

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

Sec. 1

Apprenticeship Advisor

Central Apprenticeship
Advisor – when appointed
by Central Government.

Sec. 2(b)

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

Sec. 2(k)

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

May be prescribed.

Sec. 3

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.

Sec. 4

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.

Sec. 5

Period of Apprenticeship

Training to be
Determined by the
National Council

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
Apprenticeship Advisor

Sec. 6

Payment to Apprentices

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

Sec. 6

Number of Apprentices in Designated Trade

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

Sec.8

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

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