REGULATIONS

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THE MARINE PRODUCTS EXPORT DEVELOPMENT AUTHORITY

NOTIFICATION NO.1/6/2000-EP (MP) DATED 12TH OCTOBER 2001

In exercise of the powers conferred by Section 34 of the Marine Products Export Development Authority Act, 1972 (13 of 1972), the Marine Products Export Development Authority hereby makes the following revised regulations, the same having been approved by the Central Government as required by Sub-section (3) of the said section, namely: -

CHAPTER – I

Preliminary

1. Short title and commencement

(1) These regulations may be called the Marine Products Export Development Authority Regulations, 2001.

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

2. Definitions

In these regulations, unless the context otherwise requires:-

(i) "Act" means the Marine Products Export Development Authority Act, 1972 (13 of 1972);

(ii) "Committee" means any of the Committees appointed by the Authority under Section 8;

(iii) "Executive Committee", "Export Promotion Committee" and "Technical Committee" means respectively the Executive Committee, the Export Promotion Committee and the Technical Committee appointed by the Authority under Section 8;

(iv) "Secretary" means the Secretary of the Authority appointed under Section 7;

(v) "Section" means a section of the Act;

(vi) "Vice-Chairman" means the Vice-Chairman of the Authority;

(vii) "Year" means the financial year commencing on the first day of April and ending with the 31st day of March next following.

CHAPTER – II

Procedure for meetings of the Committees

3. Power to call meetings

(1) The Chairman of the Committee concerned may, at any time, call a meeting of the Committee and shall do so if a requisition for a meeting of the Committee is presented to him in writing by at least one half of the total number of members of that Committee.

(2) The Chairman of a Committee may require any officer of the Authority or invite any other person to attend any of the meetings of the Committee but the officer or person so required or invited shall not be entitled to vote at such meetings.

(3) At least ten clear days before any meeting of a Committee, notice of the time and place of intended meeting signed by the Secretary shall be left at, or posted to, the address of every member of the Committee:

Provided that in cases of emergency, special meetings of a Committee may be summoned at any time by its Chairman, who shall inform in advance the members thereof the subject matter for discussions and the reasons for which he considers the summoning of such meeting urgently:

Provided further that no ordinary business shall be transacted at such special meetings of a Committee.

(4) Notices of every meeting of a Committee shall be sent to the Central Government also.

4. Agenda

(1) The Chairman of the Committee concerned shall cause to be prepared and circulated to all the members of the Committee, at least ten days before a meeting of the Committee, a list of business to be transacted at such meeting.

(2) No business, not included in the agenda, shall be transacted at a meeting of a Committee without the permission of its Chairman.

(3) A copy of such agenda shall be sent to the Central Government also.

5. Quorum

(1) No business shall be transacted at a meeting, of the Executive Committee, the Export Promotion Committee or the Technical Committee unless

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there are present, at such a meeting a majority of members of the Committee of which at least one shall be an elected member thereof.

(2) The quorum for a meeting of any Committee, other than a committee referred to in Sub-regulation (1), shall be one half of the total number of members of such Committee.

(3) If at any time, the number of members present in a meeting of a Committee is less than the number specified in Sub-regulation (1) or determined under Sub-regulation (2) as the case may be, the person presiding shall adjourn the meeting to a date not earlier than seven days from the date of the meeting and inform all the members of the adjourned Committee about the date, time and place of the adjourned meeting and it shall thereupon be lawful for a person presiding to dispose of at such adjourned meeting the business intended to be transacted at the original meeting irrespective of the number of the members attending.

6. Presiding officer of meetings

(1) The Chairman shall preside over the meetings of the Executive Committee, the Export Promotion Committee and the Technical Committee and in the absence of the Chairman, at any meeting of the said Committees, the Vice-Chairman shall preside over the meeting.

(2) In the absence of the Chairman and Vice-Chairman at any meeting of the Committees referred to in Sub-regulation (1), a person elected by the members of the Committee from amongst themselves shall preside over such meeting.

(3) The meetings of any Committee, other than a Committee referred to in Sub-regulation (1) shall be presided over by the person appointed as its Chairman:

Provided that in the absence of such person, a person elected by the members of that Committee from amongst themselves shall preside over such meetings.

7. Voting

(1) All questions which may come up for decision before a meeting of any Committee shall be decided by a majority of the members thereof present and voting at such meeting and in the event of an equality of votes, the person presiding over such meeting shall have a second or casting vote.

(2) All votes at a meeting shall be taken by show of hands unless the person presiding over such meeting decides that the votes shall be taken by ballot.

8. Business by circulation of papers

(1) Any business which has to be transacted by a Committee, if the Chairman thereof so considers necessary, be referred to the members of such Committee (other than the members who are absent from India) by circulation of papers.

(2) Any proposal or resolution circulated under Sub-regulation (1) and approved by a majority of the members of such Committee who have recorded their views in writing shall be as effectual and binding as if such proposal or resolution were decided by the majority of the members of such Committee at a meeting:

Provided that if three members of such a Committee require that the proposal or resolution be referred to members at a meeting of the Committee, the proposal or resolution shall be placed at a meeting of the Committee.

(3) Where a proposal or resolution is referred to the members of Committee by circulation of papers, a period of not less than ten days shall be allowed for the receipt of replies and such period shall be reckoned from the date on which such proposal or resolution is circulated.

(4) If a proposal or resolution is circulated under this regulation, the result of circulation shall be communicated to all the members of the Committee.

(5) All decisions arrived at by circulation of papers shall be placed at the next meeting of the Committee, for record.

(6) Copies of any proposal or resolution and the result of circulation of papers shall also be sent to the Central Government at the time of its circulation or communication, as the case may be, and to the members of the Committee.

9. Record of business

(1) A record shall be maintained by such officer as may be specified by the Chairman of all items of business transacted by the Committee and copies of such record shall be sent to the Authority.

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(2) The record of business transacted at a meeting of the Committee shall be signed by the Chairman of the Committee or the person presiding over such meeting.

(3) When a business is transacted by circulation of papers under Regulation 8, a record of business so transacted shall be signed by the Chairman.

CHAPTER – III

Travelling and other allowances payable to members of the Authority or a Committee

10. Travelling and daily allowance payable to members of the Authority and Committees

(1) Members of the Authority, other than the officials of the Central or State Government shall be entitled to payment of travelling and daily allowances for journeys undertaken by them for attending any meeting of the Authority or of any Committee at the rates admissible to Government Servant of the first grade under the rules made by the Central Government, and for the time being in force:

Provided that such members will be entitled to appropriate hotel accommodation in which case, the rate of daily allowance will be restricted as provided for in the rules made by the Central Government and for the time being in force:

Provided further that the Members of Parliament elected to the Authority under Section 4(3)(c) of the Act shall, for such journeys, be entitled to the payment of travelling and daily allowances at the rates as admissible to the Members of Parliament under the relevant rules of the Parliament, and for the time being in force.

(2) In the case of any journey performed by an official of the Central or State Government for attending any meeting of a Committee or for any other business of the Authority or a Committee, the travelling and daily allowances admissible to him shall be payable by the Authority at the rates admissible to him under the rules of the Government under which he is for the time being employed:

Provided that such officials will be entitled to appropriate hotel accommodation in which case the rate of daily allowance will be restricted as provided for in the relevant rules of the Government under which he is for the time being employed.

(3) No travelling allowance or daily allowance shall be allowed to a member of the Authority or of any Committee unless he certifies that he has not drawn any travelling or daily allowance from any other source in respect of the journey or halt, as the case may be, for which the claim is made.

(4) Travelling allowance should be payable from the usual place of residence of a member of the Authority or a Committee to the place of the meeting or the place where he has gone to attend to any business of the Authority or a Committee and back to his place of residence:

Provided that when the journey commences from or the return journey terminates at any other place, the travelling allowance shall be limited to the amount that would have been payable had the journey commenced from or terminated at the usual place of residence or to the amount payable in respect of the actual journey undertaken, whichever is less:

Provided further that in special circumstances, and with the previous approval of the Central Government, the Chairman may grant travelling allowance from places other than the usual place of residence of a member.

11. Conveyance allowance

(1) No conveyance allowance for attending any meeting of the Authority or a Committee or to any other business of the Authority or a Committee shall be paid to the members of the Authority or a Committee who draw travelling allowance or daily allowance.

(2) Notwithstanding anything contained in Sub-regulation (1), a member of the Authority or a Committee who is resident at a place where the meeting of the Authority or a Committee is held or where any other business of the Authority or a Committee is transacted may be paid the actual expenditure incurred on conveyance by him subject to a maximum of rupees five hundred per day.

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CHAPTER - IV
Delegation of Powers

12. Power to sanction expenditure

(1) An officer of the Authority in the rank of a Joint Director or a Deputy Director and an officer of the Authority specified as Head of Office by the Chairman shall have power to sanction expenditure upto five thousand rupees recurring and upto one lakh rupees non-recurring relating to schemes already approved by the competent authority and also to office contingencies, supplies and services on any single item at one time, subject to the budget provisions relating to that item.

(2) An officer of the Authority of the rank of Assistant Director shall have power to sanction expenditure upto five thousand rupees non-recurring for office contingencies, supplies and services on any single item at one time; subject to the budget provisions relating to that item.

13. Power to re-appropriate between Sub-heads of expenditure, write off losses, enter into and execute contracts and lease deeds

(1) The Chairman shall have power to re-appropriate estimated savings between Sub-heads within a head of expenditure, subject to a ceiling of 25% of the approved budget.

(2) The Chairman shall have power to write off as irrecoverable losses upto an amount of two thousand five hundred rupees. The Secretary shall have no power to write-off irrecoverable losses.

(3) The Chairman or any officer of the Authority authorised in this regard by the Authority shall have power to enter into contracts involving expenditure sanctioned by the competent authority.

(4) The Chairman shall have power to execute lease deeds and Power-of-Attorney.

(5) The Secretary or any officer of the Authority, authorised in this regard by the Chairman, shall have power to execute such lease deeds and Powers-of-Attorney, the terms and conditions of which have been approved by the Chairman.

CHAPTER - V
Conditions of Service of Officers and Employees of the Authority

14. Pay and allowances and leave and other conditions of service of officers and other employees

(1) The pay and allowances, leave, pension and retirement benefits, disciplinary proceedings and impositions of penalty, other conditions of service including age of superannuation and other facilities such as advances of pay, advances for the purchase of conveyances, construction of houses and the like, in respect of officers and employees appointed by the Authority shall, if no provision is made in these regulations, be regulated in accordance with such Rules and Regulations as are for the time being applicable to officers and employees of the Central Government of the corresponding grades or status stationed at those places:

Provided that the said officers and employees of the Authority who are in service on the date of commencement of these regulations and who are governed by the contributory provident fund scheme of the Authority shall have the option to elect to be governed either by the said pension-cum-gratuity scheme of the Authority or to continue to be governed by the said contributory provident fund scheme within a period of three months from such date:

Provided further that where any such officer or employee elects to be governed by the pension-cum-gratuity schemes, the amount representing his own contribution shall be credited to his general provident fund account and contributions made by the Authority as well as by the erstwhile Marine Products Export Promotion Council upto the date of his election, together with the interest thereon, shall form part of the funds of the Authority.

(2) No extension of service beyond the age of superannuation shall be granted by the Authority to any of its officers or employees, in cases where exceptional circumstances exist justifying such extension, except with the previous sanction of the Central Government.

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15. Controlling officers

The Chairman shall be the controlling officer in respect of his own travelling and daily allowances and of the members, officers and employees of the Authority or of any Committee:

Provided that the Chairman may appoint an officer of the Authority to be the controlling officer in respect of travelling and daily allowances for the employees of the Authority in the rank of Joint Director or below.

16. Sending persons abroad

The Authority shall not send any member or officer or employee of the Authority to places outside India, without the previous sanction of the Central Government.

17. Operation of accounts

All cheques and all orders for making deposits or investments or withdrawal of the same or for the disposal in any other manner of the funds of the Authority shall: -

(i) If the cheques or orders are for an amount exceeding ₹ 5,00,000/-, be signed by the Secretary or in his absence, any other officer nominated by the Chairman and the Chairman, and in the absence of the Chairman, such cheques shall be signed by the Secretary or any other officer nominated by the Chairman.

(ii) If the cheques or orders are for an amount not exceeding ₹ 5,00,000/-, be signed by the Secretary and an officer nominated by the Chairman, and in the absence of the Secretary, such cheques shall be signed by any two officers nominated by the Chairman.

(iii) In the case of the account operated by the Regional Offices/Centres or the Sub-Regional Offices/Centres of the Authority, the cheques for an amount not exceeding ₹ 2,00,000/- be signed by an officer of such office nominated by the Chairman.

Sd/-

CHAIRMAN

The Marine Products Export Development Authority, Kochi

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