

Apprentices Act, 1961

Chapter 3 - Qualifications for being engaged as an apprentice

-A person shall not be qualified for being engaged as an apprentice to undergo apprenticeship training in any designated trade, unless he-(a) is not less than fourteen years of age, and(b) satisfies such standards of education and physical fitness as may be prescribed:Provided that different standards may be prescribed in relation to apprenticeship training in different designated trades (Ins. by Act 27 of 1973.) [and for different categories of apprentices].(Ins. by Act 27 Of 1973.) [3-A.Reservation of training places for the Scheduled Castes and the Scheduled Tribes in designated trades "(1) in every designated trade, training places shall be reserved by the employer for the Scheduled Castes and the Scheduled Tribes (Ins. by Act 41 of 1986 (w.e.f. 16-12-1987)) [and where there is more than one designated trade in an establishment, such training places shall be reserved also on the basis of the total number of apprentices in all the designated trades in such establishment].(2) the number of training places to be reserved for the Scheduled Castes and the Scheduled Tribes under sub-section (1) shall be such as may be prescribed, having regard to the population of the Scheduled Castes and the Scheduled Tribes in the State concerned.Explanation-In this section, the expressions "Scheduled Castes" and "Scheduled Tribes" shall have the meanings as in clauses (24) and (25) of Article 366 of the Constitution].(Subs. by Act 27 of 1973.) [4. Contract of apprenticeship(1) No person shall be engaged as an apprentice to undergo apprenticeship training in a designated trade unless such person or, if he is minor, his guardian has entered into a contract of apprenticeship with the employer.(2) The apprenticeship training shall be deemed to have commenced on the date on which the contract of apprenticeship has been entered into under sub-section (1).(3) Every contract of apprenticeship may contain such terms and conditions as may be agreed to by the parties to the contract:Provided that no such term or condition shall be inconsistent with any provision of this Act or any rule made thereunder.(4) Every contract of apprenticeship entered into under sub-section (1) shall be sent by the employer within such period as may be prescribed to the Apprenticeship Adviser for registration.(5) The Apprenticeship Adviser shall not register a contract of apprenticeship unless he is satisfied that the person described as an apprentice in the contract is qualified under this Act for being engaged as an apprentice to undergo apprenticeship training in the designated trade specified in the contract.(6) Where the Central Government, after consulting the Central Apprenticeship Council, makes any rule varying the terms and conditions of apprenticeship training of any category of apprentices undergoing such training, then, the terms and conditions of every contract of apprenticeship relating to that category of apprentices and subsisting immediately before the making of such rule shall be deemed to have been modified accordingly.]