major Port Authority.
- (iii). If the reference filed by the Major Port Authority is signed by an officer other than the Chairperson or the Deputy Chairperson, Form No.5B also needs to be submitted.

FORM NO. 1C

(for filing of interlocutory application)

[see regulations 3(3) and 9 (1) of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

1. Details / particulars of applicant(s) and respondent(s):

- (a). Particulars of applicant(s) such as name / organisation name, occupation, capacity, complete address and contact details viz., mobile number, email id, etc.
- (b). Particulars of respondent(s) such as name / organisation name, occupation, capacity, complete address and contact details viz., mobile number, email id, etc.

The applicant(s) should mention complete name of the applicant(s) and respondent(s) alongwith complete address for service of notice in each case / application / reference / review as per regulation 5 read with 17 of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025.

2. Case / application / reference / review number in which interlocutory application is filed:

3. Synopsis of the main case / application / reference / review in brief:

Applicant to give the synopsis of the main case / application / reference / review.

4. Grounds for the interlocutory application:

The applicant to furnish the grounds for filing the interlocutory application in a concise and explicit manner.

5. Prayers / Relief(s) sought in interlocutory application:

In view of the facts mentioned above, the applicant prays for the following relief(s):

(Specify below the relief(s) sought based on grounds for relief(s) and the legal provisions (if any) relied upon).

(i). -----

(ii). -----

(iii). -----

(iv). **Amount of relief claimed (if any):**

Sr. Nos.	Particulars	Amount claimed (in ₹)	Give para reference of the interlocutory application
1.			
2.			
3.			
	Total Relief Amount Claimed		

(*Delete Sr. No.5 (iv) above if not applicable.)

Date:
Place:

Name and Signature of Applicant or
authorised signatory with seal

VERIFICATION

I _____ son / daughter/wife of _____, do solemnly affirm and say as follows:

I have read the contents of the interlocutory application submitted before the Adjudicatory Board for Major Ports and declare that they are true and correct to the best of my knowledge.

I hereby acknowledge and certify that the documents / annexures / exhibits enclosed herewith along with the above interlocutory application are true and correct.

I understand that any misrepresentation, falsification or omission of information shall be a valid ground for rejection of the interlocutory application.

I further declare that other applicants have authorized the undersigned to submit the interlocutory application before the Adjudicatory Board for Major Ports. (Applicable only when there is more than one applicant)

Date:

Place:

Signature of the applicant / authorised signatory

Name of the applicant / authorised signatory

Notes:

- (i). Every interlocutory application with respect to the application / review filed in Category B, C, D and F under clauses (b), (c), (d) and (f) of sub-rule (1) of rule 28 of the Rules shall be filed by the applicant **to the Registrar** or to an officer authorised in this behalf.
- (ii). Every interlocutory application with respect to case / reference / review filed in Category A and E under clauses (a) and (e) respectively of sub-rule (1) of rule 28 of the Rules, shall be filed by the applicant **to the Secretary** or to an officer authorised in this behalf.
- (iii). The proof of payment of the applicable fees as per the Schedule of Fees and Forms shall be attached by the applicant along with the hard copy of the interlocutory application.
- (iv). The Interlocutory Application shall be fairly and legibly type written, lithographed or printed in double spacing on one side of standard A4 size paper within an inner margin of about 3 cm width on both top and bottom and with a right margin of 2.5 cm, and left margin of 4 cm, duly paginated, indexed and stitched together in paper book form.
- (v). The Interlocutory Application shall file authenticated 4 copies of the paginated paper book for the use of ABMP and in addition shall also file sufficient copies of the paginated paper book to be served on the Respondents by ABMP.
- (vi). The Interlocutory Application shall be accompanied by an Affidavit as in Form No.3A.
- (vii). This Form shall be submitted along with an Index.

FORM NO. 1D

(for filing of review application)

[see regulation 23(1) of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

1. Details / particulars of applicant(s) and respondent(s):

- (a). Particulars of applicant(s) such as name / organisation name, occupation, capacity, complete address and contact details viz., mobile number, email id, etc.
- (b). Particulars of respondent(s) such as name / organisation name, occupation, capacity, complete address and contact details viz., mobile number, email id, etc.

The applicant(s) should mention complete name of the applicant(s) and respondent(s) alongwith complete address for service of notice in each case / application as per regulation 5 read with regulation 17 of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025.

2. Details of the order sought to be reviewed:

- (a). Case / application / reference number
- (b). Date of order passed by Adjudicatory Board for Major Ports
- (c). Date of receipt of order
- (d). Operational part of the order passed by Adjudicatory Board for Major Ports

3. Statement that the review is being filed within 30 days from the date of receipt of the order.

[If the review is being filed after 30 days from the date of receipt of the order, the review shall be accompanied with an application for condonation of delay giving the reasons thereof.]

4. Synopsis:

Applicant to give the synopsis of review application briefly not exceeding 500 words.

5. Grounds for filing the review application:

The applicant to give the grounds for filing the review application in a concise and explicit manner, pointing out mistake or error apparent on the face of the record in the order.

6. Prayers / Relief(s) sought:

In view of the facts mentioned above, the applicant prays for the following relief(s):

(Specify below the relief(s) sought based on the point of issue, grounds for relief(s) and the legal provisions (if any) relied upon).

- (i). -----
- (ii). -----
- (iii). -----

(iv). **Amount of relief claimed (if any):**

Sr. Nos.	Particulars	Amount claimed (in ₹)	Give para reference of the review
1.			
2.			
3.			
	Total Relief Amount Claimed		

(*Delete Sr. No.6 (iv) above if not applicable.)

Date:

Place:

Name and Signature of Applicant or
authorised signatory with seal

VERIFICATION

I _____ son / daughter/wife of _____, do solemnly affirm and say as follows:

I have read the contents of the review application submitted before the Adjudicatory Board for Major Ports and declare that they are true and correct to the best of my knowledge.

I hereby acknowledge and certify that the documents / annexures / exhibits enclosed herewith, if any, along with the above review application are true and correct.

I understand that any misrepresentation, falsification or omission of information shall be a valid ground for rejection of the review application.

I further declare that other applicants have authorized the undersigned to submit the review application before the Adjudicatory Board for Major Ports. (Applicable only when more than one applicant)

Date:

Place:

Signature of the applicant / authorised signatory

Name of the applicant / authorised signatory

Notes:

- (i). Every review application with respect to the following matters specified in Category B, C, D and F under clauses (b), (c), (d) and (f) of sub-rule (1) of rule 28 of the Rules shall be filed by the applicant **to the Registrar** or to an officer authorised in this behalf.
- (ii). Every review application with respect to matter specified in Category A and E under clauses (a) and (e) respectively of sub-rule (1) of rule 28 of the Rules, shall be filed by the applicant **to the Secretary** or to an officer authorised in this behalf.
- (iii). The proof of payment of the applicable fees as per the Schedule of Fees and Forms shall be attached by the applicant along with the hard copy of the review application.
- (iv). The Review Application shall be fairly and legibly type written, lithographed or printed in double spacing on one side of standard A4 size paper within an inner margin of about 3 cm

width on both top and bottom and with a right margin of 2.5 cm, and left margin of 4 cm, duly paginated, indexed and stitched together in paper book form.

- (v). The Review Application shall file authenticated 4 copies of the paginated paper book for the use of ABMP and in addition shall also file sufficient copies of the paginated paper book to be served on the Respondents by ABMP.
- (vi). Exhibits to be attached by Applicant to be in A series. For example it will A-1, A-2, A-3 and so on.
- (vii). Every Review Application shall be accompanied by an Affidavit as given in Form No.3A.
- (viii). This Form shall be submitted along with an Index.

FORM NO.2

(for filing of reply by Respondent)

[see regulation 21(1) of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

Case, application, reference, review or interlocutory application (IA) No.: _____
[For IA, please indicate main case, application, reference or review number also.]

1. Details / particulars of applicant(s) and respondent(s):

(a). Name of applicant(s).

(b). Name of respondent(s).

Reply filed by _____ (name of the concerned respondent and number)

2. Subject title in brief:

Respondent to reiterate the subject title as in case / application / reference / interlocutory application/ review.

3. Synopsis:

Respondent to give the synopsis of reply filed briefly not exceeding 500 words.

4. Reply of the respondent:

The respondent to furnish parawise comments on each point (giving reference to the paragraph number of the applicant's submissions) specifically admitting, denying or rebutting the facts stated by the applicant in his case, application, reference, review or interlocutory application and state such additional facts as may be found necessary in his reply.

5. Prayers / Relief(s) sought:

In view of the facts mentioned above, the respondent prays for the following relief(s):

(Specify below the relief(s) sought by the respondent based on the reply, grounds for relief(s) and the legal provisions (if any) relied upon).

(i). -----

(ii). -----

(iii). -----

(iv). **Amount of relief claimed (if any):**

Sr. Nos.	Particulars	Amount claimed (in ₹)	Give para reference of the reply
1.			
2.			
3.			
	Total Relief Amount Claimed		

(*Delete Sr. No.5 (iv) above if not applicable.)

Date: _____ Name and Signature of respondent or authorised signatory with seal
Place: _____

VERIFICATION

I _____ son / daughter/wife of _____, do solemnly affirm and say as follows:

I have read the contents of the reply submitted herewith before the Adjudicatory Board for Major Ports and declare that they are true and correct to the best of my knowledge.

I hereby acknowledge and certify that the documents / annexures / exhibits enclosed herewith along with the above reply are true and correct and are valid as per original documents.

I understand that any misrepresentation, falsification or omission of information shall be a valid ground for rejection of the reply.

Date:

Place:

Signature of the respondent / authorised signatory

Name of the respondent / authorised signatory

Notes:

- (i). Every reply with respect to the following matters specified in Category B, C, D and F under clauses (b), (c), (d) and (f) of sub-rule (1) of rule 28 of the Rules shall be filed by the applicant **to the Registrar** or to an officer authorised in this behalf.
- (ii). Every reply with respect to matter specified in Category A and E under clauses (a) and (e) respectively of sub-rule (1) of rule 28 of the Rules, shall be filed by the applicant **to the Secretary** or to an officer authorised in this behalf.
- (iv). The Respondent shall file authenticated 4 copies of the paginated paper book reply alongwith exhibits / documents to ABMP.
- (iv). The respondent shall also serve a copy of the reply along with exhibits / documents on each of the applicant and file proof of such service with the Adjudicatory Board.
- (iii). Exhibits to be attached by Respondent to be in R series. For example for Respondent No.1, it will be R1-1, R1-2, R1-3 and so on and for Respondent No.2, it will be R2-1, R2-2, R2-3 and so on.
- (v). Every Review Application shall be accompanied by an Affidavit as given in Form No.3A.
- (vi). This Form shall be submitted alongwith an Index.

FORM NO. 3A (format of Affidavit)

[see regulation 19(1) of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

(For filing of Case / Application / Review / Interlocutory Application/ Reply / Rejoinder)

(To be executed on a non-judicial stamp paper of ₹100/- and sworn or affirmed before an advocate or notary)

AFFIDAVIT

In the matter of:

[Name of applicant] Applicant

VERSUS

[Name of respondent] Respondent

Subject title in brief:

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

I, _____, son/daughter/wife of _____, aged _____ years, residing at _____ do solemnly affirm and say as follows:

1. I am a _____ (designation) of _____ (name of the applicant / respondent in the above matter) and I am duly authorised by the said applicant / respondent to make this affidavit on their behalf and agree to be the part of the proceedings.

[Note: Paragraph 1 is to be included only where the applicant / respondent is a company / body corporate/ firm; Paragraph 1 is not applicable for individuals.]

2. The statements made in paragraphs _____ to _____ of the case / application / review / interlocutory application / reply herein have been read by me and they are true to the best of my knowledge, and the statements made in paragraphs _____ to _____ are based on correct information, and I believe them to be true.

(Name and signature of the Deponent)

VERIFICATION

Verified at _____ (place) on _____ (date) that the contents of the above affidavit are true and correct to the best of my knowledge, derived from the records and information available with the applicant/ respondent and no part of it is false and nothing material has been concealed therefrom.

(Name and signature of the Deponent)

Signed before

Note:

- (i). This form of affidavit can be used for any other general application moved before the Adjudicatory Board with such alteration or modification in the title and the content.
- (ii). Affidavit shall be sworn or affirmed before an advocate or notary, who shall affix his official seal.
- (iii). Where an affidavit is sworn or affirmed by any person who appears to be illiterate, visually challenged or unacquainted with the language in which the affidavit is written, the attester shall certify in the prescribed **Form No. 4**.
- (iv). Any document accompanying an affidavit shall be referred to therein as Annexure number and the attester shall make the endorsement thereon that this is the document marked putting the Annexure number in the affidavit. The attester shall sign therein and shall mention the name and his designation.

FORM NO. 3B

(format of Affidavit for Additional Applicant)

[see regulation 19(1) of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

(To be executed on a non-judicial stamp paper of ₹100/- and sworn or affirmed before an advocate or notary)

AFFIDAVIT FOR ADDITIONAL APPLICANT

In the matter of:

[Name of applicant] Applicant

VERSUS

[Name of respondent] Respondent

Subject title in brief:

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

I, _____, son/daughter/wife of _____, aged _____ years, residing at _____ do solemnly affirm and say as follows:

1. I am a _____ (*designation*) of _____ (*name of the applicant / respondent in the above matter*) and I am duly authorised by the said applicant / respondent to make this affidavit on their behalf and agree to be the part of the proceedings.

[Note: Paragraph 1 is to be included only where the applicant / respondent is a company / body corporate / firm; Paragraph 1 is not applicable for individuals.]

2. I, hereby give my consent to the first applicant _____ (*name of the first applicant*) to add _____ (*name of the additional applicant filing this affidavit*) as one of the applicants to the case / application / reply / review / interlocutory application.
3. The statements made in paragraphs _____ to _____ of the case / application / reply / review / interlocutory application made by the first applicant have been read by me and they are true to my knowledge, and the statements made in paragraphs _____ to _____ are based on correct information, and I believe them to be true.
4. I, hereby authorise the first applicant _____ (*name of the first applicant*) to sign case / application / review / interlocutory application / rejoinder and file it before the Adjudicatory Board.

(Name and signature of the Deponent)

VERIFICATION

Verified at _____ (*place*) on _____ (*date*) that the contents of the above affidavit are true and correct to the best of my knowledge, derived from the records and information available with the applicant/ respondent and no part of it is false and nothing material has been concealed therefrom.

(Name and signature of the Deponent)

Signed before

Note:

- (i). This form of affidavit can be used for any other general application moved before the Adjudicatory Board with such alteration or modification in the title and the content.
- (ii). Affidavit shall be sworn or affirmed before an advocate or notary, who shall affix his official seal.
- (iii). Where an affidavit is sworn or affirmed by any person who appears to be illiterate, visually challenged or unacquainted with the language in which the affidavit is written, the attester shall certify in the prescribed **Form No. 4**.
- (iv). Any document accompanying an affidavit shall be referred to therein as Annexure number and the attester shall make the endorsement thereon that this is the document marked putting the Annexure number in the affidavit. The attester shall sign therein and shall mention the name and his designation.

FORM NO. 4

[see regulation 19(5) of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

CERTIFICATION WHEN DEPONENT IS UNACQUAINTED WITH THE LANGUAGE OF THE AFFIDAVIT OR IS VISUALLY CHALLENGED OR ILLITERATE

It is certified that the contents of the affidavit dated _____ were truly and audibly read over/translated into language known to the deponent, namely, Mr. / Ms. _____ s/d/w/o Mr. / Ms. _____, presently residing at _____, and he / she seems to have understood the same and affixed his signature/mark.

Date:

Place:

Name and signature of the attester

FORM NO. 5A
(format of Vakalatnama)

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

Case / Application / Reference / Review / Interlocutory application No. _____

IN THE MATTER OF:

[Name of applicant with address and contact details] Applicant

VERSUS

[Name of respondent with address and contact details] Respondent

I/we _____ the abovenamed Applicant / Respondent do hereby appoint _____ (hereinafter called the “**Advocate**” or “**Advocates**”) to be my / our Advocate in the above matter and authorize them:-

1. To act, appear and plead in the above-noted matter before the Adjudicatory Board in which the same may be tried or heard subject to payment of fees by me/us.
2. To sign, file, verify and present case, application, pleadings, appeals or cross-objections, review, revision, withdrawal, compromise or other applications or affidavits or other documents as may be deemed necessary or proper for the legal proceedings of the said matter in / all its stages.
3. To file and take back documents, to admit and/or deny the documents of opposite party.
4. To deposit, draw and receive money and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the proceedings on the said matter.
5. To appoint and instruct any other legal practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he / she / they may think fit to do so.

And I/we undersigned to hereby agree to ratify and confirm all acts done by the Advocate or his/her/their substitute in the matter as my/our own acts, as if done by me/us to all intents and purpose.

And I/we undertake that I/We or my/our duly authorized person may appear in all hearings before the Adjudicatory Board and will inform the Advocate for appearance when the matter is called.

And I/We undersigned do hereby agree not to hold the Advocate or his substitute responsible for the result of the said matter.

IN WITNESS WHEREOF, we do hereunto set our hands and seal to this writing.

Date:

Place:

Accepted.

Signature and seal
Name of client
Address

Signature and seal

Name of Advocate(s)

Bar Council No.:

Address alongwith contact details i.e. mobile number and email-id.

Note: Vakalatnama can also be issued in favour of more than one Advocate. In such instances, all the Advocates need to duly accept and sign the Vakalatnama and provide address and contact details of each Advocate.

FORM NO. 5B

*(format of Authorisation letter for appearance of Authorised Representative)
[see regulation 34]*

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

Case/ Application/ Reference/ Review/ Interlocutory application No. _____

IN THE MATTER OF:

[Name of applicant with address and contact details] Applicant

VERSUS

[Name of respondent with address and contact details] Respondent

I/we _____ (name), _____ (designation) of _____ (name of the applicant / respondent in the above matter) do hereby authorise Shri/Smt. _____ (name of the person to appear), r/o _____ (address), who is presently employed with _____ (name of the applicant / respondent organisation in the above matter) and holding the position of _____ (designation), as the Authorised Representative of _____ (name of the applicant / respondent in the above matter) and he / she is authorized to file, sign, attend, represent, give statement, make submissions before the Adjudicatory Board and to do all or any of the acts, deeds or things necessary or incidental in respect of the above matter in the name of and on behalf of _____ (name of the applicant / respondent in the above matter).

I/We hereby agree to ratify all acts, deeds and things done by the aforesaid Authorised Representative pursuant to this letter of authorization and that all acts, deeds and things done by the aforesaid Authorised Representative shall be binding on _____ (name of the applicant / respondent in the above matter) and shall always be deemed to have been done by _____ (name of the applicant / respondent in the above matter).

Date:

Place:

Signature and seal
Name of the applicant / respondent
Address

Accepted.

Signature and seal (if any):

Name of Authorised Representative (s)

Address alongwith contact details i.e. mobile number and email-id.

FORM NO. 6

(format of Memorandum of Appearance)

[see regulation 33 of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

Case / Application / Reference / Review / Interlocutory application No. _____

In the matter of:

[Name of applicant]

VERSUS

.....

Applicant

[Name of respondent]

.....

Respondent

The undersigned is appearing in the above matter on behalf of _____ (*mention name of the applicant / respondent*). Hence, the undersigned is submitting his/her memo of appearance before the Hon'ble Adjudicatory Board for appearance on _____ (date).

Please enter my appearance for the applicant / respondent above named in the captioned matter.

Dated this _____ day of _____ 20____

Place:

Signature and seal

Name of the advocate / legal practitioner / authorised representative appearing:

Bar Council No. (if applicable):

Address:

Signature and seal:

Name of applicant / respondent / advocate / authorized representative
authorizing such appearance:

Address:

FORM NO. 7

(format of rejoinder)

[see regulation 22(1) of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

(To be executed on a non-judicial stamp paper of ₹100/-)

Case, application, reference, review or interlocutory application (IA) No.: _____
[For IA, please indicate main case, application, reference or review number also.]

REJOINDER ON BEHALF OF THE APPLICANT TO THE REPLY FILED BY THE RESPONDENT

In the matter of:

[Name of applicant] Applicant

VERSUS

[Name of respondent] Respondent

Subject title in brief:

Reference: (Order dated _____ of Adjudicatory Board allowing Applicant/(s) to file Rejoinder on reply filed by Respondent No.____.)

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

I, _____, son/daughter/wife of _____, aged _____ years, residing at _____ do solemnly affirm and say as follows:

1. That I am the Applicant in the abovementioned case, application, review or interlocutory application and being familiar with the facts and circumstances of the case, application, review or interlocutory application, I am competent and fully authorised to swear this affidavit.

OR

That I am a _____ (designation) of _____ (name of the applicant in the above matter) and I am duly authorised by the abovementioned Applicant to make this affidavit on their behalf. [Note: This paragraph is to be included only where the applicant is a company / body corporate/ firm; Paragraph 1 is not applicable for individuals.]

2. Response to the reply filed by the Respondent:

That the Applicant has read and understood the reply filed by the Respondent and makes the following submissions by way of this rejoinder:

(The Applicant to respond on point of issue made by respondent in its reply.)

3. **Prayers / Relief sought:**

In view of the facts mentioned above, the applicant prays for the following relief(s):

Date:

Place:

Name and Signature of Applicant or
authorised signatory with seal

VERIFICATION

I _____ son / daughter/wife of _____, do solemnly affirm and say as follows:

I have read the contents of the rejoinder submitted before the Adjudicatory Board for Major Ports and declare that they are true and correct to the best of my knowledge.

I hereby acknowledge and certify that the documents / annexures / exhibits enclosed herewith, if any, along with the above rejoinder are true and correct.

I further declare that other applicants have authorized the undersigned to submit the rejoinder before the Adjudicatory Board for Major Ports. (Applicable only when more than one applicant)

Date:

Place:

Signature of the applicant / authorised signatory

Name of the applicant / authorised signatory

Notes:

- (i). Every rejoinder with respect to the following matters specified in Category B, C, D and F under clauses (b), (c), (d) and (f) of sub-rule (1) of rule 28 of the Rules shall be filed by the applicant **to the Registrar** or to an officer authorised in this behalf.
- (ii). Every rejoinder with respect to matter specified in Category A and E under clauses (a) and (e) respectively of sub-rule (1) of rule 28 of the Rules, shall be filed by the applicant **to the Secretary** or to an officer authorised in this behalf.
- (iii). The applicant shall serve a copy of the rejoinder on each of the Respondent and file proof of service to the officer of the Adjudicatory Board authorised to receive the same.
- (iv). The Applicant shall file authenticated 4 copies of the paginated paper book Rejoinder alongwith exhibits / documents to ABMP.
- (v). Every Rejoinder shall be accompanied by an Affidavit as given in Form No.3A.
- (vi). This Form shall be submitted alongwith an Index.

FORM NO. 8

(format of Affidavit by way of evidence)

[see regulation 20(3) of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

(To be executed on a non-judicial stamp paper of ₹100/- and sworn or affirmed before an advocate or notary)

Case / Application / Review / Reply / Reference / Interlocutory Application No. _____

AFFIDAVIT BY WAY OF EVIDENCE

In the matter of:

[Name of applicant] Applicant

VERSUS

[Name of respondent] Respondent

Subject title:

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

I, _____, son/daughter/wife of _____, aged _____ years, residing at _____ do solemnly affirm and say as follows:

1. I am a _____ (designation) of _____ (name of the applicant / respondent in the above matter) and I am duly authorised by the said applicant / respondent to make this affidavit on their behalf.

[Note: Paragraph 1 is to be included only where the applicant / respondent is a company / body corporate/ firm; Paragraph 1 is not applicable for individuals.]

2. *[Statements made in evidence by applicant / respondent in compliance with the direction of the Adjudicatory Board for Major Ports issued under Major Ports Adjudicatory Board Rules and Regulations.]*

3. The statements made in deposition in the foregoing paragraphs are true to my knowledge, and I believe them to be true.

(Name and signature of the Deponent)

VERIFICATION

Verified at _____ (place) on _____ (date) that the contents of the above affidavit are true and correct to my knowledge derived from the records and information available with the applicant/ respondent and no part of it is false and nothing material has been concealed therefrom.

(Name and signature of the Deponent)

FORM NO. 9

(format for application for rectification of order)

[See regulation 64(2) of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

To
The Presiding Officer
Adjudicatory Board
[Address]

Dear Sir,

Sub: Application under regulation 64 (2) for rectification of mistake or error or omission in the Order dated _____ passed in the Case / Application / Reference / Review / Interlocutory application no. _____

While acknowledging receipt of the abovementioned Order, I find on checking that the said Order contains the following mistakes / errors / omission:

Sr. No.	Para reference of the Order	As appearing in the Order	Rectification sought	Remarks

All the aforementioned mistakes are apparent from the record and may please be rectified under regulation 64(2) of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025.

Yours faithfully,

Name of applicant
Designation, if any
[full address]

FORM NO. 10A

*(format of Notice for Serving on Respondent(s))
[see regulation 16(1) of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]*

Hearing fixed on:

Date of notice:

Case / Application / Review / Reply / Reference / Interlocutory Application No. _____

In the matter of:

[Name of applicant]

VERSUS

.....

Applicant

[Name of respondent]

.....

Respondent

To:

Name of respondent / opposite party:

Address:

Notice for service of case / Application / Review / Reply / Reference / Interlocutory Application on respondent(s)

Take NOTICE that the applicant(s) has / have filed the above case / application / review / reference / interlocutory application before the Adjudicatory Board for Major Ports to grant relief as prayed in the prayer / relief clause as stated in accompanying copy of the said case / Application / Review / Reply / Reference / Interlocutory Application alongwith the enclosures and the same has been registered in the Adjudicatory Board for Major Ports.

This Adjudicatory Board for Major Ports has ordered that the hearing of the said case / Application / Review / Reply / Reference / Interlocutory Application will take place on:

Date: _____, Day: _____ at _____ (time) AM/PM

Place: _____

Purpose of Hearing: _____

Mode of hearing: Online / Offline / Hybrid

The online link to attend the above sitting is given below: *(applicable only for online / hybrid hearing)*

[online link for the hearing may be provided alongwith this notice or separately.]

Let all the parties concerned attend the above mentioned hearing for _____ (purpose of hearing). If no appearance is made by yourself or on your behalf through an advocate or by legal practitioner or by an authorised representative, it will be heard and determined in your absence.

Dated this _____ day of _____ *(month and year)*

(Name, title and signature of Registrar / Secretary/ authorised representative)

Copy to:

- (1). Advocate / authorised representative of the Applicant(s).
- (2). Advocate / authorised representative of the Respondent(s).

FORM NO. 10B

(format of Notice for hearing)

[see regulation 16(1) of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

Hearing fixed on:

Date of notice:

Case / Application / Review / Reply / Reference / Interlocutory Application No. _____

In the matter of:

[Name of applicant] Applicant

VERSUS

[Name of respondent] Respondent

To:

Name of applicant/ respondent / opposite party:

Address:

Notice for hearing

Take NOTICE that this Adjudicatory Board for Major Ports has ordered that the hearing of the said case / Application / Review / Reply / Reference / Interlocutory Application will take place on:

Date: _____, Day: _____ at _____ (time) AM/PM

Place: _____

Purpose of Hearing:

Mode of hearing: Online / Offline / Hybrid

The online link to attend the above sitting is given below: *(applicable only for online / hybrid hearing)*

[online link for the hearing may be provided alongwith this notice or separately.]

Let all the parties concerned attend the above mentioned hearing. If no appearance is made by yourself or on your behalf through an advocate or by legal practitioner or by an authorised representative, it will be heard and determined in your absence.

Dated this _____ day of _____ *(month and year)*

(Name, title and signature of Registrar / Secretary/ authorised representative)

Copy to:

- (1). Advocate / authorised representative of the Applicant(s).
- (2). Advocate / authorised representative of the Respondent(s).

FORM NO. 11A

(format of summon for production of documents)

[see regulations 37(3) and 38 of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

Case / Application / Reference / Review / Interlocutory application no. _____

In the matter of:

[Name of applicant] Applicant

VERSUS

[Name of respondent] Respondent

Summon under Regulation 37(3) / Regulation 38 of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025 read with corresponding power vested under CPC

To:

Name:

Address:

Subject title in brief:

Whereas the Adjudicatory Board *suo motu* or on consideration of the request made by Shri/ Smt/M/s (applicant / respondent) having been satisfied that production of the following documents or records under your control or custody is necessary for proper decision of the above case/application.

1. Name / list of the Document(s):
2. Purpose / relevance of the Document(s):

Summons are hereby issued directing you to cause production of the said documents / records before the Adjudicatory Board /forward duly authenticated copies thereof on or before theday of.....20.....

(Enter description of documents requisitioned)

By order of Adjudicatory Board

Signature:

Date:

FORM NO. 11B

(format of summon for enforcing attendance of a person)
[see regulation 41 of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

Case / Application / Reference / Review / Interlocutory application no. _____

In the matter of:

[Name of applicant] Applicant

VERSUS

[Name of respondent] Respondent

Summon under Regulation 41 of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025 read with corresponding power vested under CPC

To:

Name:

Address:

Subject title in brief:

Whereas the Adjudicatory Board *suo motu* or on consideration of the request made by Shri/ Smt/M/s (applicant / respondent) summons you to appear in person or through an authorized representative before the Adjudicatory Board on ----- (date) on ----- (time) at ----- (place) on the subject title for the purpose of giving evidence, or to produce following document(s), or for both purposes.

1. Name / list of the Document(s):
2. Purpose / relevance of the Document(s):

(Enter description of documents requisitioned)

By order of Adjudicatory Board

Signature:

Date:

Note: Witness allowance shall be payable as per the provisions prescribed in the Adjudicatory Board for Major Ports Regulations.

FORM NO. 12

[See regulation 47(1) of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

(Format of Deposition by Applicant witness (AW) / Respondent Witness (RW))

BEFORE THE ADJUDICATORY BOARD FOR MAJOR PORTS

Case / Application / Reference / Review / Interlocutory application no. _____

Subject title in brief:

Deposition of AW/RW

- 1. Name:
- 2. Father's/Mother's/Husband's Name:
- 3. Age:
- 4. Occupation:
- 5. Place of Residence and address:
- 6. Name of the Officer administering the Oath / affirmation:
- 7. Name of the Interpreter if any, duly Sworn/ solemnly affirmed:

Duly sworn/ solemnly/ affirmed Examination-in-chief:

By Date:

Cross-examination: By

Re-examination, if any:

[Statement of the witness]

(Signature of the witness on each page) (Initials of Presiding Officer and Member on each page)

Statement of witness as recorded was read over/translated to the witness, who admitted it to be correct.

(Signature of the witness)

Signature of the Presiding Officer and member of the Adjudicatory Board with date sitting on Bench on each page.

FORM NO. 13

[See regulation 48 of the Adjudicatory Board for Major Ports (Transaction of Business and Procedural) Regulations, 2025]

(Format of certificate of Discharge for appearance as a witness)

Case / Application / Reference / Review / Interlocutory application no. _____

Subject title in brief:

CERTIFICATE OF DISCHARGE

Certified thatappeared before the Adjudicatory Board as a witness in the above matter, on behalf of the applicant or respondent or on suo muto summons of Adjudicatory Board for Major Ports on thisday of20..... and that he was relieved aton..... He was paid/not paid any T.A. and D.A. or allowance of ₹.....

Date:

Signature of the Registrar / authorized Officer of the Adjudicatory Board.

(Seal of the Adjudicatory Board)

**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.