

टिप्पणः मूल नियम तारीख 15 जुलाई, 1992 की अधिसूचना संख्या सा.का.नि० 356, द्वारा भारत के राजपत्र में प्रकाशित किए गए थे और तारीख 20 दिसंबर, 2017 की अधिसूचना संख्या सा.का. नि० 1525 (अ), द्वारा अंतिम संशोधन किया गया था।

MINISTRY OF SKILL DEVELOPMENT AND ENTREPRENEURSHIP

NOTIFICATION

New Delhi, the 25th September, 2019

G.S.R. 686(E).—In exercise of the powers conferred by sub-section (1) of section 37 of the Apprentices Act, 1961 (52 of 1961) and after consulting the Central Apprenticeship Council, the Central Government hereby makes the following rules further to amend the Apprenticeship Rules, 1992, namely: -

1. (1) These rules may be called the Apprenticeship (Amendment) Rules, 2019.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Apprenticeship Rules, 1992 (hereinafter referred to as the principal rules), in rule 2,—
 - (i) After clause (1), the following clause shall be inserted, namely:—

“(1A) “Degree apprentice” means an apprentice undergoing a course in order that he may hold a degree granted by any recognized institution or university and undergoing apprenticeship training as an integrated component of the curricula;”;
 - (ii) After clause (3), the following clause shall be inserted, namely:—

“(3A) “Fresher apprentice” means a non-graduate apprentice, who has not undergone any institutional training or skill training, before taking up on-the-job training or practical training under the Apprentices Act, 1961;”;
 - (iii) After clause (4), the following clause shall be inserted, namely:—

“(4A) “National or State Certificate holder” means a person, who holds a certificate issued by National Council for Vocational Training or State Council for Vocational Training or any authority recognized by Central Government for awarding such certificates or any other successor entity for vocational training of one year and more;”;
 - (iv) After clause (6), the following clause shall be inserted, namely:—

“(6A) “Regional Directorate of Skill Development and Entrepreneurship” means the regional offices of the Directorate General of Training, which is an attached office of the Ministry of Skill Development and Entrepreneurship;”;
 - (v) After clause (7), the following clauses shall be inserted, namely:—

“(7A) “School pass out” is a person, who has done his or her schooling from a recognized School or Board;”;

“(7AA) “Sector Skill Council” means an industry-led organization set up as an autonomous body as provided under National Skills Qualifications Framework by National Skill Development Corporation or any other body as decided by Ministry of Skill Development and Entrepreneurship;”;

“(7AAA) “Skill Certificate holder” means a person, who holds a skill certificate for training of less than one year, issued by an awarding body recognized under National Skills Qualifications Framework or any other authority recognized by the Central government in this regard;”;
3. In rule the principal rules, in rule 7A,-
 - (i) for sub-rule (3), the following sub-rule shall be substituted, namely:-

“(3) The period of apprenticeship training for optional trade shall be a minimum of six months to a maximum of three years;”;
 - (ii) sub-rule (8), sub-rule (10), sub-rule (11), sub-rule (12) and sub-rule (13) shall be omitted;
 - (iii) after sub-rule (17), the following sub-rule shall be inserted, namely:-

- “(18) (a) Every apprentice undergoing apprenticeship training in an establishment shall be a trainee and not a worker.
- (b) The provisions of any law with respect to labour shall not apply to or in relation to such an apprentice.”.

4. In the principal rules, in rule 7B,-

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:-

“(1) The employers having four or more workers shall only be eligible to engage apprentices and engagement of apprentices by establishment having thirty or more number of workers shall be obligatory.”;

(ii) for sub-rule (3) and (4), the following sub-rules shall respectively be substituted,namely:-

“(3) Within a financial year, each establishment shall engage apprentices in a band of 2.5 per cent. to 15 per cent. of the total strength of the establishment including contractual staff, subject to a minimum of 5 per cent. of the total to be reserved for fresher apprentices and skill certificate holder apprentices.

(4) In no month, number of apprentices should be less than 2 per cent. of the total strength of the establishment and more than 18 per cent. of the total strength of the establishment subject to the condition that he shall fulfill apprentice months corresponding to minimum 2.5 per cent. obligation in a financial year.”.

5. In the principal rules, in rule 11,-

(i) for sub-rule (1), the following sub-rules shall be substituted, namely:-

“(1) The minimum rate of stipend payable to apprentices per month shall be as per the qualifications stipulated in the curriculum. The minimum rate of stipend payable to apprentices per month shall be follows, namely:-

Serial number	Category	Prescribed minimum amount of stipend
(1)	(2)	(3)
(i)	School pass-outs (class 5 th - class 9 th)	₹ 5000 per month
(ii)	School pass-outs (class 10 th)	₹ 6000 per month
(iii)	School pass-outs (class 12 th)	₹ 7000 per month
(iv)	National or State Certificate holder	₹ 7000 per month
(v)	Technician (vocational) apprentice or Vocational Certificate holder or Sandwich Course (Students from Diploma Institutions)	₹ 7000 per month
(vi)	Technician apprentices or diploma holder in any stream or sandwich course (students from degree institutions)	₹ 8000 per month
(vii)	Graduate apprentices or degree apprentices or degree in any stream	₹ 9000 per month

(1A) In the case of Skill Certificate Holder, stipend payable per month shall be as per his/her educational qualification as mentioned in the table above.

(1AA) During the second year of apprenticeship training, there shall be an increase of 10 per cent. in the prescribed minimum stipend amount and further 15 per cent. increase in the prescribed minimum stipend amount during the third year of apprenticeship training.

(1AAA) In the case of National or State Certificate holder, the period of training already undergone by him or her in a school or other institution recognized by the National Council or State Council, shall be taken into account for the purpose of determining the minimum payable rate of stipend.

(1AAAA) In the case of Fresher apprentice, during Basic Training for a period up to three months, the stipend amount to be paid by the establishment shall be 50 Per cent. of the prescribed stipend. Further, in case

of simultaneous Basic Training (BT) and On-the-Job Training, full amount of the stipend is to be paid.”;

(ii) sub-rule (2) shall be omitted.

6. In the principal rules, in rule 12,-

(i) for sub-rule (2), the following sub-rule shall be substituted, namely:-

“(2) An establishment can engage apprentices of age eighteen and above in normal working hours of the establishment. Apprentices under the age of eighteen shall be engaged in such training between the hours of 8.00 am and 6.00 pm. Any relaxation in the same shall be approved by the Apprenticeship Adviser, on case to case basis.”;

(ii) sub-rule (3) shall be omitted.

7. In the principal rules, in the Schedule- I,-

(i) Under Group No. 14, relating to the “Printing Group of Trades - (iv.) Litho Offset group:” , against serial numbers 2,

(a) In column 5, the entry “1. Litho Offset Machine Minder” shall be inserted;

(b) In column 6, against item 1 relating to Litho Offset Machine Minder, the entry “One year” shall be inserted.

(ii) Under Group No. 21, relating to the “Leather Crafts Trades Group:” , against serial number 2,

(a) In column 5, in place of the entry “Manufacturer of suitcase and other Leather goods”, the entry “1. Manufacturer of suitcase and other Leather goods” shall be substituted.

(b) In column 5, after the existing entry, the entry “2. Leather goods maker” shall be inserted.

(c) In column 6, against item 2 relating to Leather goods maker, the entry “One year” shall be inserted.

(iii) Under Group No. 21, relating to the “Leather Crafts Trades Group:” , against serial number 3,

(a) In column 5, in place of the entry “Manufacture of Footwear”, the entry “1. Manufacturer of footwear” shall be substituted ;

(b) In column 6, against item 1 relating to Manufacturer of Footwear, the entry “One year” shall be substituted;

(c) In column 5, after the existing entry, the entry “2. Footwear Maker” shall be inserted;

(d) In column 6, against item 2 relating to Footwear Maker, the entry “One year” shall be inserted.

(iv) Under Group No. 35, relating to the “Centre of Excellence Trades Group Leather Crafts Trades Group:” , against serial number 38,

(a) In column 5, after the existing entry, the entry “2. Computer Hardware and Network Technician” shall be inserted;

(b) In column 6, against item 2 relating to Computer Hardware and Network Technician, the entry “One year” shall be inserted.

8. In the principal rules, in SCHEDULE-V, –

(i) Under paragraph I, relating to “Obligations of Employer” , for item 5b and the entries relating thereto, the following shall be substituted namely:-

‘5b An establishment can engage apprentices of age eighteen and above in normal working hours of the establishment. Apprentices under the age of eighteen shall be engaged in such training between the hours of 8.00 am and 6.00 pm. Any relaxation in the same shall be approved by the Apprenticeship Adviser, on case to case basis.’

[No.MSDE-01(02)/2019-AP (PMU)]

K. C. GUPTA, Jt. Secy.

Note: The principal rules were published in the Gazette of India *vide* notification number G.S.R. 356, dated the 15th July, 1992 and last amended *vide* notification number G.S.R. 1525(E), dated the 20th December, 2017.