

Apprentices Act, 1961

Chapter 2 - Definition

-In this Act, unless the context otherwise requires,-(The original clause (a) renumbered as clause (aa) and a clause (a) inserted by Act 27 of 1973.) [(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;)](The original clause (a) renumbered as clause (aa) and a clause (a) inserted by Act 27 of 1973.) [(aa)]"apprentice" means a person who is undergoing apprenticeship training (Omitted by Act 27 of 1973) [* * *] in pursuance of a contract of apprenticeship;(Ins. by Act 27 of 1973.) [(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(Ins. by Act 27 of 1973 and subs. by Act 41 of 1986, S.2(w.e.f. 16-12-1987)) [(aa) the Regional Boards, or(aaa) the practical training of graduate or technician apprentices or of technician (vocational) apprentices, or;](b) any establishment of any railway, major port, mine or oilfield, or(c) any establishment owned, controlled or managed by -(i) the Central Government or a department of Central Government,(ii) a company in which not less than fifty-one per cent of the share capital is held by the Central Government on 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;(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;(Ins. by Act 27 of 1973.) [(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" (Subs. by Act 27 of 1973.) [means any trade or occupation or any subject field in engineering or technology [or any vocational course] (Ins. by Act 41 of 1986, S.2 (w.e.f. 16-12-1987).)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; (Ins. by Act 4 of 1997) [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 the establishments];(h) "establishment in private sector" means an establishment which is not an establishment in public sector;(i) "establishment in private sector" means an establishment which is not led 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;(Subs. by Act 27 of 1973.) [(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 [or any vocational course] (Ins. by Act 41 of 1986, S.2 (w.e.f. 16-12-1987))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 (Ins. by Act 41 of 1986, S.2 (w.e.f. 16-12-1987)) [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 30 th September, 1981;](m) "prescribed" means prescribed by the rules made under this Act;(Ins. by Act 27 of 1973.) [(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;(Ins. by Act 41 of 1986, S.2 (w.e.f. 16-12-1987)) [(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 such subject field in any vocational course as may be prescribed;](Ins. by Act 27 of 1973.) [(q) "trade apprentice" means an apprentice who undergoes apprenticeship training in any such trade or occupation as may be prescribed;](Ins. by Act 4 of 1997.) [(r) "worker" means any persons 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).]

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com