

APPRENTICES ACT, 1961

CHECKLIST

Object of the Act

Promotion of new manpower at skills.
Improvement/refinement of old skills through theoretical and practical training in number of trades and occupation

Applicability of the Act

Areas and industries as notified by the Central Government

Apprenticeship Advisor

Central Apprenticeship Advisor – when appointed by Central Government.

Industry

Industry means any industry or business or in which any trade, occupation or subject/field in engineering or technology or any vocational course may be specified as a designated trade

Qualification for being trained as an Apprentice

A person cannot be an apprentice in any designated trade unless

- He is not more than 14 years of age;
- He satisfies such standard of education And physical fitness as

Contract of Apprenticeship

To contain such terms and conditions as may be agreed to by the apprentice, or his guardian (in case he is a minor) and employers.

Conditions for Novation of Contract of Apprenticeship

- There exists an apprenticeship contract.
- The employer is unable to fulfil his obligation.
- The approval of the Apprenticeship Advisor is obtained.
 - Agreement must be registered with the Apprenticeship Advisor.

Period of Apprenticeship

Training to be

Determined by the

Termination of Apprenticeship

On the expiry of the period of

Apprenticeship training.

On the application by either of the parties to the contract to the

Obligations of Employers

- To provide the apprentice with the training in his trade.
- To ensure that a person duly qualified is placed in charge of the training of the apprentice.
- To carry out contractual obligations.

Sec. 11

Payment to Apprentices

The employer to pay such stipend at a rate of not less than the prescribed minimum rate as may be specified.

Number of Apprentices in Designated Trade

To be determined by The Central Government after consulting the Central Apprenticeship Council

Obligations of Apprentice

- To learn his trade conscientiously, diligently.
- To attend practical and instructional classes regularly.
- To carry out all lawful orders.
- To carry out his contractual obligations.

Health safety & Welfare measures for Apprentices

As per Factories Act or Mines Act as the case may be when undergoing training.

Hours of work

- 42 to 48 in a week while on theoretical training.
- 42 in a week while on basic training.
- 42 to 45 in a week in second year of training.
- As per other workers (in the third year).
- Not allowed to work between 10 PM to 4 AM unless approved by Apprenticeship Advisor.

Leave and Holidays

- Casual leave for the maximum period of 12 days in a year.
- Medical leave for the maximum period of 15 days and the accumulated leave upto 40 days in a year.
- Extraordinary leave upto a maximum period of 10 days in a year.

Sec. 15

Employer's liability to pay compensation for injury

As per provisions of Workmen's Compensation Act.

Sec. 16

Offences & Punishment

Imprisonment of a term upto 6 months or with fine when employer (I) engages as an apprentice a person who is not qualified for being so engaged or (ii) fails to carry out the terms and conditions of a contract of apprenticeship, or (iii) contravenes the provisions of the Act relating to the number of apprentices which he is required to engage under those provisions

Secs. 30 & 31