

GOVERNMENT OF KARNATAKA

No: PWD 111 PSP 2017(1)

Karnataka Government Secretariat,
Vikasa Soudha,
Bangalore, Dated : 07th September 2019

NOTIFICATION

Whereas, the draft of the Karnataka Maritime Board (Conduct of meetings of the Board and its Committees) Regulations, 2019 which the Government of Karnataka proposes to make in exercise of the powers conferred by section 110 read with section 113 of the Karnataka Maritime Board Act, 2015 (Karnataka Act 41 of 2017) was published in Notification No.PWD 111 PSP 2017(1) dated: 18th May 2019, in Part IV-A of the Karnataka Gazette dated: 13-06-2019 inviting objection and suggestion from all person likely to be affected thereby within fifteen days from the date of its publication in the Official Gazette.

Whereas, the said Gazette was made available to the public on 13th June 2019.

And Whereas, objections and suggestions not received in respect of the said draft Rules.

Now, therefore, in exercise of the powers conferred by section 110 read with section 113 of the Karnataka Maritime Board Act, 2015 (Karnataka Act 41 of 2017) the Government of Karnataka hereby makes the following Regulations, namely:-

REGULATIONS

CHAPTER – I

PRELIMINARY

1. Title and commencement.- (1) These regulations may be called the Karnataka Maritime Board (Conduct of meetings of the Board and its Committees) Regulations, 2019.

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

2. Definitions.- (1) In these regulations, unless the context otherwise requires,-

- (a) “Act” means the Karnataka Maritime Board Act, 2015 (Karnataka Act No. 41 of 2017);
- (b) “Chief Executive Officer” means, the person appointed by the Government to be the Chief Executive Officer of the Board under sub-section (1) of Section 17 of the Act;
- (c) “Section” means a section of the Act.

(2) The words and expression used in these regulations but not defined and defined in the Act shall have the same meanings as assigned to them in the Act.

CHAPTER – II

MEETINGS OF THE BOARD

3. Date, time and place of meetings.- The Board shall meet on such date and time at the head quarter of the Board or as such other places as may be fixed by the Chairman or the Vice Chairman with the approval of the Chairman, or as may be fixed in the previous meetings of the Board.

4. Special meeting.- The Chairman may call a special meeting of the Board whenever the Chairman of the Board deems it necessary in connection with any urgent business transaction.

5. Notice of meeting.- (1) The Chief Executive Officer, shall give at least seven clear days, notice of every ordinary meeting to all the members stating the date, time and place of, and the business to be transacted at such meeting. The period of notice may be waived if the date, time and place of ensuing meeting has already been fixed at the previous meeting, or if the Chairman considers it necessary to hold a meeting for the transaction of any emergent business. In case of special meeting, three clear days notice shall be given to all the members.

(2) Non-receipt of notice of meeting by any member shall not, by reason of such omission, invalidate the proceedings of, or any resolution passed at such meeting.

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

Provided that in case of urgency the meeting notice may be sent through e-mail, or any other electronic network means.

7. Agenda of the meeting.- (1) A copy of the agenda (with notes, if any) shall be circulated to all the members of the Board, before the date fixed for the meeting, except where a meeting has been called by the Chairman for transaction of emergent business.

(2) The papers connected with the items of agenda shall be made available, if required, at the time of meeting.

(3) Notwithstanding anything contained in sub-regulation (1), any matter not included in the agenda of the meeting of the Board, on which decision of the Board is urgently required may, with the approval of the Chairman be placed before the Board at such meeting and the Board may consider such matter.

(4) Any member desiring to ask any information relating to any of the items of the agenda of the meeting or any other point concerning the affairs of the Board, shall give adequate notice to enable the Chief Executive Officer, to collect the necessary information.

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

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

Provided that no business shall be transacted in any adjourned meeting other than that left undisposed off at the previous meeting.

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

10. Order of business at a meeting.- The items of business at a meeting of the Board shall generally be shown in the following order namely:-

- (i) confirmation of the minutes of the previous meeting;
- (ii) reports of action taken on the decision at the previous meeting;
- (iii) matters relating to urgent official business brought forward by the Chairman or Vice-chairman;
- (iv) any resolution regarding change of agenda;
- (v) resolutions;
- (vi) statement of receipts and expenditure;
- (vii) progress Report;
- (viii) items such as budget, plans, programmes and audit reports;

- (ix) any matter which the State Government or any other officer authorized by the State Government in this behalf may require the Board to consider;
- (x) any other matter which may be brought up at the meeting with the permission of the Chairman or Presiding Authority.

11. Ordinary business to be transacted according to agenda, except with the permission of Presiding Authority.- (1) No business which is not entered in the agenda, shall be transacted at any meeting.

(2) The business to be transacted at any meeting shall be taken up in the order in which it is entered in the Agenda:

Provided that in granting permission for priority for transacting any business, the decision of Presiding Authority shall be final.

12. Conduct of members during meeting.- (1) A member who desires to make any observation on any matter before the meeting shall, if called upon by the Presiding Authority, address his remarks to Presiding Authority.

(2) A member shall confine his speech strictly to the question before the meeting and shall cease to make remarks which are held by the Chairman to be irrelevant or offensive.

13. Moving of Resolution.- A member who wishes to move any resolution, shall send a notice of such resolution together with a brief covering note setting out there in the reasons in support of resolution to the Chief Executive Officer, at least seven days in advance of the meeting, so as to enable the Chief Executive officer to include the resolution in the agenda:

Provided that the Chairman may at his discretion, allow such resolution to be moved in a meeting, though the notice of the resolution is not received in time for inclusion in the agenda.

(2) Any resolution on which the decision of the Board is urgently required may be circulated to the members and if it is approved by majority

of members of the Board, it shall be deemed to have passed as are solution at a meeting of the Board duly convened. Such decision shall be placed before the next meeting of the Board for ratification.

14. Resolution to be voted on conclusion of debate.- (1) The Presiding Authority may, on conclusion of a debate on the resolution, or at any time when the Presiding Authority is satisfied that the resolution has been sufficiently discussed, put the same to the vote of the meeting. Against all resolution passed at a meeting a remark shall be made in the minutes of the meeting as passed by majority, or as passed unanimously, as the case may be.

(2) (i) when there are one or more amendments to a resolution the Presiding Authority shall first put to vote the amendment or amendments one by one;

(ii) if all amendments are lost, the Chairman or the Presiding Authority shall put resolution to vote;

(iii) if any amendments or amendments are carried, the Presiding Authority shall put to vote the resolution incorporating the amendment or amendments which have been carried together;

(iv) the Presiding Authority may group together the amendments which are substantially the same.

(3) the resolution with or without an amendment or amendments as finally carried under sub-regulation (2), shall be considered to be the decision of the Board.

15. Manner of taking votes.- (1) The vote shall be taken by raising of hands, but if the majority of members present so decide, the votes shall be taken by ballot.

(2) Any member present at a meeting may refrain from voting if he so choose.

(3) Every question to be voted shall be first put to vote for ascertaining the number of members which are in favour of the question and subsequently for ascertaining the number of members who are against the question.

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

17. Recording minutes of a Meeting.- (1) The decision reached in the meeting shall be recorded and complied with by the Chief Executive Officer in an appropriate manner.

(2) The Chief Executive officer shall keep and maintain a minute book which shall contain the names of the members and officers of the Board present at a meeting, the minutes duly signed by the Presiding Authority of such meeting and confirmed by the Board. Each page of the minute book compiled in the register shall be initiated or signed by the Chief Executive officer in a top corner of each page after it is passed. A copy of the approval minutes shall be sent to the Chairman and all other members and State Government and any other concerned Authority which the Chief Executive officer may think fit, within seven days after its approval.

(3) The minutes book shall be kept in the safe custody of the Chief Executive officer, and shall be open to inspection at all reasonable times by any member of the Board and the authorized representative of the State Government.

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

19. Corrections of errors in the minutes.- If any member present draws the attention of the Presiding Authority of the previous meeting to any portion of the minutes of the proceedings of the previous meeting as being

erroneously entered in the minutes, such amendment, as such Presiding Authority deems proper, shall be made before the minutes are confirmed by the Board.

Chapter-III

Meeting of Committees

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

21. Manner of service of Notice.- The manner of service of notice of meeting of the committee shall be the same as that for the meeting of the Board.

22. All members to be present at Meeting.- No business shall be transacted at any meeting of the Committee, unless all members of the committee are present.

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

24. Record.- A written record of the proceedings of every meeting of the committee shall be kept and maintained by the Chief Executive officer.

25. Proceedings of meeting to be signed.- All the members of the committee shall affix their signatures to the record of the proceedings of the meetings of committee.

26. Maintenance of record of proceedings.- The Chief Executive officer shall maintain the record of proceedings of each meeting.

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

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

By Order and in the name of the
Governor of Karnataka,

(SHIVASHARANAPPA PATIL)
Under Secretary to Government,
Public Works, Ports and Inland Water
Transport Department (Ports).

To:-

- 1) The Compiler, Karnataka Gazette, Bangalore to publish the Government Notification in the Gazette and to supply 100 copies to this Department.

Copy to:-

- 1) The Accountant General (A & E), Karnataka, Bengaluru.
- 2) The Additional Chief Secretary to Government and Development Commissioner, Vidhana Soudha, Bengaluru.
- 3) The Additional Chief Secretary to Hon'ble Chief Minister, Vidhana Soudha, Bengaluru.
- 4) The Joint Secretary, Ministry of Shipping, Government of India, New Delhi
- 5) The Additional Chief Secretary to Government, Finance Department, Vidhana Soudha
- 6) The Additional Chief Secretary to Government, Home Department, Vidhana Soudha
- 7) Chief Executive Officer, Karnataka Maritime Board, Karwar.
- 8) The Secretary to Government, Department of Parliamentary Affairs and Legislation, Vidhana Soudha
- 9) The Inspector General of Police, Internal Security Wing, Incharge of Coastal Security.
- 10) The Director, Ports and Inland Water Transport Department, Karwar.
- 11) The Director, Fisheries Department, V.V. Tower, Bengaluru.
- 12) The Naval Officer incharge, INS Kadamba, Karwar, Uttara Kannada District.
- 13) The Commander, The coast guard district, Headquarters, No.3, New Mangalore.
- 14) The Commissioner of Customs, Bangalore, Karnataka.
- 15) P.S. to Chief Secretary to Government, Vidhana Soudha, Bengaluru.
- 16) P.S. to Additional Chief Secretary to Government, Public Works, Ports & Inland Water Transport Department.
- 17) P.S. to Secretary to Government, Public Works, Ports & Inland Water Transport Department.
- 18) Section Guard File/Spare copies.