

Bill No. LXXI of 2008

THE CENTRAL INDUSTRIAL SECURITY FORCE (AMENDMENT)
BILL, 2008

A

BILL

further to amend the Central Industrial Security Force Act, 1968.

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

1. (1) This Act may be called the Central Industrial Security Force (Amendment) Act, 2008.

Short title and commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

50 of 1968. 2. In the Central Industrial Security Force Act, 1968 (hereinafter referred to as the principal Act), in section 2—

Amendment of section 2.

(a) after clause (ca), the following clause shall be inserted, namely:—

'(cb) "joint venture" means a venture jointly undertaken by the Central Government or State Government with private industrial undertaking.';

(b) after clause (g), the following clause shall be inserted, namely:—

'(ga) "private industrial undertaking" means an industry owned, controlled or managed by a person other than the Central or State Government or any industrial undertaking in public sector.'

Amendment
of section 3.

3. In section 3 of the principal Act, in sub-section (1), after the words "industrial undertakings owned by that Government", the words ", joint venture or private industrial undertaking" shall be inserted.

Amendment
of section 4.

4. In section 4 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:— 10

"(1) The Central Government may appoint a person to be the Director-General of the Force and such other supervisory officers as considered necessary."

Amendment
of section 7.

5. In section 7 of the principal Act, in sub-section (2)—

(i) for the words "an Inspector-General, a Deputy Inspector-General, a Commandant, a Deputy Commandant or an Assistant Commandant", the words "such other supervisory officers as considered necessary" shall be substituted; 15

(ii) after the words "industrial undertaking", the words "joint venture or private industrial undertaking" shall be inserted.

Amendment
of section 10.

6. In section 10 of the principal Act,— 20

(i) in clause (c), after the word "safeguard", the words "any joint venture, private industrial undertaking and" shall be inserted;

(ii) in clause (h), after the words "any other duty", the words "within and outside India" shall be inserted.

Amendment
of section 14.

7. In section 14 of the principal Act,— 25

(a) in the marginal heading, after the words "public sector", the words "joint venture or private sector" shall be inserted;

(b) in sub-section (1), after the words "public sector", the words "joint venture or private sector" shall be inserted;

(c) in the proviso to sub-section (2), for the words "one month's notice", the words "three month's notice" shall be inserted. 30

Amendment
of section 15.

8. In section 15 of the principal Act, in sub-section (1), after the word "within", the words " or outside" shall be inserted.

STATEMENT OF OBJECTS AND REASONS

The Central Industrial Security Force (CISF) constituted under the Central Industrial Security Force Act, 1968 (No. 50 of 1968) provides protection and security to the Central Government Industrial Undertakings. By the amendment of 1983, the CISF was declared as an Armed Force of the Union. The amendment of the Act in 1999 enabled the Central Government to entrust any other duty to the Force and also made provision for consultancy to private sector in security matters.

2. With the growing threat of terrorist outfits, industries in the private sector and joint venture, which have contributed to the growth of economy also require security by CISF. It is therefore proposed to amend the relevant sections of the Central Industrial Security Force Act, 1968 to enable the deployment of CISF for security of private sector undertakings and joint ventures on cost reimbursement basis.

3. There are a few other amendments required for administrative reasons. Sections 4 and 7 of the Act mention specifically the ranks of the supervisory officers of the Force. It is proposed to keep a generic provision in the Act so that changes in ranks and designations will not require amendment to the Act.

4. Section 14(2) of the Act stipulates one month's notice from the management of a PSU for the withdrawal of CISF, which is considered inadequate for the force as considerable amount of logistics and administrative arrangements are involved. It is therefore proposed to enhance this notice period from one to three months.

5. Section 15 of the Act is also proposed to be amended to enable deployment of CISF outside India in Indian Embassies or UN Peacekeeping Missions, etc.

6. The Bill seeks to achieve the above objects.

NEW DELHI;

P. CHIDAMBARAM

The 15th December, 2008.

ANNEXURE

EXTRACTS FROM THE CENTRAL INDUSTRIAL SECURITY FORCE ACT, 1968
(50 OF 1968)

* * * * *

Appointment and powers of Supervisory Officers. 4. (1) The Central Government may appoint a person to be the Director-General of the Force and may appoint other persons to the Inspectors-General, Deputy Inspector-General, Commandants, Deputy Commandants or Assistant Commandants of the Force.

* * * * *

7. (1) * * * * *

Superintendence and administration of the Force. (2) Subject to the provisions of sub-section (1), the administration of the Force within such local limits as may be prescribed shall be carried on by an Inspector-General, a Deputy Inspector-General, a Commandant, a Deputy Commandant or an Assistant Commandant in accordance with the provisions of this Act and of any rules made thereunder and every supervisory officer placed incharge of the protection and security of an industrial undertaking shall, subject to any directions that may be given by the Central Government or the Director-General in this behalf, discharge his functions under the general supervision, direction and control of the Managing Director of that undertaking.

* * * * *

RAJYA SABHA

A
BILL

further to amend the Central Industrial Security Force Act, 1968.

(Shri P. Chidambaram, Minister of Home Affairs)