

*Rep. by Act 52 of 1964, s. 2 + sec. I (w.e.f. 29.12.64)*

THE INDUSTRIAL EMPLOYMENT (STANDING  
ORDERS) AMENDMENT ACT, 1961

No. 16 OF 1961

[2nd May, 1961]

An Act further to amend the Industrial Employment (Standing Orders) Act, 1946.

BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows:—

**Short title.** 1. This Act may be called the Industrial Employment (Standing Orders) Amendment Act, 1961.

**Amendment of section 1.** 2. In section 1 of the Industrial Employment (Standing Orders) Act, 1946 (hereinafter referred to as the principal Act), for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) It applies to every industrial establishment wherein one hundred or more workmen are employed, or were employed on any day of the preceding twelve months:

Provided that the appropriate Government may, after giving not less than two months' notice of its intention so to do, by notification in the Official Gazette, apply the provisions of this Act to any industrial establishment employing such number of persons less than one hundred as may be specified in the notification:

Provided further that nothing in this Act shall apply to any industry to which the provisions of Chapter VII of the Bombay Industrial Relations Act, 1946 apply or to any industrial establishment to which the provisions of the Madhya Pradesh Industrial Workmen (Standing Orders) Act, 1959 apply.”

**Amendment of section 2.**

3. In section 2 of the principal Act,—

(i) for clause (c), the following clause shall be substituted, namely:—

“(c) ‘Certifying Officer’ means a Labour Commissioner or a Regional Labour Commissioner, and includes any other officer appointed by the appropriate Government, by notifi-

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cation in the Official Gazette, to perform all or any of the functions of a Certifying Officer under this Act;”;

25 of 1934. (ii) in sub-clause (i) of clause (d), for the words, letter, brackets and figures ‘clause (e) of sub-section (1) of section 9 of the Factories Act, 1934’, the words, letter, brackets and figures ‘clause (f) of sub-section (1) of section 7 of the Factories Act, 1948’ shall be substituted;

63 of 1948.

(iii) in clause (e), for sub-clause (ii), the following sub-clause shall be substituted, namely:—

63 of 1948. “(ii) a factory as defined in clause (m) of section 2 of the Factories Act, 1948, or”;

34 of 1934. (iv) in sub-clause (i) of clause (i), for the words, brackets and figures “the Navy (Discipline) Act, 1934”, the words and figures “the Navy Act, 1957” shall be substituted.

62 of 1957.

4. In section 6 of the principal Act, in sub-section (1), for the words “twenty-one days”, the words “thirty days” shall be substituted. **Amendment of section 6.**

5. After section 14 of the principal Act, the following section shall be inserted, namely:— **Insertion of new Section 14A.**

“14A. The Central Government may, by notification in the Official Gazette, direct that any power exercisable by it under this Act or rules made thereunder shall, in relation to such matters and subject to such conditions, if any, as may be specified in the direction, be exercisable also by such officer or authority subordinate to the Central Government or by the State Government or by such officer or authority subordinate to the State Government, as may be specified in the notification.” **Delegation of powers.**

6. In section 15 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:— **Amendment of section 15.**

“(3) Every rule made by the Central Government under this section shall be laid as soon as 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

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in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, 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.”