

Apprentices (Maharashtra Amendment) Act, 2017

MAHARASHTRA

India

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Act 17 of 2018

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Apprentices (Maharashtra Amendment) Act, 2017(Maharashtra Act No. 17 of 2018)[Dated 9.2.2018]An Act to amend the Apprentices Act, 1961, in its application to the State of Maharashtra. Whereas, it is expedient to amend the Apprentices Act, 1961, (52 of 1961), in its application to the State of Maharashtra, for the purposes hereinafter appearing; it is hereby enacted in the Sixty-eighth Year of the Republic of India as follows:-

1. Short title and commencement.

(1)This Act may be called The Apprentices (Maharashtra Amendment) Act, 2017.(2)It shall come into force on such date as the State Government, may, by notification in the Official Gazette, appoint.

2. Amendment of Section 6 of 52 of 1961.

- In section 6 of the Apprentices Act, 1961, (52 of 1961), in its application to the State of Maharashtra (hereinafter referred to as "the principal Act"), for the existing clause (b), the following clause shall be substituted, namely:-(b)in the case of other apprentices, the period of apprenticeship training shall be such as may be specified by the State Apprenticeship Council;

3. Amendment of Section 7 of 52 of 1961.

- In section 7 of the principal Act, in sub-section (3), for the existing proviso, the following proviso shall be substituted, namely:-Provided that, where a contract is terminated-(a)for failure on the part of the employer to carry out the terms and conditions of the contract, the employer shall pay to the apprentice one month's stipend for which he is entitled as a compensation;(b)for such failure on the part of the apprentice, the apprentice or his guardian shall refund to the employer as cost of training one month's stipend for which he is entitled.

4. Amendment of Section 8 of 52 of 1961.

- In section 8 of the principal Act, after the existing sub-section (1), the following sub-section shall be inserted, namely:-(1-A) Notwithstanding anything contained in sub-section (1), the establishment shall have to engage trade apprentices to the extent of minimum 2.5 per cent and maximum 25 per cent of the total strength of the employees of establishment including contractual or daily wages or whose services have been available through third party in any designated trades or optional trades for which activities are carried out in that establishment.

5. Amendment of Section 13 of 52 of 1961.

- In section 13 of the principal Act, after the existing sub-section (1), the following sub-sections shall be inserted, namely:-(1A)The minimum rate of stipend per month payable to trade apprentices who do training for eight hours per day shall be as follows, namely:-

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| (a) During the first year of training | Seventy per cent, of the minimum wages of semiskilled workers notified by the State. |
| (b) During the second year of training | Eighty per cent of minimum wages of semiskilled workers notified by the State. |
| (c) During the third year of training | Ninety per cent of minimum wages of semiskilled workers notified by the State. |

(1B)The trade Apprentices who do training for minimum four hours per day, the rate of stipend per month shall be fifty per cent of the rates mentioned in clauses (a), (b) and (c) of sub-section (1-A), respectively:Provided that, in the case where the minimum rate of wage for a trade is not notified by the State, then the maximum of minimum wages of the Scheduled Employment notified by the State for semi-skilled workers shall be taken into account for paying the stipend in respect of that trade:Provided further that, in the case of trade apprentices referred to in clause (a) of section 6 of the Act, the period of training already undergone by them in a school or other institution recognized by the State Council, shall be taken into account for the purpose of determining the rate of stipend payable.

6. Amendment of section 21 of 52 of 1961.

- In section 21 of the principal Act, -(i)after the existing sub-section (1), the following sub-section shall be inserted, namely:-(1A)For apprentices successfully completed the training period in the trade designated by the State Apprenticeship Council (other than the trade designated and prescribed by the Central Government), may appear for a test to be conducted by the State Council of Vocational Training or any other agency authorized by the State Government to determine his proficiency in the trade designated by the State Apprenticeship Council in which he has undergone apprenticeship training.(ii)after the existing sub-section (2), the following sub-section shall be inserted, namely: -(2A)Every apprentice, who passes the test referred to in sub-section (1-A) shall be granted a certificate of proficiency in the trade by the State Council of Vocational Training or by the other agency authorized by the State Government.