

Bill Summary

The Apprentices (Amendment) Bill, 2014

- The Apprentices (Amendment) Bill, 2014 was introduced in Lok Sabha on August 7, 2014. It proposes to amend the Apprentices Act, 1961.
- The Act regulates the training of apprentices in the industry. An Inter Ministerial Group (IMG) had recommended various changes to the Act to make apprenticeship more responsive to youth and industry. The Statement of Objects and Reasons states that the amendments proposed in the Bill are based on IMG's recommendations.
- **Definitions:** The Bill amends the definition of appropriate government to include an establishment operating in four or more states to be regulated by the central government. It also amends the definitions of: (i) designated trade, (ii) graduate or technician apprentice, (iii) trade apprentice, (iv) industry and (v) worker. The Bill adds two definitions: (i) optional trade, and (ii) portal-site.
- **Minimum age for an apprentice:** The Act sets the minimum age for being engaged as an apprentice at 14 years. The Bill adds that the minimum age for apprenticeship in designated trades related to hazardous industries shall be 18 years.
- **Number of apprentices:** The Act says that the central government, after consulting the Central Apprenticeship Council (CAC) established under the Act shall determine the ratio of trade apprentices to workers (except unskilled workers) for each designated trade. The Bill states that the central government shall prescribe the number of apprentices to be engaged by an employer for designated trade and optional trade.
- **Cooperation between employers for training:** The Bill permits multiple employers to come together, either themselves or through an approved agency (vs. only themselves as per the Act), to provide apprenticeship training (vs. practical training as per the Act) to apprentices under them.
- **Practical training to apprentices:** The Act states that every employer shall make suitable arrangements in his workshop for imparting practical training to apprentices, as per the programme approved by the Adviser. The Bill removes the requirement for Adviser's approval.
- **Basic training to apprentices:** The Act states that trade apprentices who have not received prior institutional training shall be imparted basic training before admission in the workshop for practical training. The Bill specifies that such training can be provided in any institute with adequate facilities.
- **Syllabus and equipment for practical training:** The Act states that the syllabus and equipment for practical training shall be as approved by the central government (with CAC consultation). The Bill limits the provision for training in a designated trade only.
- **Grant of certificate:** The Act specifies that every trade apprentice should appear for a proficiency test conducted by the National Council for Vocational Training (NCVT), on completion of his training. On passing the test, NCVT shall grant him a certificate of proficiency. The Bill adds that such tests may be conducted and certificates may be granted by other authorised agencies as well.
- **Hours of work, overtime, leave and holidays:** The Act states that the weekly and daily hours of work and leave entitlements of an apprentice shall be as prescribed by Rules. The Bill states that the hours of work and leave will be as per the discretion or policy of the employer.
- **Offences and penalties:** The Act specifies certain offences which are punishable with imprisonment up to six months or with a fine (quantum unspecified) or both. The Bill specifies the amount/maximum amount of the fine and removes the provision for imprisonment for such offences.
- **Power to make Rules:** The Act permits the central government (after consulting with the CAC) to make Rules for implementing the Act. The Bill states that these powers shall include the power to make Rules retrospectively with effect from a date on or after the President grants his assent to the Bill. No Rule shall have a retrospective effect if it prejudicially affects the interests of any person to whom such Rule may be applicable.

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