

THE APPRENTICES (AMENDMENT) ACT, 1996

No. 4 of 1997

[8th January, 1997]

An Act further to amend the Apprentices Act, 1961.

BE it enacted by Parliament in the Forty-seventh Year of the Republic of India as follows:—

52 of 1961.

1. This Act may be called the Apprentices (Amendment) Act, 1996.

Short title.

2. In the Apprentices Act, 1961 (hereinafter referred to as the principal Act), in section 2,—

Amendment of section 2.

(i) in clause (g), the following shall be added at the end, namely:—

“and where an establishment consists of different departments or have branches, whether situated in the same place or at different places, all such departments or branches shall be treated as part of that establishment”;

(ii) after clause (q), the following clause shall be inserted, namely:—

‘(r) “worker” means any person who is employed for wages in any kind of work and who gets his wages directly from the employer but shall not include an apprentice referred to in clause (aa).’

3. In section 7 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:—

Amendment of section 7.

“(4) Notwithstanding anything contained in any other provision of this Act, where a contract of apprenticeship has been terminated by the Apprenticeship Adviser before the expiry of the period of apprenticeship training and a new contract of apprenticeship is being entered into with a new employer, the Apprenticeship Adviser may, if he is satisfied that the contract of apprenticeship with the previous employer

Price : Rs. 0.00 Foreign £ 0.00 or 0.00 cents.

could not be completed because of any lapse on the part of the previous employer, permit the period of apprenticeship training already undergone by the apprentice with his previous employer to be included in the period of apprenticeship training to be undertaken with the new employer."

Amendment of section 8.

4. In section 8 of the principal Act, in sub-section (3), after the first proviso, the following proviso shall be added, namely:—

"Provided further that the Apprenticeship Adviser may, on a representation made to him by an employer and keeping in view the more realistic employment potential, training facilities and other relevant factors, permit him to engage such number of apprentices for a designated trade as is lesser than the number arrived at by the ratio for that trade, not being lesser than twenty per cent. of the number so arrived at, subject to the condition that the employer shall engage apprentices in other trades in excess in number equivalent to such shortfall."

Amendment of section 9.

5. In section 9 of the principal Act, in sub-section (8),—

(i) in clause (a), for the words "practical training, including basic training," the words "basic training" shall be substituted;

(ii) in sub-clause (i), for the words "five hundred", the words "two hundred and fifty" shall be substituted;

(iii) in sub-clause (ii), for the words "five hundred", the words "two hundred and fifty" shall be substituted.

Amendment of section 11.

6. In section 11 of the principal Act,—

(i) in clause (b), the word "and", occurring at the end, shall be omitted;

(ii) after clause (b), the following clause shall be inserted, namely:—

"(bb) to provide adequate instructional staff, possessing such qualifications as may be prescribed, for imparting practical and theoretical training and facilities for trade test of apprentices; and"

Amendment of section 31.

7. In section 31 of the principal Act, for the words "which may extend to five hundred rupees", the words "which shall not be less than one thousand rupees but may extend to three thousand rupees" shall be substituted.

Amendment of section 33.

8. In section 33 of the principal Act, after the words "Apprenticeship Adviser", the words "or the officer of the rank of Deputy Apprenticeship Adviser and above" shall be inserted.