

Labour Laws: Lesson No.3

APPRENTICES ACT,1961

The Act extends to the whole of India and applies to areas and industries specified by the Union Government.

Apprentice:

Any person, including a graduate Engineer or diploma holder, who is not less than 14 years of age and satisfies the prescribed standards of education and physical fitness, can undergo apprenticeship training in the designated trade under an employer.

Designated Trade: To know the list of Designated Trade, kindly contact your Apprenticeship Council located in your area. (Central Govt. Authorities).

No. of Apprentices to be taken:

Against each Designated Trade, they have given the number of Apprentices as per Act to be taken as per ratio in relation to number of regular Technicians or Assistants engaged in your organization.

Apprentice Not a “Workman”

Remember, the Apprentices come under the Act, are not treated as Workman. No labour Law, including PF, ESI, Minimum Wages Act, Overtime, etc. is applicable to them. **They are treated as Learners.** Also do not get confused by comparing your other Trainees (who are not covered under Act). In many Organisations, they taken Trainees on their role, but do not want to apply any Labour Laws by quoting Apprentices Act clauses. This is totally wrong. Only the Apprentices covered under Act and approved by your local Apprenticeship Advisor, are treated as Apprentices, otherwise, all privileges enjoyed by the regular employees are also applicable to your Trainees who are taken under Company's Training Scheme.

In case you want to register your Training Scheme at par with Apprentices Act,1961, then make a suitable representation and get the approval from your App. Advisor.

Obligations by the Employers and Apprentices, Working Hours, Leave, Holidays, Payment of Stipend, Accident Compensation, Employment of Apprentices after Training, Compensation for Termination of Apprenticeship, Registers, Rights of Employers and Apprentices, Offences and Penalties ;

KINDLY REFER THE ACT THAT HAS BEEN GIVEN IN LABOUR LAWS BOOK OR YOU CAN PROCURE THE COPY FROM YOUR LOCAL APPRENTICESHIP ADVISOR. At the outset you have see as to whether your area where your unit is located is covered under the Act or not. Accordingly initiate action.

PS: For any query, please do not hesitate to email me. Even the said Act is not implemented in your present organization, but knowledge on this subject is very important because tomorrow you may join some manufacturing or service industry where the said Act is implemented.

