

CENTRAL APPRENTICESHIP COUNCIL RULES, 1962

CONTENTS

1. Short title and commencement
2. Definitions
3. Constitution of Council
4. Terms of office
5. Cessation of membership
6. Filling of vacancies
7. Time and place of meeting
8. Notice of meeting
9. Quorum for the Council
10. Decision by majority
11. Business by circulation

CENTRAL APPRENTICESHIP COUNCIL RULES, 1962

In exercise of the powers conferred by sub-section {1) of section 37 of the Apprentices Act, 1961 (52 of 1961), the Central Government hereby makes the following rules, namely:

1. Short title and commencement :-

- (1) These Rules may be called the Central Apprenticeship Council Rules, 1962.
- (2) They shall come into force at once.

2. Definitions :-

In these rules, unless the context otherwise requires,-

- (a) "Act" means the Apprentices Act, 1961 (52 of 1961);
- (b) "Chairman" means the Chairman of the Central Apprenticeship Council;
- (c) "Council" means the Central Apprenticeship Council established under sub-section (1) of section 24 of the Act;
- (d) "Member" means a member of the Council;
- (e) "Secretary" means Secretary to the Council.

3. Constitution of Council :-

The Council shall consist of a Chairman ¹[and a Vice-Chairman] who shall be appointed by the Central Government and the following other members who shall also be appointed by the Central Government, namely-

(a) not more than 9 representatives of employers in establishments in the public sector,

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b) not more than 9 representatives of employers in establishments in the private sector,

(c) not more than ²[1 2] representatives of the Central Government,

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(d) not more than ⁴[2 2] representatives of the State Governments,]

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"(e) not more than 4 persons having special knowledge and experience on matters relating to industry and technical education,

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(f) \not more than 5 persons having special knowledge and experience on matters relating to labour,

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(g) \two representatives of the All India Council and one representative each of the Regional Boards."

1. Inserted by the Central Apprenticeship Council (Amendment) Rules, 1975, w.e.f. 4-2-1975.

2. Substituted for "10" by the Central Apprenticeship Council (Amendment) Rules, 1996, w.e.f. 14-9-1996.

3. Substituted by the Central Apprenticeship Council (Amendment) Rules, 1968, w.e.f. 24-6-1968.

4. Substituted for "18" by the Central Apprenticeship Council (Amendment) Rules, 1975, w.e.f. 4-2-1975.

5. Substituted by Central Apprenticeship Council (Amendment) Rules, 2003

4. Terms of office :-

(1) The Council shall be constituted for a period of three years and thereafter it shall be reconstituted at the end of every three years.

All the members appointed to it shall accordingly hold office for a period of three years: Provided that a member of the Council shall, not with standing the expiry of the said period of three years, continue to hold office until his successor is appointed.

(2) Where a person is chosen as a member of the Council by virtue of the office or appointment he holds, he shall cease to be a member if he ceases to hold that office or appointment.

5. Cessation of membership :-

(1) A member of the Council shall cease to be a member if he dies, resigns, becomes of unsound mind, is declared insolvent or is convicted of a criminal offence involving moral turpitude.

(2) The office of a member of the Council shall fall vacant from the date on which his resignation is accepted or on the expiry of 30 days from the date of receipt of letter of resignation, whichever is earlier.

6. Filling of vacancies :-

(1) Any vacancy in the membership of the Council caused by reasons mentioned in sub-rule (1) of rule 6 shall be filled by the Central Government.

(2) A member appointed to fill a casual vacancy shall hold office for so long as the member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

7. Time and place of meeting :-

The Council shall meet as often as may be necessary and at least once a year on such date, time and place as may be determined by the Chairman.

8. Notice of meeting :-

The Secretary shall give a notice of not less than fifteen days for a meeting of the Council to each member but a shorter notice may be given for holding an emergency meeting.

9. Quorum for the Council :-

One-third of the number of members of the Council shall constitute the quorum for any meeting of the Council.

10. Decision by majority :-

(1) All questions to be decided by the Council shall be in

accordance with the opinion of the majority of the members present and voting.

(2) Each member shall have one vote. If there is equality of votes, the Chairman shall have and exercise the casting vote.

11. Business by circulation :-

(1) The Chairman may, in special circumstances, instead of convening a meeting of the Council, obtain the opinion of the members on any item of business individually by circulation of papers and such item shall be decided in accordance with the opinion of the majority;

(2) be responsible for the custody of all the records of the Board including all the papers and documents connected with the proceedings of the Board and the Committee;

(3) be also responsible for the implementation of the decision of the Board and shall also be responsible for the submission of all the estimates, programmes of work and schemes; and financial returns of the Government in time and on proper forms;

(4) act as co-ordinating authority between the Board, and the Director of Industries, Uttar Pradesh;

(5) shall keep in his custody the common seal of the Board;

(6) assign duties to the servants of the Board working under it subject to any general or special directions of the Board in this regard.

(7)

(1) The programmes of work and schemes for implementation in a financial year shall be formulated by the Board in Form I and submitted to State Government by the last working day of September of the year preceding the financial year to which the programmes relate.

(2) Supplementary programmes of work and schemes, if any, shall be prepared by the Board in Form II and submitted to the State Government by the last working day of November of the year preceding the financial year to which the programmes relate.

(8)

(1) The annual financial statement of estimated receipts and

expenditure of the Board shall be prepared by the Board and submitted to the State Government before the last day of October in the year preceding the financial year to which the statement relates.

(2) Supplementary annual financial statements, if any, shall be prepared by the Board and submitted to the State Government by the end of November preceding the financial year to which the statement relates.

(9)

(1) Every contract or agreement to be entered into by or on behalf of the Board shall be in writing and shall be signed and sealed with the common seal of the Board.

(2) The Secretary may, subject to any general or special order of the Board in this behalf, enter into any contract or agreement on behalf of the Board in such manner and form, as according to the law for the time being in force, would bind him if the contract or agreement were entered into on his own behalf, provided that in case of a contract or agreement beyond the value of Rs. 1,000 but not exceeding Rs. 5,000 the prior approval of the Chairman shall be necessary and in case of a contract or agreement beyond the value of Rs. 5,000 the prior approval of the Board shall be necessary.

(3) A gist of every contract or agreement entered into on behalf of the Board shall be submitted to the Board for its information at the earliest opportunity.

(10)

(1) The Board shall furnish to the State Government quarterly returns and statements about the progress of the activities of the Board and in particular about every existing and proposed programme of work or scheme, in Form III, before the close of the month succeeding the quarter.

(2) The Board shall, within three months after the end of each financial year, submit to the State Government a report in Form IV giving a true and full account of its activities, policies and programmes during the financial year in question.

(11) The Chairman-

(1) shall be responsible for the proper functioning of the Board and

the discharge of its duties under the Act and the rules made thereunder;

(2) shall cause to be prepared and submitted to the Government the annual financial statements of receipts and expenditures within the due time;

(3) shall cause to be prepared and submitted to the Government quarterly returns and statements about the progress of the activities of the Board within the due time;

(4) shall cause the important papers and matters to be presented to the Board as early as possible;

(5) shall, subject to any general or special order of the Board in this behalf, issue directions about the method of carrying out the decisions of the Board;

(6) shall cause to be maintained a proper account of the receipts and expenditure of the Board; and

(7) may, subject to any general or special directions of the Board in this behalf, invite any person, other than a member of the Board, to any meeting of the Board or its Committee for the sole purpose of seeking any advice from him on any matter.