

THE MAJOR PORT TRUSTS (AMENDMENT) ACT, 1988

No. 12 OF 1988

[29th March, 1988.]

An Act further to amend the Major Port Trusts Act, 1963.

BE it enacted by Parliament in the Thirty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Major Port Trusts (Amendment) Act, 1988.

Short title and commencement.

(2) It shall be deemed to have come into force on the 28th day of January, 1988.

38 of 1963.

2. In section 88 of the Major Port Trusts Act, 1963 (hereinafter referred to as the principal Act),—

Amendment of section 88.

(a) in sub-section (2),—

(i) in the opening portion, for the words "All moneys standing at the credit of the Board", the words "Subject to such general or special directions as the Central Government may, for the purpose of maintenance or development of major ports in the country or generally for the development of shipping and navigation, give in this behalf, all moneys standing at the credit of the Board" shall be substituted;

(ii) in clause (a), for the words "scheduled bank or banks", the words "corresponding new bank or banks" shall be substituted;

(iii) in clause (b), the word "or" shall be added at the end;

(iv) after clause (b), the following clause and *Explanation* shall be inserted, namely:—

'(c) be given as a loan to the Board of another port for the development of that port.

*Explanation.*—For the purposes of this sub-section, "corresponding new bank" means a corresponding new bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 or the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980.;

5 of 1970.  
40 of 1980.

(b) after sub-section (2), the following sub-sections shall be inserted, namely:—

“(3) Every direction issued by the Central Government under sub-section (2) shall be complied with by the Board and shall not be called in question in any court on any ground.

(4) No suit or other legal proceeding shall lie against the Central Government, the Board or any officer or other employee of the Board authorised by it in this behalf for any loss or damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of any direction issued under sub-section (2).”.

Repeal and saving.

3. (1) The Major Port Trusts (Amendment) Ordinance, 1988 is hereby repealed.

Ord. 1 of 1988.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.