

THE CENTRAL INDUSTRIAL SECURITY FORCE ACT, 1968 (50 of 1968)

(As modified vide Act No.14 of 1983,
20 of 1989, 40 of 1999 and 22 of 2009)

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**THE CENTRAL INDUSTRIAL SECURITY FORCE
ACT, 1968
No.50 of 1968**

(As modified vide Act No.14 of 1983,
20 of 1989, 40 of 1999 and 22 of 2009)

An Act to Provide for the constitution and regulation of an armed force of the Union for the better protection and security of Industrial Undertakings owned by the Central Government and certain other Industrial Undertaking, employees of all such Industrial Undertakings and to provide technical consultancy services to industrial establishments in the private sector and for matters connected therewith)

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:-

1. **Short title, extent and commencement.**— (1) This Act may be called the Central Industrial Security Force Act, 1968.

(2) It extends to the whole of India.

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

2. **Definitions** (1) In this Act, unless the context otherwise requires -

(a) "Director-General" means the Director-General of the Force appointed under section 4;

(aa) "enrolled member of the Force" means any subordinate officer, under officer or any other member of the Force of a rank lower than that of an under officer;

(ab) "Force" means the Central Industrial Security Force constituted under section 3;

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(ac) "Force custody" means the arrest or confinement of a member of the Force in accordance with rules made under this Act.

(b) "industrial undertaking" means any undertaking pertaining to a scheduled industry and includes an undertaking engaged in any other industry, or in any trade, business or service which may be regulated by Parliament by law;

(c) "industrial undertaking in public sector" means an Industrial Undertaking owned, controlled or managed by -

(i) a Government company as defined in section 617 of the Companies Act, 1956 (1 of 1956);

(ii) a corporation established by or under a Central Provincial or State Act, which is controlled or managed by the Government;

(ca) "industrial establishment" means an industrial undertaking or a company as defined under section 3 of the Companies Act, 1956 or a firm registered under section 59 of the India Partnership Act, 1932 which is engaged in any industry, or in any trade, business or service;

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

(d) Omitted...

(e) 'Managing Director' in relation to an Industrial undertaking, means the person (whether called a managing agent, general manager, manager, chief executive officer or by any other name) who exercises control over the affairs of that undertaking;

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(f) "members of the Force" means a person appointed to the Force under this Act..

(g) "prescribed" means prescribed by rules made under this Act;

(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.

(h) "schedule industry" means any industry engaged in the manufacture or production of the articles mentioned in the First Schedule to the Industries (Development and Regulations Act. 1951); (65 of 1951)

(ha) "subordinate officer" means a person appointed to the Force as an Inspector, a Sub-Inspector or an Asstt.Sub. Inspector.

(i) "supervisory officer" means any of the officers appointed under Section 4 and includes any other officer appointed by the Central Government as a Supervisory Officer of the Force.

(j) "under officer" means a person appointed to the Force as a Head constable, Naik or Lance Naik.

(2) Any reference in this Act to a law which is not in Force in any area shall, in relation to that area, be construed as a reference to the corresponding law, if any, in force in that area."

3. Constitution of the Force :- (1) There shall be constituted and maintained by the Central Government an armed Force of the Union to be called Central Industrial Security Force for the better protection and security of Industrial undertakings owned by that Government, joint venture or private industrial undertaking and to perform such other duties as may be entrusted to it by the Central Government.

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(2) The Force shall be constituted in such manner, shall consist of such number of supervisory officers, subordinate officers, under Officers and other enrolled members of the Force who shall receive such pay and other remuneration as may be prescribed.

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

(2) The Director General and every other supervisory officers so appointed shall have, and may exercise, such powers and authority as provided by or under this Act.

5. **Appointment of enrolled members of the Force:-**The appointment of the enrolled members of the Force shall rest with the Director General who shall exercise the powers in accordance with rules made under this Act.

Provided that the powers of appointment under this section may also be exercised by such other supervisory officer as the Central Government may by order specify in this behalf.

6. **Certificates of Members of the Force:-** (1) Every enrolled members of the Force shall receive on his appointment a certificate in the form specified in the Schedule, under the seal of the Director-General or such other supervisory officer as the Director General may specify in this behalf, by virtue of which the person holding such certificate shall be vested with the powers of an enrolled member of the Force.

(2) Such certificate shall cease to have effect whenever the person named in it ceases for any reason to be an enrolled member of the Force.

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7. Superintendence and administration of the Force: - (1) The superintendence of the Force shall vest in the Central Government, and subject thereto and to the provision of this Act and of any rules made thereunder, the command, supervision and administration of the Force shall vest in the Director General.

(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 such other supervisory officers as considered necessary in accordance with the provisions of this Act and of any rules made thereunder and every supervisory officer placed in charge of the protection and security of an industrial Undertaking, joint venture or private industrial undertaking shall, subject to any direction 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.

8. Dismissal, removal etc. of enrolled members of the Force:- Subject to the provisions of article 311 of the Constitution and to such rules as the Central Government may make under this Act supervisory officer may -

- (i) dismiss, remove, order of compulsory retirement or reduce in rank any enrolled member of the Force whom he thinks remiss or negligent in the discharge of his duty, or unfit for the same; or
- (ii) award any one or more of the following punishments to any enrolled member of the Force who discharges his duty in a careless or negligent manner, or who by any act of his own renders himself unfit for the discharge thereof, namely :-
 - (a) fine to any amount not exceeding seven days pay or reduction in pay scale;
 - (b) drill, extra guard, fatigue or other duty.
 - (c) removal from any office of distinction or deprivation of any special emolument.
 - (d) withholding of increment of pay with or without cumulative effect.
 - (e) withholding of promotion.
 - (f) Censure.

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9. **Appeal and revision:-** (1) Any "enrolled" member of the Force aggrieved by an order made under section 8 may within thirty days from the date on which the order is communicated to him prefer an appeal against the order to such authority as may be prescribed, and subject to the provisions of sub section (2A), sub section (2B) and sub-section (3), the decision of the said authority thereon shall be final: Provided that the prescribed authority may entertain the appeal after the expiry of the said period of thirty days, if he is satisfied that the appellant was prevented by sufficient cause from filling the appeal in time.

2) In disposing of an appeal the prescribed authority shall follow such procedure as may be prescribed. (2A) Any enrolled members of the Force aggrieved by an order passed in appeal under sub-section (1) may, within a period of six months from the date on which the order is communicated to him, prefer a revision petition against the order to such authority as may be prescribed and in disposing of the revision petition, the said authority shall follow such procedure as may be prescribed.

(2B) The authority, as may be prescribed for the purpose of this sub-section, on a revision petition preferred by an aggrieved enrolled member of the Force or suo-moto, may call for, within a prescribed period, the records of any proceeding under section 8 of sub-section(2) or sub-section (2A) and such authority may, after making inquiry in the prescribed manner, and subject to the provisions of this Act, pass such order thereon as it thinks fit."

(3) The Central Government may call for an examine the record of any proceeding under section 8 or under sub-section (2), sub section (2A) or sub section (2B) of this section and may make such inquiry or cause such inquiry to be made and subject to the provisions of this Act, may pass such order thereon as it thinks fit; Provided that no order imposing an enhanced penalty under sub-section (2) or sub-section (3) shall be made unless a reasonable opportunity of being heard has been given to the person affected by such order.

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10. **Duties of member of the Force:-** It shall be the duty of every member of the Force -

a) Promptly to obey and execute all orders lawfully issued to him by his superior authority;

(b) to protect and safeguard the Industrial Undertaking owned by the Central Government together with such other installations as are specified by that Government to be vital for the carrying on of work in those Undertakings, situate within the local limits of his jurisdiction: Provided that before any installation not owned or controlled by the Central Government is so specified, the Central Government shall obtain the consent of the Government of the State in which such installation is situate;

(c) to protect and safeguard any joint venture, private industrial undertaking and such other Industrial Undertakings and installation for the protection and security of which he is deputed under section 14;

(d) to protect and safeguard the employees of the Industrial Undertakings and installations referred to in clauses (b) and (c)

(e) to do any other act conducive to the better protection and security of the industrial undertakings and installations referred to in clauses b)and (c) and the employees referred in clause (d);

(f) to provide technical consultancy services relating to security of any private sector industrial establishment under section 14A.

(g) to protect and safeguard the organizations owned or funded by the Government and the employees of such organizations as may be entrusted to him by the Central Government.

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(h) any other duty within and outside India which may be entrusted to him by the Central Govt. from time to time.

11. Power to arrest without warrant: -

(1) Any member of the Force may, without any order from a magistrate and without a warrant, arrest -

(i) any person who voluntarily cause hurt to, or attempts voluntarily to cause hurt to, or wrongfully restrains or attempts wrongfully to restrain or assaults, or uses, or threatens or attempts to use criminal force to any employee, referred to in clause (d) of section 10, or to him or any other member of the Force, in discharge of his duty as such employee or in execution of his duty as such member, as the case may be, or with intention to prevent or to deter him from discharging his duty as such member, or in consequence of anything done or attempted to be done by him in the lawful discharge of his duty as such member.

(ii) any person who has concerned in, or against whom a reasonable suspicion exists of his having been concerned in or who is found taking precautions to conceal his presence under circumstances which afford reason to believe that he is taking such precautions with a view to committing, a cognizable offence which relates to property longed, to or in the premises of any Industrial Undertaking referred to in clause (b) and (c) of section 10, or relates to the other installations, or to property in the premises of the other installations, referred to in those clauses;

(iii) any persons who commits or attempts to commit a cognizable offence which involves or which is likely to involve danger to the life of any person engaged in carrying on any work relating to any Undertaking or installations referred to in clauses (b) and (c) of section 10.

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(2) If any person is found trespassing on the premises of any Industrial Undertaking referred to in clauses (b) and (c) section 10, he may without prejudice to any other proceedings which may be taken against him be removed from such premises by any member of the Force.

12. **Power to search without warrant:** - (1) Whenever any member of the Force not below the prescribed rank has reason to believe that any such offence as is referred to in section 11 has been or is being committed and that a search warrant cannot be obtained without affording the offender an opportunity of escaping or of concealing evidence of the offence, he may detain the offender and search his person and belongings forthwith and, if he thinks proper, arrest any person whom he has reason to believe to have committed the offence.

(2) The provisions of the Code of Criminal Procedure, 1973(2 of 1974) relating to searches under that Code shall, so far as may be, apply to searches under this section.

13. **Procedure to be followed after arrest:**-Any member of the Force making an arrest under this Act, shall, without unnecessary delay, make over the person so arrested to a police officer, or in the absence of a police officer, take such person or cause him to be taken to the nearest police station together with a report of the circumstances occasioning the arrest.

14. **Deputation of the Force to industrial undertaking in public sector, joint venture or private sector:**-(1) Subject to any general directions which may be issued, by the Central Government, it shall be lawful for the Director General on a request received in this behalf from the Managing Director concerned, of an industrial Undertaking in public sector, joint venture or private sector, showing the necessity thereof to depute such number of members of the Force as the Director General may consider necessary for the protection and security of that industrial undertaking and any installations attached thereto and the members of the Force so deputed shall be at the charge the Managing Director.

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Provided that in the case of an Undertaking owned, controlled or managed:

(i) by a Government company of which the Central government is not a member.

(ii) by a corporation established by or under a Provincial or State Act. No such request shall be entertained unless it is made with the consent of the Government of the State in which the Undertaking is situate.

(2) If the Director General is of the opinion that circumstance necessitating the deputation of the member of the Force in relation to an Industrial Undertaking under sub section (1) have ceased to exist or for any other reason it is necessary so to do, he may, after informing the Managing Director of that Industrial Undertaking, withdraw the member of the Force so deputed. Provided that the Managing Director may, on giving three month's notice in writing to the Director General that the members of the Force so deputed shall be withdrawn, and the Managing Director shall be relieved from the charge from the date of expiration of such notice or from any earlier date on which the Force is so withdrawn.

(3) Every member of the Force, while discharging his functions during the period of deputation, shall continue to exercise the same powers and be subject to the same responsibilities, discipline and penalties as would have been applicable to him under this Act, if he had been discharging those functions in relation to an industrial undertaking owned by the Central Government.

14A(I) Subject to any general directions which may be issued by the Central Government, it shall be lawful for the Director General, on a request received from the Managing Director of an industrial establishment in the private sector or any other person authorized by him in his behalf, to direct the members of the Force to provide technical consultancy services relating to security, to such industrial establishments in such manner and on payment of such fee as may be prescribed.

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(2) The fee received under sub-section (1) shall be credited to the Consolidated Fund of India.

Explanation. - For the purpose of this section, the expression "Managing Director" in relation to an industrial establishment, means the person (whether called general manager, manager, chief executive officer, or a partner of a firm or by any other name) who exercises control over the affairs of the establishment."

15. Officers and Members of the Force to be considered always on duty and liable to be employed anywhere in India :-

(1) Every member of the Force shall, for the purpose of this Act, be considered to be always on duty, and shall, at any time be liable to be employed at any place within or outside India.

(2) Save as provided in section 14, no member of the Force shall engage himself in any employment of office other than his duties under this Act.

15A. Restrictions respecting right to form association etc:-

(1) No member of the Force shall, without the previous sanction in written of the Central Government or the prescribed authority,-

(a) be a member of, or be associated in any way with, any trade union, labour union, political associations or with any class or trade unions, labour unions or political associations; or

(b) be a member of, or be associated in any way with, any other society, institution, association or organization that is not recognized as part of the Force or is not of a purely social, recreational or religious nature, or

(c) communicate with the press or publish or cause to be published any book letter or other document except where such communication or publication is in the bona fide discharge of his duties or is of a purely literary, artistic or scientific character or is of a prescribed nature :

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Explanation: - In any question arises as to whether any society institution association or organization is of a purely social, recreational or religious nature under clause (b) of this sub-section the decision of the Central Government thereon shall be final.

(2) No member of the Force shall participate in, or address, any meeting or take part in any demonstration organized by any body of person for any political purposes or for such other purposes as may be prescribed.

16. Responsibilities of member of the Force during suspension: - A member of the Force shall not by reason of his suspension from office cease to be a member of the Force; and he shall, during that period, be subject to the same responsibilities, discipline and penalties to which he would have been subject if he were on duty.

17. Surrender of certificate arms etc., by persons ceasing to be members of the Force: -

(1) Every person who for any reason ceases to be 'an enrolled' member of the Force, shall forthwith surrender to any supervisory officer empowered to receive the same, his certificate of appointment, the arms, accoutrements, clothing and other articles which have been furnished to him for the performance of duties as an enrolled member of the Force.

(2) Any person who willfully neglects or refuse to surrender his certificate of appointment or the arms, accoutrements, clothing and other articles furnished to him, as required by sub-section (1) shall on conviction, be punished with imprisonment for a terms which may extend to one month or with fine which may extend to two hundred rupees, or with both.

(3) Nothing in this section shall be deemed to apply to any article which, under the orders of the Director General, has become the property of the person to whom the same was furnished.

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18. Penalties for neglect of duty, etc.--

(1) Without prejudice to the provisions contained in section 8, every member of the Force who shall be guilty of any violation of duty or willful breach or neglect of any Rule or regulations or lawful orders made by a Supervisory officer, or who shall withdraw from the duties of his office without permission, or who, being absent on leave, fails without reasonable cause, to report himself for duty on the expiration of the leave, or who engages himself without authority in any employment other than his duty as a member of the Force or who shall be guilty of cowardice, may be taken into Force custody and shall, on conviction, be punished with imprisonment for a term which may extend to one year.

(2) Notwithstanding anything contained, in the Code of Criminal Procedure, 1973 (2 at 1974) an offence punished under this section shall be cognizable and non-bail able.

(2A) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the Central Government may invest the Commandant with the powers of a Magistrate of any class for the purpose of inquiry into or trying any offence committed by an enrolled member of the Force and punishable under this Act, or any offence committed by an enrolled member of the Force against person or property of another member of the Force.

Provided that -

- (i) When the offender is on leave or absent from duty;
or
- (ii) when the offence is not connected with the offender's duties as an enrolled member of the Force; or
- (iii) when it is petty offence even if connected with the offender's duties as an enrolled member of the Force; or
- (iv) when, for reason to be recorded in writing, it is not practicable for the Commandant invested with the powers of a Magistrate to inquire into or try an offence,

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the offence may, if the prescribed authority within the limits of whose jurisdiction the offence has been committed so requires, be inquired into or tried by an ordinary Criminal Court having jurisdiction in the matter.

(3) Nothing contained in this section shall be construed to prevent any member of the Force from being prosecuted under any other law for any offence made punishable by that law, or for being liable under any such law to any other or higher penalty or punishment than is provided for such offence by this section.

Provided that no person shall be punished twice for the same offence.

19. Application of Act 22 of 1922 to member of the Force:- The Police (Incitement to Disaffection) Act, 1922, shall apply to members of the Force as it applies to member of a Police Force.

20. Certain Acts not to apply to Members of the Force :- Nothing contained in the payment of wages Act, 1936, or the Industrial Disputes Act 1947, or the Factories Act 1948, or any corresponding law relating to investigation and settlement of industrial disputes in force in a State shall apply to member of the Force.

21. Protection of acts of members of the Force :-

(1) In any suit or proceeding against any member of the Force for any act done by him in the discharge of his duties, it shall be lawful for him to plead that such act was done by him under the order of a competent authority.

(2) Any such plea may be proved by the production of the order directing and it is so proved, the member of the Force shall thereupon be discharged from any liability in respect of the act so done by him, notwithstanding any defect in the jurisdiction of the authority which issued such order.

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(3) Notwithstanding anything contained in any other law for the time being in force, any legal proceeding, whichever civil or criminal, which may lawfully be brought against any member of the Force for anything done or intended to be done under the powers conferred by, or in pursuance of, any provisions of this Act or the Rules there under shall be commenced within three months after the act complained of shall have been committed and not otherwise; and notice in writing of such proceeding and of the cause thereof shall be given to the person concerned and his supervisory officer at least one month before the commencement of such proceeding.

22. **Power to make rules :-** (1) The Central Government may, by notification in the Official Gazette, make Rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power such rules may provide for

- (a) regulating the classes, ranks grades, pay and remuneration of members of the Force and their conditions of service in the Force;
- (b) regulating the powers and duties of members of the Force authorised to exercise any functions by or under this Act;
- (c) fixing the period of service for Members of the Force.
- (d) prescribing the description and quantity of arms, accoutrements, clothing and necessary articles to be furnished to the Members of the Force;
- (e) prescribing the place of residence of members of the Force;

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- (f) institution, management and regulations by any fund for any purpose connected with the administration of the Force;
- (g) regulating the punishments and prescribing authorities to whom appeals shall be preferred from orders of punishment or remission of fines or other punishments, and the procedure to be followed for the disposal of such appeals;
- (gg) regulating matters with respect to Force custody under this Act including the procedure to be followed for taking person into such custody;
- (ggg) regulating matters with respect to disposal of cases relating to offences under this Act and specifying the places in which person convicted under this Act may be confined;
- (gggg) prescribing authority under sub-section (2A) of section 9 and the procedure to be followed by such authority in disposing of the revision petition;
- (ggggg) prescribing authority under sub-section (2B) of section 9, the period within which such authority may call for the records and the manner in which such authority may make inquiry.
- (h) the terms and conditions subject to which member of the Force may be deputed under section 14 and the charges there for;
- (hh) the manner in which and the fee on payment of which the technical consultancy services shall be provided under sub-section (1) of section 14A; and
- (i) any other matter which has to be or may be prescribed or in respect of which rules are required to be made under this Act.

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(3) Every rules made under this section shall be laid as soon as possible may be after it is made before each House of Parliament while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions and before its expiry of the session immediately following the session or the successive aforesaid both House agree in making any modification in the rule, or both Houses agree in making any modification in the rule, or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE SCHEDULE
(See Section 6)

A. B. has been appointed an enrolled member of the Central Industrial Security Force under the Central Industrial Security Force Act, 1968, and is vested with the powers, functions and privileges of an enrolled member of the Force.

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APPENDIX
THE CENTRAL INDUSTRIAL SECURITY FORCE
(AMENDMENT) ACT, 1983
(14 of 1983)

14. (1) The force constituted under the Principal Act as functioning immediately before the commencement of this Act (hereafter in this section referred to as the existing Force) shall, on such commencement, be deemed to be the force constituted under the principal Act amended by this Act, and every member of the existing force holding immediately before such commencement an office mentioned in column (1) of the Table below shall, on such commencement, be deemed to have been appointed to the office mentioned in the corresponding entry in column (2) of the said Table.

TABLE

1.	Chief Security Officer	Commandant
2.	Deputy Chief Security Officer	Deputy Commandant
3.	Security Officer	Assistant Commandant
4.	Head Security Guard	Head Constable
5.	Senior Security Guard	Naik
6.	Security Guard	Constable

(2) Notwithstanding anything contained in sub-section (1), any member of the existing Force may, within thirty days from the commencement of this Act, exercise his option by notice in writing to the Director General.

- (a) if such a member had been on deputation to the existing Force from any other service, to revert to such other service, and
- (b) in any other case, to retire from service, and an option so exercised shall be final, and member exercising such option shall be permitted, within thirty days from the date on which he exercises such option to revert to the service from which he had been on deputation or, as the case may be, to retire from service.

Explanation : For the purposes of this section the expression "member" includes an officer, and the expression "Director General" shall have the same meaning as in the principal Act as amended by this Act.