

**Terms and Conditions of the Contract of Apprenticeship for Graduate Technician and Technician (Vocational) Apprentices. (to be incorporated in the agreement)**

This contract made this \_\_\_\_\_ day of \_\_\_\_\_ between (hereinafter called first employer) carrying on business at \_\_\_\_\_ of the one part and Shri \_\_\_\_\_ S/D/o \_\_\_\_\_ (hereinafter called apprentice) of the Second part and Whereas the first employer, who executed the contract registered with Central/ State/ Apprenticeship Advisor under registration No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ year with Apprentice \_\_\_\_\_ under Apprenticeship Act, 1961 \_\_\_\_\_ (Copy Enclosed) In for certain reason stated in writing (Annexed hereto).

1. The period of training shall be one year (in the case of Sandwich students, the period of training shall be stipulated in the curriculum).
2. It shall not be obligatory on the part of the employer to offer any employment to the apprentice on completion of period of apprenticeship training in his establishment nor shall it be obligatory on the part of the apprentice to accept an employment under the employer.
 

**Note:** If, however, there is a condition in the contract of Apprenticeship' that the apprentice shall, after the successful completion of training serve the employer, the employer shall, on such completion be bound to offer suitable employment to the apprentice and the apprentice shall be bound to serve the employer in that capacity for such period and for such remuneration as may be specified in the contract subject to the approval of the Central Apprenticeship Advisor.
3. Every apprentice undergoing apprenticeship training in an establishment shall be a trainee and not a worker and as such the provisions of any law with respect to Labour shall not apply to or in relation to such apprentice.
4.
  - i. The apprentices shall abide by the rules and regulations of the establishment in all matters of conduct and discipline and safety and carry out all lawful orders of the employer and superiors in the establishment.
  - ii. The apprentice shall learn his subject field conscientiously and diligently and attend to practical and instructional classes regularly.
  - iii. The apprentice shall maintain a record of his/her work during the period of his/her apprenticeship training in a proforma approved by the Apprenticeship Adviser.
  - iv. Where the contract of apprenticeship is terminated for failure on the part of the apprentice to carry out the terms of contract, the apprentice shall refund to the employer as cost of training such amount as may be determined by the Apprenticeship Adviser. In such event, the apprentices shall not be entitled to enter into another contract of Apprenticeship under the Act with any other employer.
  - v. The contract of apprenticeship can be terminated without compensation payable to the apprentices:
    - a- If he/she secures gainful employment (on production of copy of the appointment order); and
    - b- If he/she is unable to continue training on medical grounds (on production of a certificate to this effect from a Medical Officer not below the rank of Civil Surgeon).
  - vi. For breach of contract by the employer, the employer shall pay compensation to the apprentice in accordance with rates specified under rule 8 of these rules.
  - vii. Continuance of payment of stipend shall depend on satisfactory performance of the apprentice during the training period.
5.
  - i. The employer shall make suitable arrangement in his establishment for imparting a course of apprenticeship training to the apprentice in accordance with the provisions of the Act and rules made there under and with the approval of the respective Regional central Apprenticeship Adviser. Every employer is required to formulate a "Training Programme" for the training of Graduate / Technician (Vocational) Apprentices and get it approved by the respective Regional Central Apprenticeship Adviser.

- ii. The employer will arrange for a suitable person to be placed in charge of training of apprentices as laid down under the Act and the rules made there under.
- 6.
- i. A Graduate Apprentice and Technician (Vocational) Apprentice shall work according to the normal hours of work of the department in the establishment to which he/she is attached for training. They will be eligible for 12 days of Casual Leave and 15 days of Medical Leave with payment of stipend. Extraordinary Leave upto 10 days with or without payment of stipend may be granted at the discretion of the establishment.
  - ii. The stipend for a particular month shall be paid before the 10th day of the following month.

MODEL CONTRACT FORM FOR NOVATION OF CONTRACT OF APPRENTICESHIP UNDER SECTION 5 OF THE  
APPRENTICE ACT, 1961

This contract made this \_\_\_\_\_ day of \_\_\_\_\_ between (hereinafter called first employer) carrying on business at \_\_\_\_\_ of the one part and \_\_\_\_\_ (hereinafter called the second employer) carrying on business at \_\_\_\_\_ of the second part and \_\_\_\_\_ S/D/o shri \_\_\_\_\_ (hereinafter called apprentice) of the third part\* and Whereas the first employer, who executed the contract registered with Central/ State/ Apprenticeship Advisor under registration No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ Year with Apprentice/ Guardian \_\_\_\_\_ under Apprenticeship Act, 1961 \_\_\_\_\_ (Copy Enclosed) In for certain reason stated in writing (Annexed hereto) , unable to fulfill his obligation under the said contract.

And whereas the Central/ State Apprenticeship Advisor is satisfied that for reason stated by the first employer, the first employer is unable to fulfill his obligation under the said contract and that it is in the interest of the apprentice or in public interest that the apprentice is engaged as a apprentice under the second employer for the unexpired portion of apprenticeship training.

And whereas the second employer has agreed to engage the apprentice for the unexpired portion of the period of apprenticeship training and to fulfill the obligation under the said contract executed between the first employer and the apprentice/ guardian.

and whereas the apprentice ( guardian has agreed to engage the apprentice ) should continue as an apprentice for the unexpired portion of the period of his/her apprenticeship training and to fulfill his obligation under the said contract already executed by him/her with the first employer. NOW THESE PRESENT WITNESS and it is hereby agree by and the between the parties as follows:-

1. The contract of apprenticeship with the first employer shall terminate between the apprentice/ guardian and the first employer with effect from the date this registered with the Central/State Apprenticeship Advisor and no obligation under that contract shall be enforceable at the instance of any party to the contract against the other party thereto.

2. The contract of apprenticeship already executed between the First employer and the apprentice/ guardian shall be deemed to be the contract executed under the Apprenticeship Act, 1961 between the second employer and the apprentice/ guardian with effect from the date in which this contract is registered with Central/State Apprenticeship Advisor as if the second employer and the apprentice / guardian were parties thereto instead of the first employer and the apprentice /guardian. The obligation of the second employer and the apprentice/ guardian under this contract shall be enforceable at the instance of any party to this contract against the other part thereto. IN WITNESS WHERE OF THE parties herto have executed these presents the day and the year first above written.

Signed by the first Employer  
above named in the presence of

(Signed on the first Employer)

1

2  
Signed by the second Employer  
above named in the presence of

(Signed on the first Employer)

1

2

Signed by the Apprentice  
above named or his guardian  
in case of minor & in the presence of

(Signed on the Apprentice)

1

2

The above mentioned apprenticeship contract between the employer and the apprentice/ guardian is registered under section 4(1)(2)(3) of apprenticeship Act 1961  
Registration No. \_\_\_\_\_ Dt \_\_\_\_\_

Apprenticeship Advisor

In case of Minor Apprentice

\* ( \_\_\_\_\_ Name of the guardian hereinafter called the guardian, guardian of \_\_\_\_\_ Name of apprentice hereinafter called "Apprentice" of the third part

**DECLARATION\* / AFFIDAVIT\*\***

(To be obtained from the candidate before joining as an apprentice)

I \_\_\_\_\_ son / daughter of \_\_\_\_\_ aged  
\_\_\_\_\_ residing at \_\_\_\_\_  
\_\_\_\_\_

hereby solemnly affirm and state as under:

1. That I passed my Degree / Diploma / 10+2 Vocational Higher Secondary Certificate examination in (Subject) \_\_\_\_\_ from \_\_\_\_\_

Polytechnic / College / School at (Place) \_\_\_\_\_. The date of declaration of my Final year result is \_\_\_\_\_

2. That after passing the above said examination

1. I did not have training or job experience for one year or more.
2. I did not undergo apprenticeship training at any place under The Apprentices Act. what is stated above is true to the best of my knowledge and belief.

Date:

Place:

SIGNATURE

Note:

- The above declaration has to be signed by the candidate, if the gap between date of passing and date of joining the apprenticeship training is less than one year.
- If the gap is more than one year, the affidavit has to be furnished on a non judicial stamp paper in the above format.

**PHYSICAL FITNESS****1. Standard of Physical Fitness for Training.-**

1. A candidate should be free from evidence of any contagious or infectious disease. He/She should not be suffering from any disease which is likely to be aggravated by service or is likely to render him/her unfit for service or endanger the health of the public. He/She should also be free from evidence of tuberculosis in any form, active or healed.

**2. Height, Weight and Chest.-**

Candidate should satisfy the following minimum standards, namely: -

Height 137 Centimetres; Weight 25.4 kilograms; Chest expansion should not be less than 3.8 centimetres irrespective of size of chest:

Provided that where a candidate does not satisfy the said minimum standards but is certified in writing by a Medical Officer not below the rank of an Assistant Surgeon (Gazetted), to be physically fit for being engaged as an apprentice in a particular trade under the Apprentices Act, 1961, he may be engaged as an apprentice in that trade.

**3. Eyes.-**

There should be no evidence of any morbid condition of either eye or of the lids of either eye which may be liable to risk of aggravation of recurrence.

Standard of Vision

**(A) Visual acuity**

1 [The Candidates having vision in one eye shall be eligible to undergo Apprenticeship Training, except in the following seventeen trades, namely:]

- (1) Electrician aircraft
- (2) Watch and Clock Mechanic
- (3) Driver-cum-fitter
- (4) Surveyor
- (5) Process cameraman
- (6) Sirdar
- (7) Rigger (Engineering & Chemical Industry)
- (8) Shortfirer/Blaster (Mines)
- (9) Mate (Mines)
- (10) Mechanic Radio and Radar Aircraft
- (11) Ceramic Moulder
- (12) Ceramic Caster
- (13) Ceramic Kiln Operator
- (14) Ceramic Press Operator
- (15) Ceramic Modeller
- (16) Ceramic Decorator
- (17) Optical Worker.]

The minimum standard of visual acuity for all trades shall be:

6/18 in each eye or 6/12 in one eye and 6/24 in the other eye without glasses of 6/9 with glasses in both eyes.

Candidates with vision in one eye only shall be rejected.

**(B) Colour Vision-not required****4. Ears.-**

Hearing must be good in both ears and there should be no sign of suppurative disease. No hearing aid shall be permitted.

**5. Skin.-**

There should be no evidence of acute or chronic skin disease or chronic ulceration.

**6. Speech.-**

Speech should preferably be without impediment.

**7. Alimentary system.-**

- (1) Candidates should have sufficient number of natural teeth (in healthy state) for mastication.)
- (2) Spleen should not be palpably enlarged and there should be no evidence of tenderness in the splenic area.
- (3) Liver should not be palpable or tender.
- (4) There should be no oral sepsis.
- (5) There should be no sugar in the urine.
- (6) Candidates should not be suffering from haemorrhoids, fissures in and fistula and hernia or bubonocoele or ischio-rectal abscess or hydrocele.

**8. Cardio-Vascular System.-**

- (1) Blood pressure should not exceed 85 diastolic and 140 systolic.
- (2) Candidates with low blood pressure (i.e. systolic below 100) should be rejected.
- (3) There should be no sign of any cardio-vascular disease.

**9. Respiratory System.-**

Candidates should be free from all diseases of respiratory system. There should be no deformity of chest which may cause impediment to breathing.

**10. Genito-Urinary System.-**

There should be no evidence of genito-urinary disease or any abnormality.

**11. Skeleton System.-**

(1) The function of all limbs should be within normal limits.

(2) There should be no evidence of serious deformity of the spinal column or of the extremities.

**12. Nervous System.-**

There should be no evidence of any disease of nervous system or of any mental disease.

**13. Glandular System.-**

There should be no evidence of tuberculosis or other disease of the glandular system including the endocrine glands.

[Under section 4 of The Apprentices (amendment) Act, 1961]

(Must be submitted within one month from the date of joining along with a copy of final year mark sheet attested with seal by employer & affidavit, if necessary)

a) Graduate Apprentice (GA) <input type="checkbox"/> b) Technician Apprentice (TA) <input type="checkbox"/> c) Graduate (Sandwich) Apprentice (GS) <input type="checkbox"/> d) Technician (Sandwich) Apprentice (TS) <input type="checkbox"/> e) Technician (Vocational) Apprentice (VOC) <input type="checkbox"/>	Affix firmly a Recent Passport Size Photograph and put employer's signature and organizations seal so that they appear partly on photograph & ACRC  Do not pin or staple	<p><b>[To be filled by BOAT (WR), MUMBAI]</b>                  Registration No.:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>Reg. Date:</p> <table style="width:100%; text-align: center;"> <tr> <td style="border: 1px solid black; width: 20px;">D</td> <td style="border: 1px solid black; width: 20px;">D</td> <td style="border: 1px solid black; width: 20px;">M</td> <td style="border: 1px solid black; width: 20px;">M</td> <td style="border: 1px solid black; width: 20px;">Y</td> </tr> </table> <p>Registered Under Section 4 of the Apprentices Act.</p> <p style="text-align: center;"><b>REGIONAL CENTRAL                  APPRENTICESHIP ADVISER                  BOARD OF APPRENTICESHIP                  TRAINING (W.R.), MUMBAI</b></p>	D	D	M	M	Y	Y	Y	Y																		
D	D	M	M	Y	Y	Y	Y																					
<b>1. Gender</b> Male <input type="checkbox"/> Female <input type="checkbox"/>																												
<b>2. Name of Apprentice (in capital letters as given in examination mark sheet)</b> (Last Name) (First Name) (Middle Name)																												
<b>3. (a) Permanent Address</b>      Pin Code:	<b>(b) Present Address</b>      Pin Code:	<b>(c) Whether belongs to:</b> General Yes <input type="checkbox"/> No <input type="checkbox"/> Schedule Caste Yes <input type="checkbox"/> No <input type="checkbox"/> Schedule Tribe Yes <input type="checkbox"/> No <input type="checkbox"/> Other Backward Class Yes <input type="checkbox"/> No <input type="checkbox"/> Nomedic Tribes Yes <input type="checkbox"/> No <input type="checkbox"/> Minority Community Yes <input type="checkbox"/> No <input type="checkbox"/> (Specify minority Community) Physically Handicapped Yes <input type="checkbox"/> No <input type="checkbox"/>																										
Telephone No : Mobile No :		<b>4. Date of Birth</b> <table style="width:100%; text-align: center;"> <tr> <td style="border: 1px solid black; width: 20px;">D</td> <td style="border: 1px solid black; width: 20px;">D</td> <td style="border: 1px solid black; width: 20px;">M</td> <td style="border: 1px solid black; width: 20px;">M</td> <td style="border: 1px solid black; width: 20px;">Y</td> </tr> </table>	D	D	M	M	Y	Y	Y	Y																		
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<b>5. Qualifying Examination for apprenticeship training [Degree/ Diploma/ HSC (Voc)]</b>	<b>Name of the University / Board</b>	<b>Discipline / Branch</b>	<b>Date of declaration of result</b>	<b>Exam Seat No.</b>																								
<b>6. Date of commencement of training</b> <table style="width:100%; text-align: center;"> <tr> <td style="border: 1px solid black; width: 20px;">D</td> <td style="border: 1px solid black; width: 20px;">D</td> <td style="border: 1px solid black; width: 20px;">M</td> <td style="border: 1px solid black; width: 20px;">M</td> <td style="border: 1px solid black; width: 20px;">Y</td> </tr> </table>	D	D	M	M	Y	Y	Y	Y	<b>Period of training:</b> From <table style="width:100%; text-align: center;"> <tr> <td style="border: 1px solid black; width: 20px;">D</td> <td style="border: 1px solid black; width: 20px;">D</td> <td style="border: 1px solid black; width: 20px;">M</td> <td style="border: 1px solid black; width: 20px;">M</td> <td style="border: 1px solid black; width: 20px;">Y</td> </tr> </table> To <table style="width:100%; text-align: center;"> <tr> <td style="border: 1px solid black; width: 20px;"></td> <td style="border: 1px solid black; width: 20px;">D</td> <td style="border: 1px solid black; width: 20px;">M</td> <td style="border: 1px solid black; width: 20px;">M</td> <td style="border: 1px solid black; width: 20px;">Y</td> </tr> </table>			D	D	M	M	Y	Y	Y	Y		D	M	M	Y	Y	Y	Y	<b>Rate of stipend</b>
D	D	M	M	Y	Y	Y	Y																					
D	D	M	M	Y	Y	Y	Y																					
	D	M	M	Y	Y	Y	Y																					
* Date of commencement of training must be after date of declaration of result																												
<b>7. Name &amp; Address of the Employer</b> (Please quote Phone, Fax No. & E-mail id) O/o S.E. Training SGTPS, MPPGCL, Birsinghpur M.P.484552 Email: setrainingsgtps.brs@gmail.com PH:07655-260215			<b>8. Name &amp; Address of the Surety.</b>    Pin Code:																									

**Note:-**

1. This Contract Registration Card must be submitted with both pages appearing **back to back** and not on separate sheets.
2. This Contract Registration Card is liable for rejection in case any information in any clause is not furnished / partly furnished.

We, the Employer, Apprentice, (the Guardian in the case of Minor Apprentices) and the Surety hereby declare that we have read the contents of This Apprenticeship Contract as per The Apprenticeship Rules, 1962, as amended from time to time, and agree to abide by all the provisions made there under. We also declare that all the provisions of The Apprentices Act, 1961, as amended from time to time including those relating to Registration and Termination of Contract are binding on us. We also understand that training under The Apprentices Act do not guarantee a job with the employer/BOAT after the training is completed.

1. In the event of termination of Contract through failure on the part of the Employer to carry out the terms and conditions of the contract, he shall pay to the Apprentice a compensation of an amount equivalent to three months of minimum stipend payable under The Apprentices Act.

2. In the event of termination of Contract through failure on the part of the Apprentice to carry out terms of the contract, the Surety at the request of the Apprentice hereby guarantees to the Employer and the Central Government the payment of such amount as may be determined by the Central Apprenticeship Adviser, towards the cost for training of the Apprentice.

3. The liability of the Surety shall not at any time exceed an amount equal to three months of minimum stipend payable under The Apprentices Act.

**Witness: 1**

Name \_\_\_\_\_

Signature of Employer, and \_\_\_\_\_

Address: \_\_\_\_\_

Seal of Establishment

\_\_\_\_\_

Signature of Apprentice \_\_\_\_\_

or Guardian (in case of minor)

**Witness: 2**

Name \_\_\_\_\_

Signature of Surety \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

To,

The S. E. (Training)

SGTPS, MPPGCL, Birsinghpur

Sub: Submission of written consent of one year Training program for GA/TA.

Ref: Order No. 511-0100/SGTPS/SE (TRG)/ \_\_\_\_\_, Birsinghpur, Dt:

Sir,

With reference to above order No. I \_\_\_\_\_ S/D/O \_\_\_\_\_ willing to join one year Graduate/ Technician Apprenticeship training program. I am also agree to accept all terms and conditions mentioned in the above order with my written consent and reported in your office on Dtd: \_\_\_\_\_ and submitting the documents in requisite format.

Please accept my written consent.

Thanking you.

Encl: As above.

Yours Sincerely