

# APPRENTICESHIP RULES 1966.

## CONTENTS

1. Short title and commencement.
2. Definition
3. Constitution
4. Casual Vacancy
5. Apprenticeship Advisory Committee
6. Co-opted Member
7. Removal
8. Rules of Business
9. Appointment of Sub-Committees
10. Traveling Allowances
11. The Apprenticeship Wing
12. Interpretation
13. Recruitment and Selection of Apprentices
14. Following procedure
15. The minimum and maximum age for enrolment
16. The minimum educational qualifications
17. Every apprentice must be physically fit
18. Apprenticeship Contract
19. Duration of Apprenticeship
20. Exemption
21. Probationary Period
22. Disputes
23. Employment after training
24. Stipend, Incentive and Reward during the period of Apprenticeship
25. Working Hours, Leave and Holidays –
26. Discipline
27. Welfare
28. Supervision and Control of Apprentices –
29. Practical Training
30. Related (Theoretical) Instruction –
31. Progress and Record Keeping –
32. Periodical Test
33. Final Tests
34. Certifications
35. Apprenticeship in trade
36. Transferability of Apprenticeship
37. Premature termination of Apprenticeship
38. Change in Trade
39. Issuance of Directive –
40. Apprentice able Trade

# APPRENTICESHIP RULES 1966.

## TEXT

[ 23<sup>th</sup> June 1966]

### NOTIFICATION

No. 9-17 (L-III) 61-L-IV. With reference to the Government of West Pakistan Labour Department's Notification No. 9-17 (L-III) 61-L-IV, dated the 1<sup>st</sup> December 1965 and in exercise of the powers conferred by Section 13 of the Apprenticeship Ordinance 1962 (Ordinance No. LVI of 1962), the Governor of West Pakistan is pleased to make the following rules, namely:—

**1. Short Title and Commencement:—**(1) These rules may be called the Apprenticeship Rules 1966.

(2) They shall come into force at once.

**2. Definitions:—**<sup>1</sup>(1) In these rules,

(a) apprenticeship trainer' means a person directly responsible for imparting practical training to the apprentices;

(b) Chairman' means the Chairman of the Committee;

(c) Committee' means the Apprenticeship Advisory Committee constituted under section 3 of the Ordinance read with rule 3;

(d) Form' means a form appended to these rules;

(e) Government' means Government of the Punjab;

(f) member' means member of the committee;

(g) Ordinance' means the Apprenticeship Ordinance 1962 (LVI of 1962); and

(h) TEVTA' means the Technical Education and Vocational Training Authority established under the Punjab Technical Education and Vocational Training Authority Act, 2010 (X of 2010)."

(2) Any expression used in these rules, and defined herein, but defined in the Ordinance shall be deemed to have the meaning assigned to it in the Ordinance.

**3. Constitution :-**<sup>2</sup>(1) The Committee shall consist of the following: -

i.	The Chairperson, TEVTA	Ex-Officio Chairman
ii.	The Chief Operating Officer, TEVTA	Ex-Officio Member
iii.	The General Manager (HRM), TEVTA	Ex-Officio Member
iv.	The Representative of Labour & Human Resource Department not below the rank of Deputy Secretary	Ex-Officio Member
v.	The Representative of Industries, Commerce & Investment Department not below the rank of Deputy Secretary	Ex-Officio Member
vi.	Three Representative of Employers to be nominated by TEVTA	Member
vii.	Three Representative of Employees to be nominated by TEVTA	Member
viii.	The Manager Apprenticeship	Member / Secretary

<sup>1</sup> Substituted by Notification No 1-71/2008 (PT iii) dated 12 April 2011

<sup>2</sup> Substituted by Notification No 1-71/2008 (PT iii) dated 12 April 2011

	Training, TEVTA	
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(2) Terms of office of members

The term of office of members of the Committee other than ex-officio members shall be two years which may be extended for any further period not exceeding one year.

(3) No member appointed by virtue of his office shall continue to be member if he ceases to hold that office.

**4. Casual Vacancy :-** (1) Whenever there occurs a vacancy in the membership of the Committee due to death, resignation, removal, it shall be filled by Government by nomination.

(2) The person so appointed shall be a member of the Committee for the unexpired term of the Committee.

**5. Apprenticeship Advisory Committee:-** The committee shall:-

- (a) advise the competent authority in matters relating to the implementation of the Ordinance and the rules made there under and;
- (b) advise the Government on the desirability or otherwise of introducing from time to time amendments or notifications to these rules.

**6. Co-opted Member:-** (1) The Chairman may, if he considers necessary, co-opted any person as a member for a period not exceeding one year.

(2) The chairman may invite to any meeting of the Committee (s), for the purpose of advise such person as he may consider necessary in the light of the subjects on the agenda of any particular meeting.

**7. Removal:-** The Government may, by order, in writing, remove the Chairman or a member if he has absented himself from two consecutive meetings of the Committee without leave of the Government in the case of Chairman or of the Chairman in the case of a member.

**8. Rules of Business:-** (1) The Committee shall meet at least once in six months.

(2) Such meetings shall be called by the Member-Secretary of the Committee with the prior approval of the Chairman either in the normal course or on a written request by not less than half of total number of the members.

(3) The agenda for a meeting subject to the prior approval of the Chairman shall be framed by the Member-Secretary of the Committee after considering suggestions, if any, received from any member of the Committee.

(4) The **member-Secretary** of the Committee shall serve a notice of the meeting along with its agenda, fifteen days before such meeting, on all members.

(5) The notice under sub Rule-4 specify the date, time and place of the meeting.

(6) The quorum for a meeting of the Committee shall be half the total number of the member.

(7) A resolution relating to the matter not on the agenda of the meeting may be moved with the permission of the Chairman.

(8) The meetings of the Committee shall be presided over by the Chairman, and in his absence by a person elected for the purpose by the members present from amongst themselves.

(9) The decision in the meetings of the Committee shall be by majority of votes of the members present and voting at the meeting.

(10) Each member, including the Chairman, shall have the vote, but in the event of equality of votes, the Chairman shall have a second casting vote.

(11) The minutes of every meeting of the Committee, stating among other things the names of the members present, shall be drawn up and recorded in a book to be kept for the purpose and shall be signed by the person presiding at the meeting and such book shall be opened to inspection by the members.

**9. Appointment of Sub-Committees:-**The committee may appoint one or more Sub-committees, as and when considered necessary, to report on any specific problem and may also appoint technical experts to work on the committee or Sub-Committee as advisers.

**10. Traveling Allowances:-**(1) The members of the committee and sub-committees the technical experts appointed and any other person invited to attend the meeting of the committee or sub-committee shall be entitled to receive the 1<sup>st</sup> class Railway Fare or Tourist Class Air Fare for the journey performed in connection with the work of the committee or its sub-committee(s).

(2) The traveling allowance shall be drawn and disbursed by the Member-Secretary of the Committee out of the Budget provision for the Apprenticeship Scheme under the Head "47-Miscellaneous-Department Manpower and Employment Organization."

**11. Secretariat of the Committee:-**The Apprenticeship Wing of the Directorate of Labour Welfare shall work as the Secretariat of the Committee.

**12. Interpretation:-** Any question relating to the interpretation of these rules shall be referred to the Chairman whose decision shall be final.

**13. Recruitment and Selection of Apprentices:-** (1) The apprentices shall normally be taken once a year either in the month of June or December or in case of individual employers as indicated by the Competent Authority.

(2) The dates of interview shall be indicated to Competent Authority who may, in its discretion authorizes an officer to participate in the interview and final selection of apprentices in the advisory capacity.

**14. Procedure for the selection of apprentices: –** Following procedure shall be observed by the employers for the selection of apprentices:–

- (i) The vacancies shall be advertised in the important Newspapers.
- (ii) Intimation about the vacancies shall be given to the nearest Employment Exchange.
- (iii) A written test of the candidate shall be held.
- (iv) A viva-voce test shall be given to these candidates who qualify the written test.
- (v) An aptitude test shall be given If the competent authority deem feasible and practicable.

**15. Age for enrolment: -** The minimum and maximum age for enrolment as an apprentice shall be 15 years and 20 years respectively.

Provided that in a second or further apprenticeship for any person the maximum age will be more than 20 years, where so authorized by the Competent Authority.

Provided further that in the case of personal released or retired from Pakistan Armed Forces with good conduct, the maximum age for an apprentice may be 45 years."

**16. Educational Qualifications: -** The minimum educational qualifications for an apprentice at the time of enrolment shall vary from trade to trade and shall be publically notified by the employer for the apprentice able trade and category in advance subject to the prior approval of the competent authority.

**17. Physical Fitness: -** Every apprentice must be physically fit at the time of **recruitment**

(2) The **examination** shall be done by a qualified doctor nominated by and at the cost of the employer.

**18. Apprenticeship Contract:-** (1) The employer and the apprentice shall on the eve of the apprentice's recruitment, enter into a written contract to be known as the "Apprenticeship Contract" on the prescribed form given in Appendix "I".

(2) In case of apprentice being a minor, the contract shall be signed by the parent/guardian as well as by such minor apprentice.

(3) The contract shall be prepared in triplicate and submitted to the competent authority for registration and after endorsement of registration on all three copies the original shall be sent to the apprentice, a copy sent to the employer and a copy retained by the competent authority.

(4) **No** subsequent alteration or amendment in the contract shall be made except with the prior approval of the competent authority.

(5) Apprenticeship Contracts shall be exempted from stamp duty.

**19. Duration of Apprenticeship:-** (1) The duration of Apprenticeship for each trade declared as apprentice able trade shall be determined by the competent authority, after having taken into account the directives of the Government issued from time to time under Rule 3.

- (i) The nature and the job description of the trade.
- (ii) The expected degree of skill and knowledge of the trade to be achieved by a worker before entering the employment market as a skilled worker in the trade.
- (iii) The likely duration required for attaining the desired proficiency in the trade.
- (iv) The practical training related (theoretical) instruction and the job-practice needed for the development of the desired skill and knowledge.
- (v) The minimum educational qualifications laid down for entrance as an apprentice in the trade.

(2) The duration of apprenticeship shall invariably be specified in the apprenticeship contract.

(3) Any extension in the apprenticeship period, in individual cases, if considered essential in the interest of apprentices training, shall be made with the approval of the competent authority, The extension granted shall in no case be more than 1/4th of the original duration of apprenticeship.

**20. Exemption:-** An apprentice who, before his enrolment has already undergone for a period of systematic vocational/technical training approved by the competent authority either in an institution or an undertaking may, with the consent of the competent authority, (be granted partial exemption by the employer from the duration of apprenticeship, but such exemption shall in no case exceed half of the total duration of apprenticeship. The stipend scale shall be modified accordingly.

**21. Probationary Period:-** Every apprenticeship shall undergo a probationary period of three (3) months commencing from the date of his enrolment as an apprentice. During the period the employer as well as the apprentice shall be free to terminate the apprenticeship but only after a written notice has been given by either party to the other under intimation to the competent authority.

**22. Disputes:-** Any dispute arising between the employer and the apprentice shall be referred to the competent authority. Any party not satisfied with the decision of the competent authority, may within 30 days of dispatch of the notification of such decision file an appeal to the Committee, whose decision in the matter shall be final and binding on the parties concerned,

**23. Employment after training:-** It shall not be obligatory on the part of the employer to offer an employment to an apprentice on completion of his apprenticeship nor shall it be obligatory on the part of the apprentice to serve the employer after completion of his apprenticeship.

Provided that:–

- (a) The provision shall not be enforced for contracts of apprenticeship entered into prior to 31<sup>st</sup> December 1969. and
- (b) The amount of any bond and the period of post-apprenticeship employment shall be approved by the competent authority before the commencement of the apprenticeship.

**24. Stipend, Incentive and Reward during the period of Apprenticeship:-** (1) The employer shall pay to the apprentices during the apprenticeship period a weekly or monthly stipend at the following rates namely:–

- (i) 1<sup>st</sup> year of Apprenticeship  
50 per cent of the wages of the skilled workers of the grade engaged in the trade / occupation concerned.
- (ii) 2<sup>nd</sup> year of Apprenticeship  
60 per cent of the wages of the skilled workers of the grade engaged in the trade / occupation concerned.
- (iii) 3<sup>rd</sup> year of Apprenticeship

70 per cent of the wages of the skilled workers of the grade engaged in the trade / occupation concerned

(2) Where the duration of apprenticeship training exceeds three years, the rates of stipend after third year shall be equal to full wages of the skilled workers of the grade in the trade or occupation.

(3) An apprentice shall not be paid stipend on the basis of piece-work.

(4) Notwithstanding the above provisions, an employer will be free to offer higher rates of stipend and other incentives or reward to an apprentice for any good progress in his training.

(5) An apprentice not promoted to the next higher year of the training course will draw the stipend prescribed for the year which he has been detained.

**25. Working Hours, Leave and Holidays:** – (1) Working Hours, Leave and Holidays for an apprentice shall be the same as for other employees in the undertaking.

(2) Apprentices falling under the categories of adolescent and children as defined in the Factories Act 1934, shall be entitled to the benefits of the special provisions contained in that Act, and they may work over time only in compliance with that Act,

(3) Apprenticeship not covered by the Factories Act 1934 may work over-time but only under the same conditions as though they were covered by that Act.

**26. Discipline:-** The discipline of an apprentice shall be governed by the code of discipline prevalent in the under-taking for other workers in accordance with the Industrial and Commercial Employment (Standing Orders) Ordinance, 1960, and subject to the provisions laid down in these rules and the terms and conditions of the Apprenticeship Contract.

**27. Welfare:-** (1) The employer shall pay special attention to the welfare of the apprentice and provide medical, sports and fair-price shop facilities. Every apprentice shall be provided free of cost with materials as may be necessary for his training, the workshop clothing's, drawing instruments, hand tools, books and other articles normally required during the apprenticeship.

**28. Supervision and Control of Apprentices:** – (1) Proper and efficient supervision, direction and control of apprentices, and their training shall be assured by the employer. For this purpose, the employer shall appoint, on full or part time basis, one or two suitable officer (s) of sufficiently high status, who shall be given the specific responsibility to operate the apprenticeship programmes efficiently. This officer shall be directly responsible to the higher arrangement of the undertaking.

(2) Undertaking having 100 or more apprentices, shall maintain a self contained apprenticeship training department with requisite staff.

(3) Undertaking having less than 100 but more than 50 apprenticeship shall appoint a whole time apprenticeship training officer to operate the apprenticeship programmes with the help of apprentices trainer who may be a Shop Foreman/Supervisor specially appointed for the purpose.

(4) Undertakings for 50 apprentices or less shall appoint an officer of the undertaking to operate in addition to his normal work, the apprenticeship training programmes with the help of an apprentice trainer who will be a Shop Forman/Supervisor.

**29. Practical Training:-** (1) Not less than 75 per cent of the apprentices working hours shall be spent on practical work, the list of skills, operation and schedule whereof shall be worked out in advance by the employer and, if not already prescribed by him, the approval thereto obtained from the Competent Authority.

(2) The Practical Training may be arranged in the Apprenticeship Training Centre. Trade Technical Centre, or any other Technical Institute duly approved by the Competent Authority if no proper facilities are available in the undertaking.

(3) The employer shall bear the cost of the practical training of the apprentices.

**30. Related (Theoretical) Instruction:** – (1) Theoretical instructions for the apprentices shall be arranged by the employer either individually or jointly by two or more employers in accordance with the instructions issued by the Government under RULE 39.

(2) No deductions from the stipend of an apprentice shall be made for the period during which he attends theoretical instructions.

(3) Where theoretical instruction is arranged jointly by different employers, the expense shall be met by the employers on prorata basis in accordance with a Scheme drawn by them and approved by the Competent Authority.

**31. Progress and Record Keeping:** – The employer shall maintain proper records of the apprentices and his training programmes. For this purpose the competent authority may, from time to time, prescribe progress cards and other forms to be maintained by the employer.

**32. Periodical Test:-** The employer shall work out and introduce a system of periodical tests of the apprentices employed by him in the undertaking so as to ensure and stimulate the progress in the training of the apprentices. The test shall cover both practical training as well as related instruction. The result of the tests may be taken due notice of for the purpose of offering prizes, rewards etc., to the meritorious apprentices.

**33. Final Tests:-** (1) The final implant examinations/tests (Practical and Theoretical) for the purpose of employer (s) certification shall be organized by a Board set-up for the purpose by the employer.

(2) Composition of the Board

The Board shall consist of:-

- (i) A Technical Member of the Management ... Chairman.
- (ii) Assistant Director, Apprenticeship Training/  
Apprenticeship Officer of the concerned  
Regional Directorate of Apprenticeship Training ... Member.
- (iii) Foreman /Supervisor Incharge of the  
concerned Shop ... Member.

(3) Functions of the Board

The Board shall lay down and conduct tests/examinations for the apprentices of each group after notifying the test at least 15 days in advance.

(4) The Board shall conduct the examination on the following basis:-

(a) The examination/test shall comprise of three part:-

- (i) Practical Test of a minimum duration of 4 hours.
- (ii) Viva-voce on the job done in the practical test, and
- (iii) Written test for related (theoretical) subjects of a minimum duration of one and a half hour for each subject.

(b) 80 per cent marks shall be devoted to practical test and 20 per cent shall be for related (theoretical) subjects.

For apprentices who have completed a training course in an Apprenticeship Training Centre both the Final marks of the Institutional Training and the marks of the Final Test in the undertaking are considered 50 per cent each for the purpose of entry as Final marks in the trade certificate.

(c) Pass Marks for the practical test shall be 50 per cent and for related (theoretical) subjects shall be 33 per cent.

(d) If an apprentice fails to secure the pass-marks either in practical or the related subjects on a separate aggregate basis, he shall be allowed a further training the duration of which shall not exceed six months.

(5) The result shall be placed on the notice board of the undertaking within 15 days of the conclusion of the examination text.

(6) The Board shall be responsible for setting the question papers arranging the practical tests and also awarding marks to the trainees in respect of all the examinations.

(7) The dates of holding final apprenticeship examinations shall be intimated to the Competent Authority, who may if he so likes, authorize an officer to participate in holding the final examination of apprentices, announcing the result and issuing the certificates.

**34. Certifications:-** (1) The employer shall arrange to issue a certificate countersigned by the competent authority to his apprentice on successful completion of his apprenticeship period. The

certificate shall indicate the specific trade trained in, the period and nature of training including related instruction undergone, the degree of proficiency achieved, etc. The form of certificate shall be prepared with concurrence of the competent authority. Notification of due-completion of apprenticeship shall be sent to the competent authority for registration.

(2) In the case of the premature termination of apprenticeship, the employer shall issue the apprentice a certificate indicating the trade, the period, the extent and the nature of training undergone upto the date of termination of the apprenticeship. Notification of the premature termination of apprenticeship shall be sent to the competent authority of registration.

**35. Apprenticeship in trade other than apprentice able trade:-** An employer desirous of training an apprentice in a trade other than an apprentice able trade may do so only after obtaining prior approval of the competent authority.

**36. Transferability of Apprenticeship:-**(1) No apprentice shall be transferred from one employer to another employer, accept with the approval of the competent authority, who shall not grant such an approval unless in his opinion the transfer is unavoidable for the satisfactory continuous of the apprentice's training.

**37. Premature termination of Apprenticeship:-** After completion of probationary period, no apprenticeship shall be terminated before its normal completion accept with the prior approval of the competent authority, which shall not be granted unless in the opinion of competent authority, the employer or the apprentice is for valid reasons, unable to fulfill his respective obligations as laid down in the Ordinance or the Rules.

**38. Change in Trade:-** During the currency of apprenticeship period, no change in the originally allotted trade of an apprentice shall be made except with the prior approval of the competent authority which shall not be granted unless, in the opinion of the competent authority, the change is necessitated by the apprentice's aptitude, health, progress in training or for other genuine reasons.

**39. Issuance of Directive: –** (1) The Government, in consultation with the Committee, may issue directives, from time to time concerning:

- (a) Subjects and **Syllabi** of practical and theoretical training for different apprentice able trades.
- (b) Duration and start of courses for different apprentice able trades.
- (c) Method and condition of promotion to the next higher year of training or detention in the same year due to unsatisfactory progress of the apprentices.
- (d) Periodical Trade Test.
- (e) Minimum qualification for apprentice trainer.
- (f) Method of holding examinations and issuance of certificates.
- (g) Condition for continuance of training of apprentices.
- (h) Conditions of employment after training and,
  - (i) Such other matters concerning apprentices and apprentice able trades as may be deemed necessary.

(2) While issuing the directives under Sub-Rule (1) the Government may invite suggestions from concerned.

**40. Apprentice able Trade:-**

1) Every employer to whom the Ordinance applies, shall submit to the Competent Authority within a period of 30 days from the date of a particular trade is notified as an apprentice able trade and the number of apprentices to be recruited by him in accordance with Sub Section-(3) of Section 4 of the Ordinance.

2) Every subsequent employment in the apprentice able trades shall also be intimated to the Competent Authority within 30 days of such employment.

3) A record shall be maintained in the office of the Competent Authority showing up-to-date list of all apprentice able trades in various industries and the number of apprentices required to be trained in such apprentice able trades.