

## **APPRENTICESHIP RULES, 1962**

### CONTENTS

1. Short title and commencement
2. Definitions
3. Standard of education
4. Standards of physical fitness
- 4A. Reservation of training places
- 4B. Registration of the contract of apprenticeship
- 4C. 4C
- 4D. 4D
5. Period of apprenticeship training
6. Compensation for termination of apprenticeship
- 6A. Qualifications of persons placed in charge of the training of apprentices
- 6B. Maintenance of record of work by apprentice
7. Payment of stipend to apprentices
8. Hours of work
9. Grant of leave to apprentices
10. Records and returns

### **SCHEDULE 1 :- SCHEDULE**

### **SCHEDULE 1A :- SCHEDULE IA**

### **SCHEDULE 2 :- SCHEDULE 2**

1. Standards of Physical fitness for training
2. Height, Weight and Chest
3. Eyes
4. Ears
5. Skin
6. Speech
7. Alimentary System
8. Cardio-vascular System
9. Respiratory System
10. Genito-Urinary System
11. Skeleton System
12. Nervous System
13. Glandular System

### **SCHEDULE 2A :- SCHEDULE II-A**

### **SCHEDULE 3 :- SCHEDULE III**

## **SCHEDULE 4 :- SCHEDULE 4**

1. 1
2. 2
3. 3

## **SCHEDULE 5 :- SCHEDULE 5**

1. Obligation of Employer (both in the case of Major and Minor Trade Apprentices)
2. Obligations of Trade Apprentice (Both in case of Major and Minor Trade Apprentices) (Under section 12 of Apprentices Act, 1961)

## **SCHEDULE 6 :-TERMS AND CONDITIONS OF THE CONTRACT OF APPRENTICESHIP FOR GRADUATE, TECHNICIAN AND TECHNICIAN (VOCATIONAL) APPRENTICES**

1. 1
2. 2
3. 3
4. 4
5. 5
6. 6

### **APPRENTICESHIP RULES, 1962**

G.S.R. 1134, dated 27th August, 1962 1.-In exercise of the powers conferred by sub-section (1) of Sec. 37 of the Apprentices Act, 1961 (52 of 1961), and after consulting the Central Apprenticeship Council, the Central Government hereby makes the following rules, namely:-

#### **1. Short title and commencement :-**

The period of training shall be one year (in the case of Sandwich students, the period of training shall be as stipulated in curriculum).

#### **1 \ 1**

In the case of Trade Apprentices:

(a) Most possess a degree or diploma in engineering or technology or equivalent qualification recognized by Government of India.

OR

(b) National Apprenticeship Certificate with a minimum 5 years' experience.

#### **1 \ Short title and commencement**

..-

(1) These rules may be called the Apprenticeship Rules, 1962.

(2) They shall come into force at once.

## **2. Definitions :-**

It shall not be obligatory on the part of the employer to offer any employment to the apprentice on completion of period of apprenticeship training in his establishment nor shall it be obligatory in the part of the Apprentice to accept an employment under the employer. Note.- If, however, there is a condition in the contract of Apprenticeship that the Apprentice shall after the successful completion of training serve the employer, the employer shall, on such completion be bound to offer suitable employment to the Apprentice and the Apprentice shall be bound to serve the Employer in that capacity for such period and for such remuneration as may be specified in the contract subject to the approval of the Central Apprenticeship Adviser.

## **2 \ 2**

. In the case of Graduate Apprentices : Must hold a degree in engineering or technology or equivalent qualification as recognized by Government of India.

## **2 \ Definitions**

. --In these rules, unless the context otherwise requires,-

(a) 'Act" means the Apprenticeship Act, 1961 (52 of 1961).

<sup>1</sup>[(b) "Diploma Holder" means a person who holds a diploma in engineering or technology or equivalent qualification granted by a State Board of Technical Education, or recognized by the State Government concerned to the Central Government;

(bb) "Engineering Graduate" means a person , who-

(1) holds a degree in engineering or technology granted by-

(i) A statutory University, or

(2) has passed the Graduateship examination of professional bodies recognized by the Central Government as equivalent to a degree;  
or

(3) holds the qualifications which exempt him from Sees. A and B Examinations of the Institution of Engineers (India);]

(4) <sup>2</sup>[(bbb) "Vocational certificate holder" means a person who holds a certificate in a Vocational Course, involving two years of study after the completion of secondary stage of school education, recognised by the All India Council for Technical Education;]

(c) "National Classification of Occupations" means the National Classification of Occupations adopted by the Government of India, Ministry of Labour and Employment, Directorate-General of Employment and Training;

(d) "Registered Medical Practitioner" means a person whose name is entered in the register maintained under any law for the time being in force in any State regulating the regulation of parctitioners of medicine;

<sup>3</sup>[(dd) "Sandwich Course Student" means, student undergoing a Sandwich Course of studies at any of the technical institutions recognized for the purpose and leading to the award of degree or diploma in engineering or technology <sup>4</sup>[or certificate in vocational course];

(e) "Schedule" means a Schedule to the rules;

(f) <sup>5</sup> [\* \* \* \* ]

(g) "Standard Industrial Classification" means the Standard Industrial Classification adopted by the Government of India, Ministry of Labour and Employment, Directorate-General of Employment and Training.

1. Subs. by G.S.R. 297(E), dated 27th May, 1975.

2. Ins. by G.S.R. 785, dated 28th September, 1987 (w.e.f. 17th October, 1987).

3. Subs. by G.S.R. 297(E), dated 27th May, 1975.

4. Ins. by G.S.R. 785, dated 28th September, 1987 (w.e.f. 17th October, 1987).

5. Omitted by G.S.R. 297(E), dated 27th May, 1975.

### **3. Standard of education :-**

Every apprentice undergoing apprenticeship training in an establishment shall be a trainee and not a worker and as such the provisions of any law with respect to labour shall not apply to or in relation to such apprentice.

### **3 \ Eyes**

There should be no evidence of any morbid condition of either eye or of the lids of

either eye which may be liable to risk of aggravation or recurrence. Standard of Vision

(A) Visual acuity The minimum standard of visual acuity for all trade shall be: 6/18 in each eye or 6/12 in one eye and 6/24 in the other eye without glasses or 6/9 with glasses in both eyes. Candidates with vision in one eye only shall be rejected.

(B) Colour vision not required

## **4 \ Ears**

Hearing must be good in both ears and there should be no sign of suppurative disease. No hearing aid shall be permitted.

## **5 \ Skin**

There shall be no evidence of acute or chronic skin disease or chronic ulceration.

## **6 \ Speech**

Speech should preferably be without impediment.

## **7 \ Payment of stipend to apprentices**

..-

[(1) The minimum rates of stipend payable to trade apprentices shall be substituted as follows: Section 6 of the Act, the period of training already undergone by them in a school or other institution recognized by the National Council shall be taken into account for the purpose of determining the rate of stipend payable].

<sup>1</sup>[(1A) The minimum rates of stipend payable to graduate or technician apprentices shall be substituted as follows :

(2) The stipend for a particular month shall be paid by the 10th day of the following month.

(3) No deduction shall be made from the stipend for the period during which an apprentice remains on casual or medical leave. Stipend shall, however, not be paid for the period for which an apprentice remains on extraordinary leave.

(4) Notwithstanding anything contained in this rule, where an establishment has a system of deferred payment whereby only a portion of the stipend is paid to the apprentice every month and the balance is paid to the apprentice on the completion of the training, such establishment shall be free to continue such system

provided that the minimum amount paid to the apprentice every month shall not be less than the monthly stipend prescribed under these rules and no deduction is made from the said accumulated amount on any account. Establishments which do not already have such a system shall be free to institute a system on the same conditions.

<sup>2</sup> [(5) The continuance of payment of stipend to an apprentice shall be subject to the work the conduct of the apprentice being satisfactory.

(6) Where the work and conduct of the apprentice is not satisfactory, the employer shall report the matter to the Apprenticeship Adviser and with his consent may stop continuance of payment of stipend to the apprentice : Provided that the stipend of an apprentice shall not be stopped without intimating him the grounds therefor and giving him an opportunity of representing against the action proposed.

(7) On report being made by the employer under sub-rule (6), the Apprenticeship Adviser shall give his decision thereon, within thirty days of the receipt of the report and where the Apprenticeship Adviser does not communicate to the employer refusal to consent to the stopping of the payment of stipend within the period of thirty days, it shall be deemed that he has consented to the stopping of the stipend.]

1. Subs. by G.S.R. 863(E), dated 19th October, 1987 (w.e.f. 19th October, 1987).

2. Ins. by G.S.R. 297(E), dated 27th. May, 1975.

### **8. Hours of work :-**

1. Blood pressure should not exceed 85: diastolic and 140 systolic.
2. Candidates with low blood pressure (i.e. systolic below 100) should be rejected.
3. There should be no sign of any cardio-vascular disease.

### **9 \ Grant of leave to apprentices**

[. .-

(1) In establishments where proper leave rules do not exist or the total leave of different types admissible to their workers is less than thirty-seven days in a year, the apprentices shall be entitled to the

following kinds of leave and subject to the conditions specified under each kind of leave :

(a) Casual leave:

(i) Casual leave shall be admissible for a maximum period of twelve days in a year.

(ii) Any holidays intervening during the period of casual leave shall not be counted for the purpose of the limit to twelve days.

(iii) Casual leave not utilised during any year shall stand lapsed at the end of the year.

(iv) Casual leave shall not be combined with medical leave. If casual leave is preceded or followed by medical leave, the entire leave taken shall be treated either as medical or casual leave provided that it shall not be allowed to exceed the maximum period prescribed in respect of medical or casual leave as the case may be.

(v) Except in case of extreme urgency applications for such leave shall be made to the appropriate authority and sanction obtained prior to the availing of leave.

(b) Medical leave:

(i) Medical leave up to fifteen days for each year of training may be granted to the apprentice who is unable to attend duty owing to illness. The unused leave shall be allowed to accumulate up to a maximum of forty days.

(ii) Any holidays intervening during the period of medical leave shall be treated as medical leave and accounted for in the limits prescribed under Cl. (i).

(iii) The employer may call upon the apprentice to produce a medical certificate from a registered medical practitioner in support of his medical leave. A medical certificate shall, however, be necessary, if the leave exceeds six days.

(iv) It shall be open to the employer to arrange a special medical examination of an apprentice if he has reason to believe that the apprentice is not really ill or the illness is not of such a nature as to prevent his attendance.

<sup>1</sup>[(c) Extraordinary leave.- Extraordinary leave up to a maximum of ten days or more in a year may be granted to the apprentice, after

he has exhausted the entire casual or medical leave, if the employer is satisfied with the genuineness of the grounds on which the leave is applied for.

<sup>2</sup>[(2) In establishments where proper leave rules exist for workers, the leave to apprentices shall be granted by the employers in accordance with those rules: Provided that in the case of trade apprentices grant of such leave shall be subject to the following conditions, namely]:

(a) that every apprentice engaged in an establishment which works for five days in a week (with a total of 45 hours per week) shall put in a minimum attendance of 200 days in a year, out of which one-sixth, namely, 33 days shall be devoted to related instruction and 167 days to practical training;

(b) that every apprentice engaged in an establishment which works for 5- 1/2 days or 6 days in a week shall put in a minimum attendance of 240 days in a year, out of which one-sixth, namely, 40 days shall be devoted to related instruction and 200 days to practical training;

(c) an apprentice, who for any reason is not able to undergo training for the period specified in Cl. (a) or C3. (b), shall be given an opportunity to make up for the shortfall in the following year and shall be eligible to take the test conducted by the National Council-

(i) if he is engaged in an establishment referred to in Cl. (a) only if he has completed the period of training and has put in a minimum attendance of 600 days or 800 days according as the period of training is three years or four years; and

(ii) if he is engaged in an establishment referred to in Cl. (b) only if he has completed the period of training and has put in a minimum attendance of 720 days or 960 days according as the period of training is three years or four years.]

(3) If <sup>3</sup>[a trade apprentice] is not able to put in the minimum period of attendance specified in <sup>1</sup>[Cl.(c) of the proviso to sub-rule (2)] during the period of training for circumstances beyond his control and the employer is satisfied with the grounds for shortfall in attendance and certifies that the apprentice has otherwise completed the full apprenticeship course, he shall be considered as having completed the full period of training and shall be eligible to

take the test conducted by the National Council

(4) If <sup>3</sup>[a trade apprentice) is not able .to put in the minimum period of attendance specified in <sup>1</sup> [Cl. (c) of the proviso to sub-rule (2)] during the period of training and has not completed the full apprenticeship course, he shall not be considered as having completed the full period of training and the employer shall, rule 5, extend his period of training until he completes the full apprenticeship course and the next test is held.]

1. Subs. by G.S.R. 383, dated the 10th March, 1971.

2. Subs. by G.S.R. 297(E), dated the 27th May, 1975.

3. Subs. by G.S.R. 297(E), dated the 27th May, 1975.

### **10. Records and returns :-**

There should be no evidence of genito-urinary disease or any abnormality.

## **10 \Records and returns**

[. .-

(1) Establishments referred in items (b) and (c) of sub-clause (1) of Cl. (d) of Section 2 of the Act shall submit returns as hereinafter provided to the respective Regional Director.

(2) Establishments referred in item (b) of sub-clause (2) of Cl. (d) of Section 2 of the Act shall submit returns as hereinunder provided to the respective State Apprenticeship Adviser.

(3) Within seven days from the date <sup>1</sup>[a trade apprentice] joins an establishment, the employer shall prepare the return in Form APP-4 in Sch. III in duplicate and shall submit one return to the Regional Director or State Apprenticeship Adviser, as the case may be, and the other to the Principal or Head of the Institute where Basic Training or Related Instructions shall be imparted.

(4) As soon as <sup>1</sup>[a trade apprentice] joins the establishment the employer shall prepare an index Card (Envelope) in Form APP-1 in Sch. III in duplicate and shall submit one of the said cards to the Regional Director or State Apprenticeship Adviser, as the case may be, within a period of fifteen days of the date of registration of the contract of apprenticeship and retain the other one with him.

(5)

(a) Every employer shall maintain a record of Basic Training or

Practical Training and Related Instructions in Form APP-1-A in Sch. III. Information regarding basic training or practical training shall be based on the syllabus approved by the Central Apprenticeship Council and operations actually performed by the <sup>1</sup>[the trade apprentice] during the half-year under review. Every employer shall send a copy of this report to the Regional Director or the State Apprenticeship Adviser, -as the case may be at the end of every half year, and the said report shall be kept inside Form APP-1.

(b) In case where the basic training is given to the <sup>1</sup>[trade apprentices] at an institute set up by the Government, reports during the period of such training giving the required information, shall be furnished to the establishment by the Head of the Institute concerned in Form APP-A in duplicate.

(c) The details relating to "Trade Theory", "Workshop Calculation and science", "Engineering Drawing" and "Social Studies" shall be entered periodically in App-I-A in Sch. III by the establishment on the basis of half-yearly report which is furnished by the authorities imparting related instructions in App-I (Supplementary).

(6) At the end of each half-year every <sup>1</sup>[establishment shall in respect of trade apprentices receiving training in the establishment] submit a report in Form APP-2 in Sch. III to the Regional Director or the State Apprenticeship Adviser, as the case may be, according to the Table below along with the relevant half-yearly report in Form App-I-A in Sch. III.

(7)

(a) Every employer shall during the months of November and May, submit to the Regional Director or the State Apprenticeship Adviser, as the case may be, the particulars of such <sup>6</sup>[trade apprentices] who satisfy the minimum conditions of eligibility to appear in the ensuing Trade Test in March or September and the particulars so submitted shall be in Form APP-3 in Sch. III.

(b) Having scrutinised the eligibility of such <sup>2</sup>[trade apprentices], the Regional Director or the State Apprentices Adviser, as the case may be, shall inform the employer the programme of the trade test and name of the trade-testing centre.

(c) After receiving the information under Cl. (b), the employer shall furnish the progress reports in APP-1-A and APP-1A in Sch. III of

the eligible <sup>2</sup>[trade apprentices] to the trade Testing Officer in advance and not later than seven days before the commencement of the trade test.

(8) Every employer shall maintain a register of attendance of the <sup>2</sup>[trade apprentices] undergoing apprenticeship training in his establishment and action taken for irregular and unauthorized absence shall be recorded in the said register at the end of each month.

<sup>2</sup>[(9) On a graduate or technician <sup>11</sup>[Or technician (vocational)] apprentice joining an establishment, the employer shall prepare index cards in Form App-5 set out in Sch III. with completed bio-data and retain one card with himself and forward, within ten days from the date of the engagement of the apprentice, one card to each of the following authorities, namely:

(i) the Central Apprenticeship Adviser;

(ii) the Director, Regional Board of Apprenticeship Training concerned; and

(iii) in the case of a Sandwich Course student the technical institution concerned.

(10) Every employer shall maintain a record of the work done and the studies, undertaken by the graduate [,] technician <sup>12</sup> [and technician (vocational)] apprentices, engaged in his establishment, for each quarter and at the end of each quarter shall send a report in Form APP-6 set out in Sch. III to the Director, Regional Board of Apprenticeship Training concerned.

1. Subs. by G.S.R. 297 (E), dated 27th May 1975.

6. Subs. by G.S.R. 297 (E), dated the 27th May, 1975.

11. Ins. by G.S.R. 785, dated 28th September, 1987 (w.e.f. 17th October, 1987).

12. Ins by G.S.R. 785, dated 28th September 1987, w.e.f. 17th October 1987.

#### SCHEDULE 1

#### SCHEDULE

SI. No.	Designated Trade		Minimum Educational Qualifications Essential Desirable
1	2	3	4
6[1.	Instunnent Mechanic (Chemical Plant)		Matriculation

			passed with Science (with Physics and Chemistry) and Mathematics as subjects or its equivalent or 10th class passed with Science and Mathematics as subject under 10+2 system.
		Or	
		B. Sc. passed with Physics, Chemistry and Mathematics as subject.]]	
7[2.	Laboratory Asstt. (Chemical Plant)	Matriculation passed with Science (with Physics and Chemistry) and Mathematics as subjects or its equivalent or 10th class passed with Science and Mathematics as subjects under 10+2 system.	
		Or	
		B.Sc. passed with Physics, Chemistry and Mathematics as subjects.]	
7[3.	Attendant Operator (Chemical Plant)	Matriculation passed with Science (with Physics and Chemistry) and Mathematics as subjects or its equivalent or 10th class passed with Science and Mathematics as subjects under 10+2 system.	
		Or	
		B.Sc. passed with Physics, Chemistry and Mathematics as subjects.]	
4.	Book keeping and	Pass in	

	Accountancy	Matriculation Examination or its equivalent or the tenth class under 10+2 system with commerce as special subject.	
5.	Store Keeper (including purchaser)	8[A pass in Matriculation examination or its equivalent or pass in tenth class under 10+2 system.]	
6.	Cashier (General)	Pass in Matriculation Examination or its equivalent or the 10th class under 10+2 system with commerce as special subject.	
7.	Sales Assistant (General)		
8.	Clerk (General)		
9.	Cook (General)		
10.	Cook (Vegetarian)	Pass in Matriculation Examination	
11.	Steward	or its equivalent or tenth class	
12.	Baker or Confectioner	under the 10+2 system.	
13.	House Keeper		
14.	Hotel Clerk or Receptionist		
15.	Process Cameraman	Pass in Matriculation Examination	
16.	Retoucher Lithographic	or its equivalent or tenth class under the 10+2 system with	
17.	Engraver	Physics and Chemistry.	
18.	Mechanic (Maintenance Chemical Plant)	9[Matriculation passed with Science (with Physics and Chemistry) as one of the subjects or its equivalent or 10th class passed	

		with Science under 10+2 system.]	
19.	Boiler Attendant	10[Pass Matriculation with Science (Physics and Chemistry) and Mathematics or its equivalent or passed 10th class under the 10+2 system with Science and Mathematics as subjects.]	
20.	Fitter Structural	11Pass in Matriculation Examination with Science and Mathematics or its equivalent or tenth class pass under the 10+2 system with Mathematics and Science subjects].	
21.	Draughtsman Civil	Pass in Matriculation Examination	
22.	Draughtsman Mechanical	or its equivalent or the tenth class under the 10+2 system with	
23.	Surveuyor	Science and mathematics as elective subject.	
24.	2[Millwright/Maintenance Mechanic	Pass in Matriculation Examination with Science (Physics and Chemistry) and Mathematics or its equivalent or passed 10th class under 10+2 system with Science and mathematics as subjects].	
25. 26.	Tool and Die maker Instrument Mechanic	Pass in Matriculation Examination or its equivalent or the tenth class under the 10+2 system.	Should have had science as one of the subjects.

27.	Refrigeration and Air Conditioning Mechanic	12[Passed Matriculation Examination with Science, Physics, Chemistry and Mathematics or its equivalent or 10th class pass under 10+2 system with Science and Mathematics as subjects]	13[* * *]
28.	Electrician	14[Passed Matriculation with Science (with Physics and Chemistry) or its equivalent or passed 10th class under 10+2 system with science as one of the subjects.]	
29.	15[Hand Compositor]		
30.	16[Monokey Board Operator]	Pass in Matriculation Examination or its equivalent or the tenth class	
31.	Mono Operator	under the 10+2 system with	
32.	16[Mono Caster Operator]	proficiency' in English and any Regional language.	
33.	17[Steam Turbine Gum-Auxiliary Plant Operator-	Passed Matriculation with Science (Physics and Chemistry) and mathematics as subjects or its equivalent or passed 10th class under 10+2 system with Science and Mathematics as subjects.]	
34.	Switch Board Attendant	17[Passed Matriculation with Science (Physics and Chemistry) and Mathematics or its equivalent or passed 10th class under 10+2	

		system with Science and Mathematics as subjects.]	
35.	Mechanic Mainten (Textile Machinery)	18[Matriculation passed with Science (with Physics and Chemistry) as one of the subjects or its equivalent or 10th class passed with Science as one of the subjects].	
36.	Designer and Master Cutter	Pass in Matriculation Examination or its equivalent or the tenth class under the 10+2 system.	
37.	Fitter		
38.	Turner		
39.	Machinist	18[Passed Matriculation Examination or its equivalent or 10th class pass under 10+2 system]	19[* * *]
40.	Machinist (Grinder)	16[Passed in Matriculation with Science (Physics and Chemistry) and Mathematics or passed 10th class under 10+2 system with	20[* * *]
		Science and Mathematics as subjects.]	
41.	Lineman	Passed the 8th class Examination or	Matriculation Examination
42.	Wireman	its equivalent.	or its equivalent or the
			tenth class under the 10+2 system with Science as one of the Subjects.
43.	Mechanic (Motor Vehicle)	21[Passed matriculation or its equivalent or	

		passed 10th class under	
44.	Mechanic (Diesel)	10+2 system.]	
45.	Mechanic (Tractor)		
46.	Mechanic (Earth) Moving Machinery)		22[* * *]
47.	Plumber	Passed the 8th class Examination or its equivalent	Passed in Matriculation Examination or its equivalent to the tenth class under the 10+2 system with Science as one of the subject.
48.	23[Forger and Heat Treater	Passed matriculation or its equivalent or passed 10th class under 10+2 system]	
49.	Pattern Maker	Passed the 8th class Examination or	
50.	Moulder	its equivalent.	
51.	Sheet Metal Worker	24[Passed matriculation or passed 10th class under 10+2 system]	
52.	Carpenter		25[Passed Matriculation ex-
53.	Welder (Gas and Electric)	Passed the 8th class Examination or its equivalent.	mination with Science (Physics and Chemistry) or
54.	Brick Mason/Building Constructor.		its equivalent or 10th class pass under 10+2 system with science as one of the subjects.]
55.	25[Letter Press Machine Minder	Pass in the Matriculation Examination or its equivalent or 10th class pass under 10+2 system]	
56.	Book Binder	Passed the 8th class Examination or its equivalent.	
57.	Mechanic (Dairy Maintenance	26[Passed Matriculation with Science (Physics	

		and Chemistry) and mathematics or its equivalent or passed 10th class 10+2 system with Science subjects.]	
58.	Weaver	27[Passed 8th class or its equivalent,]	27[Passed Matriculation or its equivalent or passed 10th class under 10+2 system.]
59.	28[* * *]		
60.	Doffer-cum-Piecer	29[Passed 8th class or its equivalent]	
61.	Tenter (Drawing and Speed Fly Frames)		
62.	Winder		
30[63.	Agricultural 1[Machinery]	29[Passed Matriculation or its equivalent or passed 10th class under 10+2 system.]	
31[64.	[* * *]		
32[65.	Horticulture Assistant]	Passed the Matriculation Examination or its equivalent or the 10th class under the 10+2 system.	
66.	Motor Vehicle Body Builder	29[Passed Matriculation or its equivalent or passed 10th class under 10+2 system.]	
67.	Auto Electrician	29[Passed Matriculation with Science (Physics and Chemistry) or its equivalent or passed 10th class under 10+2 system with science.]	
68.	33[* * *]		
34[69.	[* * *]		
34[70.	[* * *]		
35[71..	[* * *]		

34[73:	[* * *]		
74.	Tailor (Men)		
75.	Tailor (Women)	Passed the 8th class Examination or	
76.	Sewing machine (Mechanic)	its equivalent.	-
77.	Tailor (General)	Passed in the Matriculation Examination or the tenth class under 10+2 system.	
78.	Knitter (Hosiery)	36[Passed Matriculation or its equivalent or passed 10th class under 10+2 System.]	
79.	Export Assistant	Passed in Matriculation Examination	
80.	Retail Distribution Assistant	tion or its equivalent or the tenth class under 10+2 system.	
81.	Sports Goods Maker (Leather)	Passed the 8th class Examination or its equivalent.	
82.	Leather good-Maker		
83.	Footwear Maker	Passed in the 8th class Examination	
84.	Finished Leather Maker	or its equivalent.	
85.	Maintenance Mechanic	36[Passed Matriculation with Science	
	for Leather Machinery	(Physics and Mathematics as	
		subjects or its equivalent or	
		passed 10th class under 10+2	
		system with Science and Mathe	
		matics as subjects.]	
86.	Shipwright (Steel)	36[Passed matriculation or its	36[Passed matriculation with
		equivalent or passed 10th class	Science (Physics and Che
		under 10+2	mistry and

		system]	mathematics or its equivalent or passed
			10th class under 10+2
			system with Science and
			Mathematics as subjects.]
87.	Pipe Fitter	36[Passed Matriculation with science	
		(Physics and Chemistry) or	
		passed 10th class under 10+2	
		system with Science and	
		Mathematics as subjects.]	
88.	Rigger	Passed 8th class Examination or its	36[Passed 8th class with
89.	Gas Cutter	equivalent	Science (Physics and Che
			mistry) and Mathematics
			as subjects or its'
			equivalent.]
90.	Shipwright (Wood)	36[Passed Matriculation or equiva	37[Passed matriculation with
		lent or passed 10th class under	Science (Physics, Chemistry
		10+2 system.]	and Mathemetics or its
			equivalent or passed 10th
			class under 10+2 system
			with Science and Mathe
			matics as subject.]
36[91.	Painter (General)]	Passed the 8th class Examination or	
		its equivalent.	
92.	Electrician Aircraft	36[Passed Matriculation with	

93.	Mechanic Radio and	Science (Physics and Chemistry) and	
	Radar Aircraft.	Mathematics or its equivalent or	
		passed 10th class under 10+2	
		system with Science and	
		Mathematics as subjects.]	
94.	Mechanic Instrument		
	Aircraft		
36[95.	Furniture and	37[Passed 8th class or its equivalent.]	37[Passed matriculation with
	Cabinet Maker		Science (Physics and
			Chemistry) or its equiva-
			lent or passed 10th class
			under 10+2 system with
			Science as one the
			subjects].
96.	38[* * *]		
97.	Sports Goods (Wood)	Passed the 8th class Examination or	
	Maker	its equivalent.	
98.	Photographer	39[Passed Matriculation with Science	
		(Physics and Chemistry) as one of	
		the subjects or its equivalent or	
		passed under 10+2 system with	
		science as one of the subjects].	
99.	Millwright (Rolling		
	Mills	Passed the 8th class Examination	
100.	Bricklayer Mechanic	or its equivalent.	
101.	Electornic Mechanic	Pass in the Matriculation	

		Examination or its equivalent or the 10th class under the 10+2 system, with Science.	
102.	[Plate maker	Pass in the Matriculation Examina	
	(Lithographic)	tion or its equivalent or the 10th	
103.	Litho-Offset	class under the 10+2 system with	
	(Machine Minder)	Physics and Chemistry as	
		subjects.]	
40[104	Beautician	Passed in the Matriculation Examina	Passed Higher Secondary
105.	Hair Dresser	tion or its equivalent or the 10th	or PUC or plus two under
106	Health and Slimming	class under the 10+2+3 system	10+2+3 system with
	Assistant	. with Biology as one of the	Biology.
		subjects.	
107.	Mechanic Mining	41[Matriculation Passed with	
	Machinery	Science (with Physics and	
108.	Sirdar (Colliery)	Chemistry) as one of the subjects	
109.	Shotfirer/Blaster	or its equivalent or 10th class	
	(Mines	passed with Science as one of the	
110.	Electrician (Mines	subjects.]	
	Colliery)		
111.	Pumance Operator	42[Passed Matriculation with Science	43[** *]
	Steel Industry	(Physics and Chemistry) and	
		Mathematics or its equivalent or	
		passed 10th class under 10+2	

		system with Science' and	
		Mathematics as subjects].	
112.	Crane Operator	Passed in Matriculation Examina	
	Overhead (Steel	tion or its-equivalent or the 10th	
	Industry)	class under the 10+2+3 system	
		with Physics and Mathematics.	
113. 114.	Rigger (Engineering and Chemical Industry 44 [Creel Boy-cum Wrapper	Passed the 8th class Examination or its equivalent. Passed 8th class or its equivalent.]	Passed 8th class or its equivalent.
115.	Boat Builder	Passed the 8th class Examination or	45[* * *] Passed in the Matriculation Examination
116.	Machanic (Marine Diesel Engines)	its equivalent.	or its equivalent or the 10th class under 10+2+3 system.
117.	Cable Jointer	Passed in Matriculation Examina	Passed Matriculation or
		tion or its equivalent or the 10th class under the 10+2+3 system.	equivalent Examination or the 10th class 10+2+3 system with Science subject.
118.	Ceramic Moulder		
119.	Ceramic Caster		
120.	Ceramic Kiln		
121.	Operator Ceramic Press		
	Operator		
122.	Ceramic moddeller	Passed the 8th class Examination	
123.	Ceramic Decorator	under 10+2+3 system or two	
124.	Clay Toy Maker	standards below Matriculation or	
125.	Moulder (Refractory)	equivalent.	
126. 127:	Glass Blower/Blowing Machine Operator		

128.	(Glass) Enamel Glazer Winder (Armature)	Pass in Matriculation Examination or its equivalent or the 10th class under the 10+2+3 system.	
129.	Watch and Clock Repair	46[Passed Matriculation or its equivalent or passed 10th class under 10+2 system.)	47[* * *]
130.	Printing (Textile)	Passed the 8th class Examination under 10+2+3 system or two standards below Matriculation or equivalent.	Passed Matriculation or its equivalent or the 10th class under the 10+2+3 system with Science and Mathe
			matics.
131.	Library Assistant/Clerk	Pass in Matriculation Examination or its equivalent or the 10th class under the 10+2+3 system.]	
48[132.	Steel Melting hand	Pass in Matriculation or its equiva-	
133.	Mill hand	lent or the 10th class under the	
		10+2+3 system with Physics,	
		Chemistry and Mathematics.	
134.	Mate (Mines)	49[Matriculation passed with science	
		(with Physics and Chemistly) as	
		one of the subjects or its	
		equivalent or 10th class passed	
		with science as one of the	
		subjects.]	
135.	Driver-cum-fitter	(i) Essential.Pass in two	

		standard below Matriculation	
		or passed the 8th class	
		examination or its equivalent.	
		(ii) Desirable.Pass in Matricu	
		lation or its equivalent or the	
		10th class pass under the	
		10+2+3 system.	
		(iii) Medical fitness.Should	
		satisfy medical fitness requi	
		rements specified by the	
		transport licensing authority.	
136.	Plastic Mould Maker	(i) Essential.Pass in Matricula	
		tion with Science and Math	
		ematics or its equivalent or	
		10th class under 10+2+3	
		system.	
		(ii) Desirable.Pass in Pre	
		university course with	
		Science and Mathematics or	
		its equivalent under 10+2+3	
		system.]	
50[137.	Electroplater	S.S.L.C or the 10th class under the	
		10+2+3 system with Science	
		subjects.	
138.	Turner (Steel	(i) Essential.Pass in two stan	
	Industry	dards below	

		Matriculation or	
		passed the 8th	
		class examina	
		tion or its	
		equivalent.	
		(ii) Desirable.Pass	
		in Matricu	
		lation or its	
		equivalent or the	
		10th class pass	
		under the	
		10+2+3 system.]	
51[139.	Painter (Marine)	Passed 8th class or	Passed 8th class
		its equivalent.	with
			Science (Physics
			and Che
			mistry) and
			Mathematics
			or its equivalent.]
52[140.	Stockman (Daily)	Passed in 10th	
		class examination	
		under 10+2	
		system of	
		education with	
		Science or its	
		equivalent.	
141.	Attendant (Operator	Passed in the 10th	
	Dairy).	class examination	
		under 10+2	
		system of	
		education with	
		science and Mathe	
142.	Pump Mechanic	matics or its	
		equivalent. Passed	
		Matriculation or its	
		equivalent or	
		passed 10th class	
		under 10+2	
		system,	
143.	Insulator Maker/Machine	Passed	
	Operator (Ceramic)	Matriculation with	
		Science (with	
		Physics and	
		Chemistry) as	
		subject or its	
		equivalent or	
		passed class 10th	
		with Science as	
		one of the subjects	
		under 10+2	
		system.	

144. 145.	Back Sizer-cum-Front Sizer Optical worker	Passed Matriculation or its equivalent or passed 10th class under 10+2 system. ; + Passed Matriculation examination or its equivalent or passed 10th class under 10+2 system.]	
53[146.	Mechanic Television (Video)	Passed 10th class under 10+2 system with Science (Physics and Chemistry) and Mathematics as subject or its equivalent.'	

SCHEDULE 1A

SCHEDULE IA

Category of Apprentices	Minimum Educational Qualification
(1)	(2)
1. Graduate apprentices ... (a) (b) (c) (d)	A degree in engineering or technology granted by a statutory University. A degree in engineering or technology granted by an institution empowered to grant such degrees by an Act of Parliament. Graduate examination of professional bodies recognized by the Central Government as equivalent to degree. A Sandwich Course Student who is undergoing training in order that he may hold a degree in engineering or technology as mentioned at (a) and (b) above.
2. Technician apprentices	(a) A diploma in engineering or technology granted by a State Council or Board of Technical Education
	established by a State Government.
	(b) A diploma in engineering or technology by a University.
	(c) A diploma in engineering or technology granted by an institute recognized by the State Government or Central Government as equivalent to (a) and (b) above.
	1[(d) [* * *]
	(e) A Sandwich Course Student who is undergoing training in order that he may hold a diploma mentioned in (a), (b) and (c) above. 2[* * *]
3[3. Technician (Vocational)	(a) A certificate in vocational course involving two years of study after the completion of the secondary stage of school education recognised by the All India Council for Technician

Apprentice	Education: (b) A Sandwich course student who is undergoing training in order that he may hold a certificate mentioned in (a) above.)
------------	---

SCHEDULE 2

SCHEDULE 2

**1. Standards of Physical fitness for training :-**

A candidate should be free from evidence of any contagious or infectious disease. He should not be suffering from any disease which is likely to be aggravated by service or is likely to render him unfit for service or to endanger the health of the public. He should also be free from evidence of tuberculosis in any form active or health.

**2. Height, Weight and Chest :-**

Candidates should satisfy the following minimum standards, namely: Height, 137 centimeters; Weight 25.4 kilograms; Chest expansion should not be less than 3.8 centimeters irrespective of size of chest: Provided that where a candidate does not satisfy the said minimum standards but is certified in writing by a Medical Officer not below the rank of an Assistant Surgeon (Gazetted), to be physically Fit for being engaged as an apprentice in a particular trade under the Apprentices Act, 1961 , he may be engaged as an apprentice in that trade.]

**3. Eyes :-**

There should be no evidence of any morbid condition of either eye or of the lids of either eye which may be liable to risk of aggravation or recurrence. Standard of Vision

(A) Visual acuity The minimum standard of visual acuity for all trade shall be: 6/18 in each eye or 6/12 in one eye and 6/24 in the other eye without glasses or 6/9 with glasses in both eyes. Candidates with vision in one eye only shall be rejected.

(B) Colour vision not required

**4. Ears :-**

Hearing must be good in both ears and there should be no sign of suppurative disease. No hearing aid shall be permitted.

**5. Skin :-**

There shall be no evidence of acute or chronic skin disease or chronic ulceration.

## **6. Speech :-**

Speech should preferably be without impediment.

## **7. Alimentary System :-**

1. Candidates should have sufficient number of natural teeth (in healthy state) for mastication.
2. Spleen should not be palpably enlarged and there should be no evidence of tenderness in the splenic area.
3. Liver should not be palpable or tender.
4. There should be no oral sepsis.
5. There should be no sugar-in urine.
6. Candidates should not be suffering from haemorrhoids, fissures in and fistulae anal hernia or bubonocele or inguino-rectal abscess or hydrocele.

## **8. Cardio-vascular System :-**

1. Blood pressure should not exceed 85: diastolic and 140 systolic.
2. Candidates with low blood pressure (i.e. systolic below 100) should be rejected.
3. There should be no sign of any cardio-vascular disease.

## **9. Respiratory System :-**

Candidates should be free from all diseases of respiratory system. There should be no deformity of chest which may cause impediment to breathing.

## **10. Genito-Urinary System :-**

There should be no evidence of genito-urinary disease or any abnormality.

## **11. Skeleton System :-**

1. The function of all limbs should be within normal limits.
2. There should be no evidence of serious deformity of the spinal column or of the extremities.

## **12. Nervous System :-**

There should be no evidence of any disease of nervous system or

of any mental disease.

### **13. Glandular System :-**

There should be no evidence of tuberculosis of other disease of the glandular system including the endocrine glands.

SCHEDULE 2A

SCHEDULE II-A

(See rule 4A)			
Sl. No.	Name of State	Ratio of Scheduled Castes Apprentices to the total Apprentices	Ratio of Scheduled Tribes Apprentices to the total Apprentices
1	2	3	4
1.	Andhra Pradesh	1:8	1:20
2.	Assam	1:17	1:9
3.	Bihar	1:7	1:11
4.	Gujarat	1:14	1:7
5.	Haryana	1:5	1:20
6.	Himachal Pradesh	1:5	1:20
7.	Jammu and Kashmir	1:12	1:20
8.	Karnataka	1:8	1:20
9.	Kerala	1:11	1:20
10.	Madhya Pradesh	1:8	1:5
11.	Maharashtra	1:17	1:17
12.	Manipur	1:50	1:3
13.	Meghalaya	1:100	1:2
14.	Nagaland		1:2
15.	Orissa	1:7	1:4
16.	Punjab	1:4	1:20
17.	Rajasthan	1:6	1:8
18.	Tamil Nadu	1:6	1:20
19.	Tripura	1:8	1:3
20.	Uttar Pradesh	1:5	1:20
21.	West Bengal	1:5	1:17
22.	Andaman and Nicobar Island	...	1:6
23.	Arunachal Pradesh		1:2
24.	Chandigarh	1: 8	1:20
25.	Dadra and	1:50	1:2

	Nagar Haveli		
26.	Delhi	1:6	1:13
27.	Goa, Daman and Diu	1:50	1:20
28.	Lakshadweep	...	1:2
29.	Mizoram		1:2
30.	Pondicherry	1:6	1:20]

**SCHEDULE 3**

SCHEDULE III

**SCHEDULE 4**

SCHEDULE 4

**1. 1 :-**

In the case of Trade Apprentices:

(a) Most possess a degree or diploma in engineering or technology or equivalent qualification recognized by Government of India.

OR

(b) National Apprenticeship Certificate with a minimum 5 years' experience.

**2. 2 :-**

In the case of Graduate Apprentices : Must hold a degree in engineering or technology or equivalent qualification as recognized by Government of India.

**3. 3 :-**

In the case of <sup>1</sup>[Technician and Technician (vocational) Apprentices] : Most hold degree or diploma in engineering or technology <sup>2</sup> [or certificate in vocational course or equivalent qualification] recognized by Government of India. The persons placed in over-all charge of training of the apprentices may be assisted by such number of, as is considered necessary, of shop floor or workshop personal who have the practical knowhow to guide the apprentices. It is desirable that the person in charge should have industrial experience. Desirable qualification in the case of I, II, and III above : Training in Central Staff Training and Research Institute/Technical Teacher Training Institute/Central Training Institute].

1. Subs. by G.S.R. 785, dated 28th September, 1987, (w.e.f. 17th October, 1987).

2. Subs. by G.S.R. 785, dated 28th September, 1987, (w.e.f. 17th October, 1987), for the words "engineering or technology".

SCHEDULE 5

SCHEDULE 5

**1. Obligation of Employer (both in the case of Major and Minor Trade Apprentices) :-**

(Under section 11 of the Apprentices Act, 1961)

(1) The employer shall make suitable arrangements in the workshop for imparting a course of practical training to the apprentice in accordance with the programme approved by the Central State Apprenticeship Adviser and the syllabus approved by the Central Government in consultation with the Central Apprenticeship Council.

(2)

(a) Such of those employer as specified in Sub-section (4) of section 9 shall make suitable arrangements to impart course of basis training to the apprentice in accordance with the syllabus approved by the Central Government in consultation with the Central Apprenticeship Council, either in separate parts of the workshop building or in a separate building set-up by the employer.

(b) Such of those employer as specified in sub-section (5) of section 9 shall make suitable arrangements in a training institute set up by Government for imparting a course of basis training to the trade apprentice in accordance with the syllabus approved by the Central government in consultation with the Central Apprenticeship Council.

(3) The employer shall release the apprentice for receiving related instructions as required by section 10 of the Apprentices Act, 1961 treating any time spent in attending such classes as part of his paid period of work.

(4)

(a) The employer shall pay stipend to the apprentice at the rate as specified in from time to time under Rule 7 of Apprenticeship Rules, 1962.

(b) The stipend for a particular month shall be paid by the 10th

day of the following month. No deductions shall be made from the stipend for the period during which the apprentice remains on casual or medical leave. Stipend shall, however, not be paid for the period for which the apprentice remains on extraordinary leave.

(5)

(a) The weekly hours of work of an apprentice while undergoing practical training shall be as follows :-

(i) the total number of hours per week shall be 42 to 48 hours (including the time spent on related instructions);

(ii) apprentice undergoing basis training shall ordinarily work for 42 hours per week including the time spent on related instructions;

(iii) apprentice during the second year of apprenticeship shall work for 42 to 45 hours per week including the time spent on related instructions;

(iv) apprentice during the third and subsequent years of apprenticeship shall work for the same number of hours per week as the workers in the trade in the establishment in which the apprentice is undergoing apprenticeship training:

(b) No apprentice, other than a short term apprentice, shall be engaged on such training between the hours of 10 P.M. and 6 P.M. except with the prior approval of the Apprenticeship Adviser who may give his approval if he is satisfied that it is in the interest of the training of the apprentice or in public interest.

(6) Where the contract of apprenticeship is terminated on account of failure on the part of the employer to carry out the terms and conditions of the contract, he shall pay to the apprentice or his guardian (in the case of a minor) compensation in accordance with the rates as specified under Rule 6 of the Apprenticeship Rules, 1982.

(7) The employer shall allow to the apprentice as under :-

(i) Causal leave for a maximum period of 12 days in a year. Any holidays intervening during the period of casual leave shall not be counted for the purpose of the limit of 12 days. Causal leave

not used during any year shall stand lapsed at the end of the years.

(ii) Medical leave upto 15 days for each year of training shall be granted to the apprentice who is unable to attend duty owing to illness. The unused leave may be allowed to accumulate upto a maximum of 40 days. Any holidays intervening during the period of medical leave shall be treated as medical leave. The employer may call upon the apprentice to produce a medical certificate from a registered medical practitioner, as defined in the Apprenticeship Rules, 1962, in support of his medical leave. A medical certificate shall, however, be necessary if the leave exceed 6 days. It shall be open to the employer to arrange a special medical examination of the apprentice if he has reason to believe that the apprentice is not really ill or the illness is not of such a nature as to prevent his attendance.

(iii) Casual leave shall not be combined with medical leave. If casual leave is preceded or followed by medical leave, the entire leave taken shall be treated either as medical or casual leave, provided that it shall not be allowed to exceed the maximum period prescribed in respect of medical or casual leave, as the case may be.

(iv) Extraordinary leave upto a maximum of 10 days or more in a year may be granted to the apprentice, after he has taken the entire casual or medical leave if the employer is satisfied with the genuineness of the grounds on which the leave is applied for.

(v)

(a) The apprentice engaged in a establishment which works forgive days in a week (with a total of 45 hours per week) shall put in a minimum attendance of 200 days in a year on training, out of which one sixth, namely, 33 days shall be devoted to related instructions and 167 days to practical training;

(b) The apprentice engaged in an establishment which works for 5/2 or 6 days in a week shall put in a minimum attendance of 240 days in a year on training out of which one sixth, namely, 40 days shall be devoted to related instructions and 200 days to practical training.

(vi) The apprentice, who for any reason is not able to undergo

training for the period specified in sub-clause, shall be given an opportunity to make up for the short fall in the following year and shall be eligible to take the test conducted by the National Council. Only if he has completed the period of training and has put in a minimum attendance of 600 days or 800 days according as the period of training is three years or four years as the case may be in an establishment which work for 5 days in a week, only if he has completed the period of training and has put in a minimum attendance of 720 days or 960 days according as the period of training is three years or four years, as the case may be, in an establishment which works for 5 1/2 days of 6 days in a week.

(vii) If the apprentice is not able to put in the minimum period of attendance specified in sub-clause (vi) during the period of training for circumstances beyond his control and the employer is satisfied with the grounds for short- fall in attendance and certifies that apprentice has otherwise completed the full apprenticeship course, he shall be considered as having completed the full period of training and shall be eligible to take the test conducted by the National Council.

(viii) If the apprentice is not able to put in the minimum period of attendance specified in sub-clause (vi) during the period of training and has completed the full apprenticeship course, he shall not be considered as having completed the full period of training and the employer shall under sub-rule (2) of rule 5 extend his period of training until he completes the full apprenticeship course and the next test is held.

(8) The employer shall allow to the apprentice such holidays as are observed in the establishment.

(9) If personal injury is caused to an apprentice by accident arising out of and in the course of his training as a apprentice, the employer shall pay to the apprentice compensation in accordance with the provisions of the Workmen's Compensation Act, 1923 , subject to the modification specified in the Schedule to the Apprentices Act, 1961.

## **2. Obligations of Trade Apprentice (Both in case of Major and Minor Trade Apprentices) (Under section 12 of Apprentices Act, 1961) :-**

(1) The apprentice shall abide by the rule and regulations of

the establishment in all matters of conduct and discipline and carry out all lawful orders of the employer and superiors in the establishment.

(2) The apprentice shall conduct himself as a trainee and not as a worker, learn his trade conscientiously and diligently and endeavour, to qualify himself as a skilled Craftsman in his trade before the expiry of the period of training. Save as provided in the Apprentices Act, 1961 , provisions of any law with respect to labour will not be applicable to him.

(3) The apprentice shall attend practical (basis and shop floor) training and related instruction classes regularly.

(4) The apprentice shall appear for periodical tests that may be conducted by the employer or other authorities concerned by the National Council for Vocational Training for award of a certificate of proficiency in the trade.

(5) In the event of premature termination of contract of Apprenticeship for failure on the part of apprentice to carry out the terms and conditions of contract, the surety or the guardian may be bound to pay the employer, such amount as may be determined by the Central/State Apprenticeship Adviser as and towards the cost of training in accordance with rates as specified under rule 6 of the Apprenticeship Rules, 1962.

(6) Except in case of extreme urgency the apprentice shall submit applications for all leave except medical leave to the appropriate authority and obtain sanction before the leave is taken.

(7) The apprentice, his/her guardian (in case of minor) declares that no other contract of apprenticeship subsists already between him and any other employer (in respect of apprentice by the guardian) and undertakes that he shall not enter into any other contract of apprenticeship with any other employer (in respect of apprentice by the guardian) before the expiry or termination of this contract of apprenticeship.

(8) The Apprentice or his/her guardian (in case of minor) shall not enter into any other contract of apprenticeship with any other employer in respect of the apprentice, mentioned in the first recital before the expiry of termination of this contract of apprenticeship.

(9) The first six months of the period of apprenticeship training shall be treated as period on probation. Either party may make an application to the Central/State Apprenticeship Adviser for the earlier termination of contract, and when such an application is made the party making the application shall send by post a copy thereof to the other party to the contract. The Central/State Apprenticeship Adviser after considering the contents of the application and objections if any, held by other party may terminate the contract if he is satisfied that the parties to the contract if any on them have or has failed to carry out the terms and conditions of the contract and that it is desirable in the interests of the parties or any of them to terminate the same. Provided that the amount as stated in paras 1(4) (a) and 11(5) of this schedule shall become payable by one party to the other according as the failure is on the part of employer or the apprentices:

Provided further that no compensation shall be payable by the employer to the guardian of the apprentice if the employer makes an application to the Central/State Apprenticeship Adviser during the period the apprentice is on probation for the termination of the contract on the ground that the apprentice on the trade in which he has been engaged and that his guardian has refused to allow him to undergo apprenticeship training in another designated trade for which he is found suitable by the employer and if the Central/State Apprenticeship Adviser, after considering the contents of the application of the employer and the objections, if any filed by the other party, is satisfied that it is desirable in the interests of the parties or any of them to terminate the contract.

(10) It shall not be obligatory on the party of the employer to offer any employment to the apprentice on completion of period of his apprenticeship training in his establishment, nor shall it be obligatory on the part of the apprentice to accept an employment under the employer. ,

(11) Any disagreement or dispute between the employer and the guardian of the apprentice arising out of the contract shall be referred to the Central/State Apprenticeship Adviser for decision and any person aggrieved by the decision of the Central/State Apprenticeship Adviser, may, within 30 days of the date of communication to him of such decision after an appeal against the decision to the Central/State Apprenticeship Council and such appeal shall be heard and determined by the

Committee of that Council appointed for the purpose. The decision of such committee shall be final.

SCHEDULE 6

TERMS AND CONDITIONS OF THE CONTRACT OF APPRENTICESHIP FOR GRADUATE, TECHNICIAN AND TECHNICIAN (VOCATIONAL) APPRENTICES

**1. 1** :-

The period of training shall be one year (in the case of Sandwich students, the period of training shall be as stipulated in curriculum).

**2. 2** :-

It shall not be obligatory on the part of the employer to offer any employment to the apprentice on completion of period of apprenticeship training in his establishment nor shall it be obligatory in the part of the Apprentice to accept an employment under the employer. Note.- If, however, there is a condition in the contract of Apprenticeship that the Apprentice shall after the successful completion of training serve the employer, the employer shall, on such completion be bound to offer suitable employment to the Apprentice and the Apprentice shall be bound to serve the Employer in that capacity for such period and for such remuneration as may be specified in the contract subject to the approval of the Central Apprenticeship Adviser.

**3. 3** :-

Every apprentice undergoing apprenticeship training in an establishment shall be a trainee and not a worker and as such the provisions of any law with respect to labour shall not apply to or in relation to such apprentice.

**4. 4** :-

( )

(i) The apprentice shall abide by the rules and regulations of the establishment in all matters of conduct and discipline and safety and carry out all lawful orders of the employer and superiors in the establishment.

(ii) the apprentice shall learn his subject field conscientiously and diligently and attend to practical and instructional classes regularly;

(iii) the apprentice shall maintain a record of his work during

the period of his apprenticeship training in a proforma approved by the Apprenticeship Adviser;

(iv) where the contract of apprenticeship is terminated for failure on the part of the apprentice to carry out terms of contract, the apprentice shall refund to the employer as cost of training such amount as may be determined by the Apprenticeship Adviser. In such event, the apprentice shall not be entitled to enter into another contract of Apprenticeship under the Act with any other employer.

(v) the contract of apprenticeship can be terminated without compensation payable by the apprentice :-

(a) if he/she secures gainful employment (on production of copy of the appointment order); and

(b) if he/she is unable to continue training on medical grounds (on production of a certificate to this effect from a Medical Officer not below to rank of Civil Surgeon).

(vi) For breach of contract by the employer, the employer shall pay compensation to the apprentice as follows :-

(vii) Continuance of payment of stipend shall depend on satisfactory performance of the apprentice during the training period.

**5. 5 :-**

(i) The employer shall make suitable arrangement in his establishment for imparting a course of apprenticeship training to the apprentice in accordance with the provisions of the Act and Rules made thereunder and with the approval of the respective Regional Central Apprenticeship Adviser.

(ii) Every employer is required to formulate a "Training Programme" for the training of Graduate/Technician/Technician Vocational) apprentices and get it approved by the respective Regional Central Apprenticeship Adviser.

(iii) The employer will arrange for a suitable person to be placed in charge of training of apprentices as laid down under the Act and Rules thereunder.

**6. 6 :-**

(i) A Graduate, Technician and Technician (Vocational) apprentice shall work according to the normal hours of work of the department in the establishment to which he/she is attached for training. They will be eligible for 12 days of Casual Leave and 15 days of Medical Leave with payment of stipend Extra-ordinary Leave upto 10 days with or without payment of stipend may be granted at the discretion of the establishment.

(ii) The stipend for a particular month shall be paid before the 10th day of the following month.] 1. Principal rules were published by GSR No. 1134, dt. 27-2-1962. 2. Amended by GSR No. 594, dated 28-3-1964. 3. Amended by GSR No. 155, dated 16-1-1965. 4. Amended by GSR No. 1242, dated 18-8-1965. 5. Amended by GSR No. 1538, dated 28-9-1966. 6. Amended by GSR No. 152, dated 24-1-1967. 7. Amended by GSR No. 1714, dated 27-10-1967. 8. Amended by GSR No. 1555, dated 12-8-1968. 9. Amended by GSR No. 1012, dated 28-7-1970. 10. Amended by GSR No. 1294, dated 26-8-1970. 11. Amended by GSR No. 2057, dated 9-10-1970. 12. Amended by GSR No. 61, dated 30-12-1970. 13. Amended by GSR No. 383, dated 10-3-1971. 14. Amended by GSR No. 1394, dated 23-10-1972. 15. Amended by GSR No. 1224, dated 15-10-1974. 16. Amended by GSR No. 297(E), dated 27-5-1975. 17. Amended by GSR No. 780, dated 9-6-1975. 18. Amended by GSR No. 459(E), dated 25-8-1975. 19. Amended by GSR No. 2462, dated 19-9-1975. 20. Amended by GSR No. 125, dated 9-1-1976. 21. Amended by GSR No. 38(E), dated 23-1-1976. 22. Amended by GSR No. 297(E), dated 27-5-1976. 23. Amended by GSR No. 1012, dated 28-7-1979. 24. Amended by GSR No. 24(E), dated 25-1-1982. 25. Amended by GSR No. 383, dated 14-5-1983. 26. Amended by GSR No. 450, dated 18-6-1983. 27. Amended by GSR No. 451, dated 18-6-1983. 28. Amended by GSR No. 220, dated 23-2-1985. 29. Amended by GSR No. 221, dated 23-2-1985. 30. Amended by GSR No. 54, dated 18-1-1986. 31. Amended by GSR No. 370, dated 24-5-1986. 32. Amended by GSR No. 1041, dated 29-11-1986. 33. Amended by GSR No. 1055, dated 6-12-1986. 34. Amended by GSR No. 115 dated 21-2-1987. 35. Amended by GSR No. 287 dated 18-7-1987. 36. Amended by GSR No. 863 dated 19-10-1987. 37. Amended by GSR No. 974 dated 10-12-1987. 38. Amended by GSR No. 716 dated 3-9-1988. 39. Amended by GSR No. 810 dated 8-10-1988