पूर्व मध्य रेलवे
पूर्व मध्य रेलवे

पूर्व मध्य रेल
East Central Railway Railway

EAST CENTRAL RAILWAY
EAST CENTRAL RAIL
कार्यालय
महाप्रबंधक / कार्मिक
हाजीपुर

RBENo.- 09/2015

CPO's Sl. No. 14/2015

No. E/MPP/0/ECR/HJP

dated : 11/03/2015

1. CAO(Con)/उत्तर एवं दक्षिण / पटना।
2. सभी PHOD/CHOD, पू0म0रे0, हाजीपुर
3. DRM/पूमरे / मुगलसराय, दानापुर, धनबाद, सोनपुर एवं समस्तीपुर।
4. मुख्य कार्मिक अधिकारी / पूमरे / हाजीपुर।
5. मुख्य कार्मिक अधिकारी / प्रशासन / पूमरे / हाजीपुर।
6. मुख्यालय के सभी कार्मिक अधिकारी।
7. CWM/पीडी / मुगलसराय, यांत्रिक कारखाना / समस्तीपुर।
8. Sr. DPO/पूमरे / मुगलसराय, दानापुर, धनबाद, सोनपुर एवं समस्तीपुर।
9. उप महाप्रबंधक / विधि / पटना।
10. प्राचार्य / क्षेत्रीय रेल प्रशिक्षण संस्थान / मुजफ्फरपुर एवं भूली।
11. सभी मुकार्याधी / कार्याधी / पूमरे / हाजीपुर

विषय / Sub.: Forwarding of Notification - Apprentices (Amendment Act, 2014) (29 of 2014).

संदर्भ / Ref: Rly Bd. L/No: E(MPP)/2015/6/1, dt.: 03/02/2015

विषयांकित से संबंधित संदर्भित पत्र की छायाप्रति सूचना, मार्गदर्शन एवं अग्रेत्तर आवश्यक कारवाई हेतु प्रेषित की जा रही है।

A copy of above referred letter on the subject matter is being forwarded herewith for information, guidance and needful onward action please.

संलग्नक: यथोपरि।

DA : As above.

11/3/15
(एम0 के0 चौधरी)
सकाधि / ESM एवं रूलिंग
कृते महाप्रबंधक / कार्मिक / हाजीपुर

प्रतिलिपि सूचनार्थ, मार्गदर्शन एवं आवश्यक कारवाई हेतु प्रेषित :

1. महासचिव / ईसीआरकेयू / पूमरे / हाजीपुर ।
2. महासचिव / एस0सी0 / एस0टी0 एशोसिएशन / पूमरे / हाजीपुर ।
3. सकाधि (एम.पी.पी.), ग्रा0रे0बो0, कृपया इस नोट को डाउनलोड करने की व्यवस्था करें।
4. महासचिव / ऑल इंडिया एससी एसटी फेडरेशन / पूमरे / हाजीपुर

महाप्रबंधक (प्रशासन) कार्यालय
18/12/14

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
RAILWAY BOARD

2452
20.2.15

No. E(MPP)/2015/6/1 **New Delhi, RBE No. 09 /2015 Dated: .01.2015**

3/2/15

ECR **The General Managers (P)**
All Indian Railways and
Production Units.

Sub: Forwarding of Notification- Apprentices (Amendments Act, 2014(29 of 2014).

A copy of the Notification No.S.O.3238(E)' dated 18th December, 2014 published in Part II, Section 3, Sub-section(ii) of the Extraordinary Gazette of India issued by Ministry of Labour & Employment, Direrectorate General of Employment & Training relating to the Apprentices (Amendment) Act, 2014 (29 of 2014) to be effective from 22nd December, 2014 is enclosed for information, guidance and necessary action.

Please acknowledge receipt.

23/1/15
(Anuradha Singh)
Director (Trg. & MPP)
Railway Board

Ruling

DA: As above

Copy for information to:

1. Ministry of Labour, DGE&T (Shri Dinesh Nijhawan, Director(SDI), Sharam Shakti Bhawan, New Delhi.

23/1/15
(Anuradha Singh)
Director (Trg. & MPP
Railway Boar

DA: As above

No. E(MPP)/2015/6/1 **Dated: /01/2015**

3/2/15

Copy to :

1. The General Secretary, NFIR, 3, Chelmsford Road, New Delhi for information wit 35 spares.
2. The General Secretary, AIRF, 4 State Entry Road, New Delhi for information with 35 spares
3. The Secretary General, IREA, R.No.256-A, Rail Bhavan, New Delhi for information with spares.
4. The Secretary General, IRPOF, R.No.268, Rail Bhavan, New Delhi for information 5 spares.
5. All Members, Department Council & National Council and Secretary Staff Side Nation Council, 13-C, Ferozeshah Raod, New Delhi with 90 spares.
6. The General Secretary, AIRF Association, Room No,256 Rail Bhavan New Delhi with spares.
7. General Secretary, All India Scheduled Castes & Scheduled Tribes Railways Employees Association, 171/B-3 Basant Lane Railway Colony New Delhi (15 copies)

23.1.15
For Secretary/Railway Boa

Contd.....

पुकाप्रि
26/2

भारत सरकार
रेल मंत्रालय
(रेलवे बोर्ड)

आरबीई सं. 09 /2015

सं. ई(एमपीपी)2015/6/1

नई दिल्ली, दिनांक: .01.2015
3/2/15

महाप्रबंधक (कार्मिक)
सभी भारतीय रेलें एवं
उत्पादन इकाइयां।

विषय:- प्रशिक्षु (संशोधन) अधिनियम, 2014 (2014 का 29) से संबंधित अधिसूचना को अग्रेषित करना।

22 दिसम्बर, 2014 से प्रभावी होने वाले प्रशिक्षु (संशोधन) अधिनियम, 2014 (2014 का 29) से संबंधित श्रम एवं रोजगार मंत्रालय, रोजगार एवं प्रशिक्षण महानिदेशालय द्वारा जारी भारत के असाधारण राजपत्र के भाग II, खंड 3, उप-खंड (ii) में प्रकाशित दिनांक 18 दिसम्बर, 2014 की अधिसूचना सं. एस.ओ. 3238(ई) की प्रति सूचना, मार्गदर्शन और आवश्यक कार्रवाई के लिए संलग्न है।

कृपया पावती दें।

अनुराधा 23/1/15
(अनुराधा सिंह)
निदेशक (प्रशिक्षण एवं एमपीपी)
रेलवे बोर्ड.

संलग्नक: यथोक्त

प्रतिलिपि सूचनार्थ प्रेषित:

1. श्रम मंत्रालय, डीजीईएंडटी (श्री दिनेश निझावन, निदेशक (एसडीआई), श्रम शक्ति भवन, नई दिल्ली।

अनुराधा 23/1/15
(अनुराधा सिंह)
निदेशक (प्रशिक्षण एवं एमपीपी)
रेलवे बोर्ड.

संलग्नक: यथोक्त

No. DGET-1(1)/2014-AP
Government of India
Ministry of Labour and Employment
Directorate General of Employment & Training

New Delhi, dated: 30th December, 2014

To

All the members of Central Apprenticeship Council

Subject: Amendments to the Apprentices Act, 1961 – reg.

Sir/Madam,

I am to inform you that the Apprentices Act, 1961 has been further amended vide No. 29 of 2014 and brought into effect from 22nd December, 2014 vide notification number S.O.3238(E) published in Part II, Section 3, Sub-section (ii) of the Extraordinary Gazette of India on 18th December, 2014 Copies of the gazette notifications are enclosed herewith for your kind information, please.

Yours faithfully,

(Dinesh Nijhawan)
Director (SDI)

Encl.: as above

Copy to :

1. All the States/UTs Apprenticeship Advisers
2. All the Regional Directors

} With a request to circulate the above said notifications for all establishments under your kind control, please.

3. All Employing Ministries — For information and necessary action in this matter, please.
4. All Principal Secretary/ Secretary of States — For information, please.

रजि॰ सं॰ डी॰ एल॰-33004/99

REGD. NO. D. L.-33004/99

भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2602] नई दिल्ली, बृहस्पतिवार, दिसम्बर 18, 2014/अग्रहायण 27, 1936

No. 2602] NEW DELHI, THURSDAY, DECEMBER 18, 2014/AGRAHAYANA 27, 1936

श्रम और रोजगार मंत्रालय

(रोजगार और प्रशिक्षण महानिदेशालय)

अधिसूचना

नई दिल्ली, 18 दिसम्बर, 2014

का.आ. 3238(अ).—केन्द्रीय सरकार, शिक्षु (संशोधन), अधिनियम, 2014 (2014 का 29) की धारा 1 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तारीख 22 दिसम्बर, 2014 को उस तारीख के रूप में नियत करती है जिसको उक्त अधिनियम प्रवृत्त होगा।

[फा. सं. डीजीईटी–1(1)/2.014–एपी]

आलोक कुमार, महानिदेषक/संयुक्त सचिव

MINISTRY OF LABOUR AND EMPLOYMENT

(Directorate General of Employment and Training)

NOTIFICATION

New Delhi, the 18th December, 2014

S.O. 3238(E).—In exercise of the powers conferred by sub-section (2) of section 1 of the Apprentices (Amendment) Act, 2014 (29 of 2014), the Central Government hereby appoints the 22nd day of December, 2014 as the date on which the said Act shall come into force.

[F. No. DGET-1(1)/2014-AP]

ALOK KUMAR, Director General/Jt. Secy.

5022 GI/2014

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and Published by the Controller of Publications, Delhi-110054.

रजिस्ट्री सं० डी० एल०—(एन)04/0007/2003—14 REGISTERED NO. DL—(N)04/0007/2003—14

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 1
PART II—Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 35] नई दिल्ली, सोमवार, दिसम्बर 8, 2014/अग्रहायण 17, 1936(शक)
No. 35] NEW DELHI, MONDAY, DECEMBER 8, 2014/AGRAHAYANA 17, 1936(SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 8th December, 2014/Agrahayana 17, 1936 (Saka).

The following Act of Parliament received the assent of the President on the 5th December, 2014, and is hereby published for general information:—

THE APPRENTICES (AMENDMENT) ACT, 2014

(No. 29 OF 2014)

[*5th December, 2014.*]

An Act further to amend the Apprentices Act, 1961.

BE it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Apprentices (Amendment) Act, 2014.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of section 2.

52 of 1961.

2. In the Apprentices Act, 1961 (hereinafter referred to as the principal Act), in section 2,—

(*i*) in clause (*d*), in sub-clause (*I*), after item (*b*), the following item shall be inserted, namely:—

"(*bb*) any establishment which is operating business or trade from different locations situated in four or more States, or";

(*ii*) for clauses (*e*), (*j*) and (*k*), the following clauses shall respectively be substituted, namely:—

'(*e*) "designated trade" means any trade or occupation or any subject field in engineering or non-engineering or technology 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;

(*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 non-engineering or technology or equivalent qualification granted by any institution recognised by the Government and undergoes apprenticeship training in any designated trade;

(*k*) "industry" means any industry or business in which any trade, occupation or subject field in engineering or non-engineering or technology or any vocational course may be specified as a designated trade or optional trade or both;';

(*iii*) after clause (*l*), the following clauses shall be inserted, namely:—

'(*ll*) "optional trade" means any trade or occupation or any subject field in engineering or non-engineering or technology or any vocational course as may be determined by the employer for the purposes of this Act;

(*lll*) "portal-site" means a website of the Central Government for exchange of information under this Act;';

(*iv*) in clause (*pp*), for the words "such subject field in any vocational course as may be prescribed", the words "designated trade" shall be substituted;

(*v*) for clauses (*q*) and (*r*), the following clauses shall be substituted, namely:—

'(*q*) "trade apprentice" means an apprentice who undergoes apprenticeship training in any designated trade;

(*r*) "worker" means any person working in the premises of the employer, who is employed for wages in any kind of work either directly or through any agency including a contractor and who gets his wages directly or indirectly from the employer but shall not include an apprentice referred to in clause (*aa*).'.

Amendment of section 3.

3. In section 3 of the principal Act, for clause (*a*), the following clause shall be substituted, namely:—

"(*a*) is not less than fourteen years of age, and for designated trades related to hazardous industries, not less than eighteen years of age; and".

Amendment of section 4.

4. In section 4 of the principal Act,—

(*i*) for sub-section (*4*), the following sub-sections shall be substituted, namely:—

"(*4*) Every contract of apprenticeship entered into under sub-section (*1*) shall be sent by the employer within thirty days to the Apprenticeship Adviser until a portal-site is developed by the Central Government, and thereafter the details of contract of apprenticeship shall be entered on the portal-site within seven days, for verification and registration.

(*4A*) In the case of objection in the contract of apprenticeship, the Apprenticeship Adviser shall convey the objection to the employer within fifteen days from the date of its receipt.

(*4B*) The Apprenticeship Adviser shall register the contract of apprenticeship within thirty days from the date of its receipt.";

(*ii*) sub-section (*5*) shall be omitted.

Insertion of new sections 5A and 5B.

5. After section 5 of the principal Act, the following sections shall be inserted, namely:—

Regulation of optional trade.

"5A. The qualification, period of apprenticeship training, holding of test, grant of certificate and other conditions relating to the apprentices in optional trade shall be such as may be prescribed.

Engagement of apprentices from other States.

5B. The employer may engage apprentices from other States for the purpose of providing apprenticeship training to the apprentices.".

Amendment of section 6.

6. In section 6 of the principal Act,—

(*i*) in clause (*a*), for the words "determined by that Council", the word "prescribed" shall be substituted;

(*ii*) for clause (*aa*), the following clause shall be substituted, namely:—

"(*aa*) in the case of trade apprentices who, having undergone institutional training in a school or other institution affiliated to or recognised by a Board or State Council of Technical Education or any other authority or courses approved under any scheme which the Central Government may, by notification in the Official Gazette specify in this behalf, have passed the trade tests or examinations conducted by that Board or State Council or authority or by any other agency authorised by the Central Government, the period of apprenticeship training shall be such as may be prescribed;".

Substitution of section 8.

7. For section 8 of the principal Act, the following section shall be substituted, namely:—

Number of apprentices for a designated trade and optional trade.

"8 (*1*) The Central Government shall prescribe the number of apprentices to be engaged by the employer for designated trade and optional trade.

(*2*) Several employers may join together either themselves or through an agency, approved by the Apprenticeship Adviser, according to the guidelines issued from time to time by the Central Government in this behalf, for the purpose of providing apprenticeship training to the apprentices under them.".

Amendment of section 9.

8. In section 9 of the principal Act,—

(*i*) for sub-section (*1*), the following sub-section shall be substituted, namely:—

"(*1*) Every employer shall make suitable arrangements in his workplace for imparting a course of practical training to every apprentice engaged by him.";

(*ii*) for sub-section (*3*), the following sub-section shall be substituted, namely:—

"(*3*) Such of the trade apprentices who have not undergone institutional training in a school or other institution recognised by the National Council or any other institution affiliated to or recognised by a Board or State Council of Technical Education or any other authority which the Central Government may, by notification in the Official Gazette, specify in this behalf, shall, before admission in the workplace for practical training, undergo a course of basic training and the course of basic training shall be given to the trade apprentices in any institute having adequate facilities.";

(*iii*) sub-sections 4A, 4B, 5 and 6 shall be omitted.

(*iv*) for sub-section (*7*) and sub-section (*7A*), the following sub-sections shall be substituted, namely:—

"(*7*) In the case of an apprentice other than a graduate or technician apprentice or technician (vocational) apprentice, the syllabus of and the equipment to be utilised for, practical training including basic training in any designated trade shall be such as may be approved by the Central Government in consultation with the Central Apprenticeship Council.

(*7A*) In the case of graduate or technician apprentices or technician (vocational) apprentices, the programme of apprenticeship training and the facilities required for such training in any designated trade shall be such as may be approved by the Central Government in consultation with the Central Apprenticeship Council.";

(*v*) in sub-section (*8*), in clause (*c*), after the words "employer alone", the words "except apprentices who holds degree or diploma in non-engineering" shall be inserted.

Amendment of section 15.

9. In section 15 of the principal Act,—

(*i*) for sub-section (*1*), the following sub-section shall be substituted, namely:—

"(*1*) The weekly and daily hours of work of an apprentice while undergoing practical training in a workplace shall be as determined by the employer subject to the compliance with the training duration, if prescribed.";

(*ii*) for sub-section (*3*), the following sub-section shall be substituted, namely:—

"(*3*) An apprentice shall be entitled to such leave and holidays as are observed in the establishment in which he is undergoing training.".

Amendment of section 19.

10. In section 19 of the principal Act, for sub-section (*2*), the following sub-sections shall be substituted, namely:—

"(*2*) Until a portal-site is developed by the Central Government, every employer shall furnish such information and return in such form as may be prescribed, to such authorities at such intervals as may be prescribed.

(*3*) Every employer shall also give trade-wise requirement and engagement of apprentices in respect of apprenticeship training on portal-site developed by the Central Government in this regard.".

Amendment of section 21.

11. In section 21 of the principal Act,—

(*i*) for sub-section (*1*), the following sub-section shall be substituted, namely:—

"(*1*) Every trade apprentice who has completed the period of training may appear for a test to be conducted by the National Council or any other agency authorised by the Central Government to determine his proficiency in the designated trade in which he has undergone apprenticeship training.";

(*ii*) in sub-section (*2*), after the words "National Council", the words "or by the other agency authorised by the Central Government" shall be inserted.

Amendment of section 22.

12. In section 22 of the principal Act, for sub-section (*1*), the following sub-section shall be substituted, namely:—

"(*1*) Every employer shall formulate its own policy for recruiting any apprentice who has completed the period of apprenticeship training in his establishment.".

Amendment of section 30.

13. In section 30 of the principal Act,—

(*i*) for sub-section (*1*), the following sub-sections shall be substituted, namely:—

"(*1*) If any employer contravenes the provisions of this Act relating to the number of apprentices which he is required to engage under those provisions,

he shall be given a month's notice in writing, by an officer duly authorised in this behalf by the appropriate Government, for explaining the reasons for such contravention.

(*1A*) In case the employer fails to reply the notice within the period specified under sub-section (*1*), or the authorised officer, after giving him an opportunity of being heard, is not satisfied with the reasons given by the employer, he shall be punishable with fine of five hundred rupees per shortfall of apprenticeship month for first three months and thereafter one thousand rupees per month till such number of seats are filled up.";

(*ii*) in sub-section (*2*),—

(*a*) after clause (*f*), the following clauses shall be inserted, namely:—

"(*g*) engages as an apprentice a person who is not qualified for being so engaged, or

(*h*) fails to carry out the terms and conditions of a contract of apprenticeship.";

(*b*) for the words "imprisonment for a term which may extend to six months or with fine or with both", the words "fine of one thousand rupees for every occurrence" shall be substituted.

(*iii*) after sub-section (*2*), the following sub-section shall be inserted, namely:—

"(*2A*) The provisions of this section shall not apply to any establishment or industry which is under the Board for Industrial and Financial Reconstruction established under the Sick Industrial Companies (Special Provisions) Act, 1985.".

1 of 1986.

Amendment of section 37.

14. In section 37 of the principal Act, after sub-section (*1*), the following sub-section shall be inserted, namely:—

"(*1A*) The powers to make rules under this section shall include the power to make such rules or any of them retrospectively from a date not earlier than the date on which this Act received the assent of the President, but no such retrospective effect shall be given to any such rule so as to prejudicially affect the interests of any person to whom such rule may be applicable.".

DR. SANJAY SINGH,
Secretary to the Govt. of India.

PRINTED BY DIRECTORATE OF PRINTING AT GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI, 2014.

GMGIPMRND—3407GI(S3)—11-12-2014.