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NOTIFICATION

No.SW.7/74/73, the 23rd Sept. 1976. In exercise of the powers conferred under Rule 12 of the D.F.P. Rules 1958 (as amended). The Lt. Governor of Mizoram is pleased to frame the following Rules for selection and award of stipend to the trainees deputed for training inside and outside Mizoram under the Implant Training Programme of the Directorate of Industries, Government of Mizoram as approved by the Government of India, Ministry of Industry and Civil-Supplies; Department of Industrial Development, New Delhi vide their letter No. SSI(II)13(2)75 dated 30th January, 1976 with the approval of the Ministry of finance (Department of Expenditure) namely :-

1. SHORT TITLE:

These rules may be called as 'Apprenticeship and Implant Training Scheme' of the Directorate of Industries, Mizoram. This will govern the conditions for selection and awarding of stipends to the trainees deputed for training both inside and outside Mizoram.

2. These rules come into force at once.

3. AIMS & OBJECTS OF THE RULES :

- (a) To ensure availability of the skilled local workers by arranging implant training in Industries both inside and outside the State.
- (b) To train the workers in different trades so that after the training these workers are in a position to know the latest technical know how of these trades and are in a position to make quality production.
- (c) To reduce unemployment among the local youths by encouraging them to come to Industries.

4. DEFINITION :

- (a) **DIRECTOR OF INDUSTRIES :** Means the Director of Industries, Government of Mizoram or any Officer who is empowered by him to act on his behalf.
- (b) **STIPEND :** Means a fixed monthly remuneration to be paid to the trainees selected by the Director of Industries for undergoing training in various establishments, Industries both inside and outside Mizoram.
- (c) **TRADE :** Means a trade which is selected by the Director of Industries for the purpose of training of these trainees.
- (d) **ESTABLISHMENT :** Means any place other than an Industry where a trainee is attached for training in the different trades and it also includes institutions run by Central or state Government or by recognised Institution.
- (e) **INDUSTRY :** Means any Industry, Factory, Trade, Business other than an establishment.
- (f) **PRESCRIBED :** Means prescribed by these rules by the Director of Industries, by the Factory or by the establishment.
- (g) **TRAINEE :** Means a person who is selected by the Director of Industries for under-going training in factories and establishment under the rules and who is also to be paid stipend for the purpose.
- (h) **SURETY :** Means a person who under takes for the trainee regarding his satisfactory completion of training and also includes the parents or the guardian of the trainee and he must be a

person who also owns an immoveable property valued not less than Rs. 2,000/-

(i) **GOVERNMENT** : Means Government of Mizoram.

5. **ADMISTRATIVE CONTROL :**

The schemes will be under the administrative control of Director of Industries, Mizoram and will be financed out of Non-Plan Budget of the various wings of Industries Department.

6. **QUALIFICATION FOR BEING ENGAGED AS TRAINEE :**

A person shall not be qualified for being engaged as trainee unless

- (a) He/She has attained 15 years of age and is not more than 35 years old
- (b) Satisfies such standards of education and physical fitness as may be prescribed.

Provided that the different standards may be prescribed in relation to im-plant training in different factories and establishment.

7. **NO PERSON SHALL BE ENGAGED AS TRAINEE UNLESS :**

- (a) His/Her guardian executes a bond as per annexure 1 and 2, somebody stands surety for his.
- (b) If he is not minor, he has executed a bond as per annexure 2 & 3.

8. **SELECTION OF TRAINEES :**

- (a) The Director of Industries, Mizoram shall assess every year the requirement of skilled workers/operators/trademen/of different trades to the total number of trainees to be admitted in each trade. And accordingly, selection of the trainees shall be made by advertisement in newspaper or in any other manner as deemed fit by the Director of Industries, Mizoram. Selection of the candidates for training in units within the State of Mizoram will be made by the respective Assistant Director of Cottage Industries of the District/Superintendent of Industries of Sub-Divisions and also the Superintendent of Sericulture and Weaving with the assistance of the representative of the units to which trainees are to be engaged in consultation with the Director of Industries, Mizoram.

The Government shall in no case be responsible to employ these trainees after the completion of their training.

(b) TRAINING OUTSIDE THE STATE :

The Director of Industries from time to time shall assess the requirement of skilled workers/operators etc. for which there are no training facilities inside the Mizoram and select in consultation with the Government trainees to be trained outside Mizoram in factories and establishments where such training facilities are available. But the Government shall in no case be responsible for providing any kind of unemployment or employment to these trainees after the completion of training.

9. DURATION OF TRAINING :

Duration of the training for inside the State shall vary from three to six months and for outside the State shall vary from six months to one year. But in special cases the Government may extend the period of training for inside the State upto a period of not more than six months. The Government also may extend or reduce the periods of training for the trainees outside the State for such periods which are required by the trainees for the full completion of the training.

10. RATE OF STIPEND :

- (a) In case of trainee inside the State stipend shall be paid at the rate of Rs. 75/- per month and in case of trainee outside the State the stipend shall be paid at the rate of Rs. 150/- p.m. for all the trades.
- (b) In case of trainees outside the state a single 2nd Class Railway fare is to be paid for each journey from the nearest Railway or Motor Station of the place of residence of the trainees up to the destination. The return journey fare at the same rate will also be paid.
- (c) Trainees may be sent on Study Tour to any place within India. The Government will bear 2nd Class Railway fare/Bus fare from the place of journey to the place of visit.
- (d) During the period of study tour each trainee would be entitled to get daily allowance at the rate of Rs. 6/- per day to meet incidental expenses apart from his stipend.
- (e) Provided that total expenses do not exceed Rs. 300/- per trainee.

11. TRAINEES ARE NOT WORKERS :

- (a) Every trainee undergoing a training in an industry or establishment shall be treated as trainee and not as a worker or Government employee.

(b) The provisions of any Labour Law shall not apply to such trainee.

12. CONDITIONS OF PAYMENT OF STIPEND :

The payment of the stipend shall be subject to good conduct, regular attendance and satisfactory progress. Each trainee shall have to execute a bond in a prescribed form as per annexure 2 & 3 as the case may be and shall submit to the Director of Industries, Mizoram or the Head of the Industry or establishment to the effect that he/she shall complete the entire course of training and shall abide by the rules and regulations of the training. The Director of Industries may ask for the refund of the whole amount of the stipend, if it is found that the trainee has failed to complete the course of training negligently and without any reasonable ground.

(b) Every trainee undergoing training shall have the following obligation mainly (a) to learn the trade conscientiously and diligently and endeavour to qualify himself as a craftman before the expiry of the period of training. (b) To attend practical and institutional classes regularly, to carry out lawful orders of the superiors in the factory (c) To carry out all the obligations under the rules.

13. PAYMENT OF STIPEND :

In case of trainees inside the State, sanction of the stipend shall be issued by the Director of Industries. The Local Officer authorised by the Director of Industries shall draw and disburse the stipend for these trainees after receipt of the progress reports for each month from the institute and this progress report should be sent to the Office of the Directorate of Industries shall draw and disburs the stipends of each month to the Head of Industries or establishment to which a trainee is attached after receiving attendance and progress reports from the Head of such Industries, Trades or Establishments.

(b) A trainee is not entitled to receive any other payment from the industry where he is attached nor shall be paid for any kind of piece work or required to take part in any output bonus or other incentive scheme.

(c) No stipend will be paid by the Mizoram Government when the trainees get the stipend under other schemes of training programmes of Government of India/Production-cum-training Centre/Apprenticeship of Labour Ministry/S.I.S.I. etc.

(d) Second Class Railway Fare/Bus fare may be paid to the trainees selected for training outside Mizoram from the place of journey to the place of training and for the return journey.

14. HOSTEL FACILITIES.

No facilities for hostel accommodation, Lodging and boarding will be provided by the Director of Industries, Mizoram.

15. HOURS OF WORKS, OVER-TIME, LEAVE AND HOLIDAYS :

- (a) The weekly and daily hours of work of a trainee while undergoing training in any industry shall be such as may be prescribed by the Industr./or Establishment where such training is undergone.
- (b) No trainee shall be required or shall be allowed to work over time unless it is satisfied that such over time is in the interest of the trainee or in the public interest.
- (c) A trainee shall be entitled to leave as may be prescribed and to such holidays as observed in the Industry or the Establishment in which he is undergoing training.
- (d) Casual Leave and Sick leave : In case of trainees both outside and inside Mizoram casual leave may be allowed for 10 days in a year by the Industry imparting the training. The discretion on this matter will solely rest on the Industry imparting the training.
- (e) Special leave for a maximum period of 15 days may be given by the Director of Industries imparting the training. Such leave shall be with stipend.

ANNEXURE I.

I Shri/Smt. Son/daughter of ...
 Vill. P.S. District ... excu-
 te this bond to the effect that I stand surety for ... Son of ...
 vill. P.S. who desires to undergo training ...
 in .. for a period of ... should trainee fail to learn the trade
 deligently and should negligently and without any reasonable ground fail to com-
 plete the training courses I shall be bound to refund to the Director of Industries,
 the whole amount of stipend awarded to him./her

Witness :

1.

Signature of the surety,
 Countersignature of the
 Director of Industries or
 his authorised Officer.

2.

Bond in case of trainee other than minors.

ANNEXURE II

I Shri/Smt. Son/daughter of ... vill.
 P.S. District ... do hereby under take I shall complete

the training in M/S Industry/Establishment for a period of for which a stipend of Rs. has been sanctioned to me by the Director of Industries, Mizoram. I also undertake to abide by the rules and regulations of the Industry/Establishment and imparting training to me. I shall attend the class regularly and learn the trade diligently and endeavour to qualify myself as craftsman before the expiry of the training.

I shall be bound to refund to the Director of Industries the whole amount of the stipend drawn by me should I willfully and negligently and without any reasonable ground to fail to complete and pass the training.

Witness:

- 1.
- 2.

Signature of the candidate,
Countersignature of the
Director of Industries or
his authorised Officer.

ANNEXURE III

I Shri Son of
Vill. P.S. District
I do hereby undertake that should Shri fail to complete the course without any reasonable ground and should the stipend awarded to him not realised from him, in case he is to refund the amount I shall be bound to pay the entire amount to the Director of Industries, Mizoram.

Witness

- 1.
- 2.

Signature of the surety
Countersignature of the
Director of Industries.
Or his authorised Officer.