

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

New Delhi, the 18th January, 1960

NOTIFICATION

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

1. Short title - These rules may be called the National Shipping Board Rules, 1960

2. Definitions – In these rules unless there is anything repugnant in the subject of context ____

- (i) “Act” means the Merchant Shipping Act, 1958 (44 of 1958) ;
- (ii) “Board” means the National Shipping Board established under section 4 of the Act.
- (iii) “Chairman” means Chairman of the National Shipping Board;
- (iv) “Director General” means the Director General of Shipping Bombay;
- (v) “Secretary” means the Secretary of the Board.

3. Establishment of the Board – The Board shall be established for a period of two years in the first instance and thereafter, it shall be re-established at the end of every two years.

4. Term of office of members – (1) The Chairman and other members of the Board shall hold office for a period of two years.

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

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

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

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

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

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

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

- (i) if he is absent from India continuously for a period longer than six months and has not obtained the Board's permission for such absence;
- (ii) if he absent himself from three consecutive meetings of the Board without the permission of the Board;
- (iii) if he become insolvent;
- (iv) if he is convicted of an offence which, in the opinion of the Central Government, involves moral turpitude;
- (v) if, in the opinion of the Central Government, he has ceased to represent the interests on whose behalf he was appointed;
- (vi) if in the opinion of the Central Government it is for any other reason not desirable that he should continue to be a member.

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

- (2) The Secretary shall be under the general control of the Board. His duties shall be to assist the Chairman in the discharge of his functions and in particular –
- (a) to convene under the directions of the Chairman meetings of the Board;
 - (b) to maintain the minute books; and

- (c) to undertake such other duties as may from time to time be entrusted to him by the Board.

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

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

(Rule 10 amended vide GSR 644 (E) Dt.24.10.91)

Government of India

Ministry of Shipping and Transport

(Transport Wing)

New Delhi, the 6th December, 1977.

NOTIFICATION

(Merchant Shipping)

G.S.R. 1705 – In exercise of the powers conferred by clauses (b) and (c) of sub-section (2) of section 414, read with section 457, of the Merchant Shipping Act, 1958 (44 of 1958), and in supersession of the Control of Shipping (Rates) Rules, 1949, the Central Government hereby makes the following rules, namely :-

1. Short title – (1) These rules may be called Merchant Shipping (Rates) Rules, 1977.

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

2. Definitions – In these rules --

(a) "Act" means the Merchant Shipping Act, 1958 (44 of 1958) ;

(b) "Board" means the Shipping Rates Advisory Board constituted under rule 3.

3. Constitution of the Board – (1) The Central Government may, by notification in the Official Gazette, constitute one or more Boards to be called the Shipping Rates Advisory Board to advise it in respect of such matters relating to fixation of rates under section 412 of the Act as it may deem expedient or necessary to refer to the Board.

(2) A Board shall consist of such number of person or persons as the Central Government may, by notification in the Official Gazette, fix in this behalf.

(3) The members of the Board shall be nominated by the Central Government.

4. Headquarters - The Board shall have its headquarters in Bombay or at such other place as may be notified by the Central Government in this behalf.

5. Procedure - When any matter is referred to a Board, the Board may consult the interests affected, examine or cause to be examined such witnesses and such document and accounts as it may consider necessary for determining the rates to be fixed and shall submit a report to the Central Government with its recommendations.

6. Power to deal with evidence taken before a previous Board – Where a Shipping Rates Advisory Board constituted under rule 3 is reconstituted, the reconstituted Board may deal with any evidence or memorandum taken by or made before predecessor Board as if such evidence or memorandum had been taken by or made before it or under its directions and may proceed with any inquiry from the stage at which its predecessor Board had left it.

7. Fixation of rates – (1) Where the Central Government has referred any matter relating to fixation of rates for advice to the Board, it may, on receipt of the report referred to in rule 5, and after considering the recommendations of the Board, fix by order published in the Official Gazette, such rates under section 412 of the Act as it may deem proper.

(2) Where the Central Government does not refer any matter relating to fixation of rates for advice to the Board, it may, after such inquiry as it thinks fit, fix by order published in the Official Gazette such rates as it may deem proper.

(No.5-MSR(18)/76-MA)

Sd/-

(Smt. B. NIRMAL)

Under Secretary to the Government of India