

**Madhya Pradesh Industrial Employment (Standing Orders)
Amendment Ordinance, 2014**

9 of 2014

[25 October 2014]

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Promulgated by the Governor in the sixty-fifth year of the Republic of India.

An Ordinance further to amend the Madhya Pradesh Industrial Employment (Standing Orders) Act, 1961.

Whereas the State Legislature is not in session and the Governor of Madhya Pradesh is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Madhya Pradesh is pleased to promulgate the following Ordinance :-

1. Short title and commencement :-

(1) This Ordinance may be called the Madhya Pradesh Industrial Employment (Standing Orders) Amendment Ordinance, 2014.

(2) It shall come into force on the date of its publication in the Madhya Pradesh Gazette.

2. Madhya Pradesh Act No. 26 of 1961 to be temporarily amended :-

During the period of operation of this Ordinance, the Madhya Pradesh Industrial Employment (Standing Orders) Act, 1961 (No. 26 of 1961) (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in Sections 3 and 5.

3. Amendment of section 2 :-

In Section 2 of the principal Act,-(i) in sub-section (1), in clause (a), for the words "more than twenty", the words "more than fifty" shall be substituted;

(ii) after sub-section (2), the following new sub-section shall be inserted, namely:-

"(3) Nothing in this Act shall apply to an establishment or industrial entity classified as Micro Industry under the Micro, Small and Medium Enterprises Development Act, 2006 (No. 27 of 2006):

Provided that the State Government may withdraw, partially or fully, any exemption granted to any Micro Industry or category of Micro Industries, if it is satisfied that it is so required in the interest of workers."

4. Amendment of section 8 :-

In Section 8 of the principal Act, in sub-section (3), for full stop, the colon shall be substituted and thereafter the following proviso shall be added, namely:-

"Provided that where the Government has made any amendment in the Standard Standing Orders, the same shall be deemed to be duly incorporated in any award, agreement or settlement and in the certified amendments to the standing orders applicable to an undertaking."

5. Insertion of section 17-B :-

After Section 17-A of the principal Act, the following section shall be inserted, namely:-

"17-B. Composition of offences.

Notwithstanding anything contained in any other provisions of this Act, an officer authorized by the State Government in this behalf by notification may, subject to any general or special order of the State Government in this behalf, compound any offence committed for the first time or after expiry of a period of two years of commitment of previous offence (if any), either before or after institution of the prosecution, on realization of such amount of

composition fee, as he thinks fit, not exceeding the maximum amount of fine but not less than half of the maximum amount of fine for the offence as composition fee; when the offence is so compounded-

- (i) before the institution of the prosecution the offender shall not be liable to prosecution and shall, if in custody, be set at liberty;
- (ii) after the institution of prosecution, the composition shall amount to acquittal of the offender."