

College: J D Women's College	Subject: Labour & Employment Laws in India
Dept: MBA	Unit/Topic: V/The apprenticeship act, 1961
Semester: 3 rd (HR specialization)	Faculty Member: Kundan Kumar Gautam

The Apprenticeship Act, 1961

Lecture Notes - 1

Introduction

The National Apprenticeship Act was launched in the year 1959 at first on voluntary basis. The Apprentices Act 1961 was then presented in the Parliament during 1961 and came into effect from 1st January 1963. The act was eventually amended in 1973 and 1986. In the starting, the Act was meant for the training of trade apprentices.

The Act describes and clarifies the connection between the various employers and apprentices. An apprentice is someone who takes training in some company to develop his skills of a specific craft or trade. The apprentices aren't considered as regular employees.

This Act attempts to make provisions for the health, protection, welfare and many others for the apprentices. It additionally includes provisions for settling disputes arising out of the agreement between the employers and the apprentices.

The onus of administering the Apprentices Act, 1961 in relation to Trade Apprentices under Central Government and Departments lies with the Central Apprenticeship Adviser/Director of Apprenticeship Training in the DGE&T, Ministry of Labour and Employment with the help of six Regional Directorates of Apprenticeship Training (RDATs).

Primary Objective of the Act

The main objective of the Apprentices Act, 1961 is to meet the rising need for proficient craftsman. The primary aim of the Apprentice Act is to give practical training to the people who're specialized in their crafts. Candidates holding Diploma and Engineering Graduates can likewise benefit from this plan. As per the announcement of Central Government the provisions of the act are applicable to any industry or any area. It is assumed by means of the Government, to use the infrastructure, space and provisions for training of apprentices.

Scheme of the Act

There are 38 Sections in general and Schedule. This Schedule is in regards to the adjustments in the Workmen's Compensation Act, 1923 with reference to its application to students under the Apprentices Act, 1961.

Apprentices

An apprentice is someone who receives training in some company to improve his skills of a specific craft. The Apprenticeship Act describes apprentices to be the ones who receive apprenticeship or practical training under an apprenticeship scheme for a specified duration. The main criteria for a person to receive an apprentice training are that he/she should have attained an age of 14 years and for the trades where safety issues are concerned to the apprentice should have attained 18 years. Other than the above-prescribed qualification, extra qualifications may be prescribed for special trades and special categories of apprentices.

The phrases and conditions of an apprenticeship are maintained and secured with the help of an apprenticeship agreement. The agreement is entered into between a business

enterprise and an apprentice. In case, an apprentice hired is a minor, his/her mother or father could enter right into the agreement with the company.

The terms and conditions which are mentioned in the agreement/contract should be mutually agreed upon by the parties for settlement. In any case, those phrases and conditions can't be detracted under this Act or be varying with the provisions of this Act.

Applicability

As per the Apprentice Act 1961, for the industries and trades which were informed by the Central Government in the Official Gazette, the act is applicable. The date of application may follow those particular circulars. Almost all the industries fall under the purview of the act. The Apprentice Act moreover may not be applicable to the special Apprenticeship programs of the government unless and until informed by the Central Government in the Official Gazette. For clearing the doubts, this act applies to those categories of apprenticeship where the practical education is necessary to the trade. 'Internships' are not covered under this act.