

Apprentices Act, 1961

Chapter 1 - Preliminary

(1) This Act may be called the Apprentices Act, 1961.

(2) It extends to the whole of India¹[***].

(3) It shall come into force on such date²as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different States.

(4) The provisions of this Act shall not apply to--

(a) any area or to any industry in any area unless the Central Government by notification in the Official Gazette specifies that area or industry as an area or industry to which the said provisions shall apply with effect from such date as may be mentioned in the notification;

³[***]

⁴[(c) any such special apprenticeship scheme for imparting training to apprentices as may be notified by the Central Government in the Official Gazette.]

1. The words "except the State of Jammu and Kashmir" omitted by Act 25 of 1968, section 2 and Schedule (w.e.f. 15-8-1968).

2. Came into force on 1-3-1962, Vide G.S.R. 246, dated 12th February, 1962, published in the Gazette of India, 1962, Pt. II, section 3 (i), p. 218.

3. Clause (a) omitted by Act 27 of 1973, section 3 (w.e.f. 1-12-1974).

4. Substituted by Act 27 of 1973, section 3, for clause (c) (w.e.f. 1-12-1974).

Section 2 - Definitions

In this Act, unless the context otherwise requires,--

¹ [(a) "All India Council" means the All India Council of Technical Education established by the resolution of the Government of India in the former Ministry of Education No. F. 16-10/44-E.III, dated the 30th November, 1945;]

² [(aa)] "apprentice" means a person who is undergoing apprenticeship training ³ [***] in pursuance of a contract of apprenticeship;

¹ [(aaa) "apprenticeship training" means a course of training in any industry or establishment undergone in pursuance of a contract of apprenticeship and under prescribed terms and conditions which may be different for different categories of apprentices;]

(b) "Apprenticeship Adviser" means the Central Apprenticeship Adviser appointed under sub-section (1) of section 26 or the State Apprenticeship Adviser appointed under sub-section (2) of

that section;

(c) "Apprenticeship Council" means the Central Apprenticeship Council or the State Apprenticeship Council established under sub-section (1) of section 24;

(d) "Appropriate Government" means,--

(1) in relation to--

(a) the Central Apprenticeship Council, or

[4](#) [(aa) the Regional Boards, or

(aaa) the practical training of graduate or technician apprentices, or technician (vocational) apprentices, or]

(b) any establishment of any railway, major port, mine or oil-field, or

(c) any establishment owned, controlled or managed by--

(i) the Central Government or a department of the Central Government,

(ii) a company in which not less than fifty-one per cent, of the share capital is held by the Central Government or partly by that Government and partly by one or more State Governments,

(iii) a corporation (including a co-operative society) established by or under a Central Act, which is owned, controlled or managed by the Central Government,

the Central Government;

(2) in relation to--

(a) a State Apprenticeship Council, or

(b) any establishment other than an establishment specified in sub-clause (1) of this clause,

the State Government;

[1](#) [(dd) "Board or State Council of Technical Education" means the Board or State Council of Technical Education established by the State Government;]

(e) "designated trade" [5](#) [means any trade or occupation or any subject field in engineering or technology] [6](#) [or any vocational course] which the Central Government, after consultation with the Central Apprenticeship Council, may, by notification in the Official Gazette, specify as a designated trade for the purposes of this Act;

(f) "employer" means any person who employs one or more other persons to do any work in an establishment for remuneration and includes any person entrusted with the supervision and control of employees in such establishment;

(g) "establishment" includes any place where any industry is carried on [7](#) [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;]

(h) "establishment in private sector" means an establishment which is not an establishment in public sector;

(i) "establishment in public sector" means an establishment owned, controlled or managed by--

(1) the Government or a department of the Government;

(2) a Government company as defined in section 617 of the Companies Act, 1956 (1 of 1956);

(3) a corporation (including a co-operative society) established by or under a Central, Provincial or State Act, which is owned, controlled or managed by the Government;

(4) a local authority;

8 [(j) "graduate or technician apprentice" means an apprentice who holds, or is undergoing training in order that he may hold a degree or diploma in engineering or technology or equivalent qualification granted by any institution recognised by the Government and undergoes apprenticeship training in any such subject field in engineering or technology as may be prescribed;

(k) "industry" means any industry or business in which any trade, occupation or subject field in engineering or technology 6 [or any vocational course] may be specified as a designated trade;]

(l) "National Council" means the National Council for Training in Vocational Trades established by the resolution of the Government of India in the Ministry of Labour (Directorate General of Resettlement and Employment) No. TR/E.P.24/56, dated the 21st August, 1956 2[and re-named as the National Council for Vocational Training by the resolution of the Government of India in the Ministry of Labour (Directorate-General of Employment and Training) No. DGET/12/21/80-TC, dated the 30th September, 1981];

(m) "prescribed" means prescribed by rules made under this Act;

1 [(mm) "Regional Board" means any Board of Apprenticeship Training registered under the Societies Registration Act, 1860 (21 of 1860) at Bombay, Calcutta, Madras or Kanpur;]

(n) "State" includes a Union territory;

(o) "State Council" means a State Council for Training in Vocational Trades established by the State Government;

(p) "State Government" in relation to a Union territory means the Administrator thereof;

6 [(PP) "Technician (vocational) apprentice" means an apprentice who holds or is undergoing training in order that he may hold 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 and undergoes apprenticeship training in any such subject field in any vocational course as may be prescribed;]

1 [(q) "trade apprentice" means an apprentice who undergoes apprenticeship training in any such trade or occupation as may be prescribed.]

9 [(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)].

1. Inserted by Act 27 of 1973, section 4 (w.e.f. 1-12-1974).

2. Clause (a) re-lettered as clause (aa) by Act 27 of 1973, section 4 (w.e.f. 1-12-1974).

3. The words "in a designated trade" omitted by Act 27 of 1973, section 4 (w.e.f. 1-12-1974).

4. Item (aa) Inserted by Act 27 of 1973, section 4 (w.e.f. 1-12-1974) and Substituted by Act 41 of 1986, section 2 (w.e.f. 16-12-1987).

5. Substituted by Act 27 of 1973, section 4, for "means a trade" (w.e.f. 1-12-1974).

6. Inserted by Act 41 of 1986, section 2 (w.e.f 16-12-1987).
7. Added by Act 4 of 1997, section 2 (w.e.f. 8-1-1997).
8. Substituted by Act 27 of 1973, section 4, for clause (j) and (k) (w.e.f. 1-12-1974).
9. Inserted by Act 4 of 1997, section 2 (w.e.f. 8-1-1997)