

GUIDELINES FOR THIRD PARTY AGGREGATORS

1. BACKGROUND

Apprenticeships are a unique form of technical vocational education and training (TVET), combining on-the job training and off-the-job learning, which enables learners from all walks of life to acquire the knowledge, skills and know-how required to carry out a specific occupation.^[1] According to the Government of India's Apprentices Act 1961, "Apprenticeship Training" means a course of training in any industry or establishment undergone in pursuance of a contract of apprenticeship and under prescribed terms and conditions which may be different for different categories.

To facilitate the Industry (specially the MSMEs) to undertake apprenticeship programme as mandated under the Apprentices Act 1961, a provision exists under the section 8(2) of the Apprentices Act, 1961 enabling several employers to join either themselves or through an agency approved by the Apprenticeship Adviser; and provide apprenticeship training to the apprentices under them; according to the guidelines issued from time to time by the Government. Also, within the rubric of the Apprentices Act 1961, the government of India also launched a scheme "National Apprenticeship Promotion Scheme (NAPS)" on 19th August 2016 to develop a vibrant apprenticeship ecosystem in the country to encourage more establishment participation. Third Party Aggregator (TPA) as an apprenticeship ecosystem stakeholder was introduced in the year 2018 under NAPS and currently it is seen that around 60% apprentice contracts are routed through TPAs.

TPAs are envisioned as the key partners and facilitators of the apprenticeship ecosystem towards bridging the demand of establishments for apprentices and the candidates aspiring to undergo apprenticeship programme. They also play a key role towards mobilising and counseling aspiring apprentices, meeting prescribed curriculum requirements and course design, processing claims and returns on behalf of establishments, facilitate in conducting assessments and issuing certifications, among other key roles.

In a bid to broaden the reach of NAPS through, the Ministry of skill Development and Entrepreneurship (MSDE), Government of India has revised the guidelines for a simplified process for TPA empanelment. This will also lead to gaining access to wider network of establishments and opportunities across industries for the aspiring apprentices under the NAPS.

2. ELIGIBILITY OF TPA

Institutions / Organisations fulfilling all the following criteria can apply for empanelment as TPAs:

- a. Organisations / Institutions Registered as a company / Partnership or Proprietary Firm / Trust /Society / NGO / Industry Association or Chamber / Educational and Technical institutions including universities, schools, ITIs, polytechnic colleges and HR / staffing and recruitment companies and start-ups
- b. 2 years of mandatory experience in industrial training / skilling / education / placement / non-profit activities / industry promotion and facilitation.
- c. 1 year of mandatory experience in mobilization of men, women and youth for education, skilling interventions, facilitating wage / self-employment or involved with non-profit activities pertaining to social/community development.
- d. Such Organisation or any of its related concerns applying for empanelment should not have been blacklisted by any Organisation and must self-declare the same in Organisation's letter head with seal and signature. Thus, blacklisting by other Agencies other than MSDE will not be automatic debar. Committee can take a call on severity of the cause of action.
- e. The Organisation/ Institution must have a registered office with an expert team & sufficient infrastructure in place at its Headquarters / Branch offices, if any.

3. SELECTION PROCESS FOR TPAs

The selection process for TPAs will be as under:

- a. The applicant needs to visit www.apprenticeshipindia.gov.in and register themselves as a TPA and upload the required supporting documents mentioned below:
 - i. Brief organisation profile
 - ii. Registration documents such as Incorporation Certificate, PAN, TAN, GST, etc. (whichever applicable) along with proof of work experience (if applicable)
 - iii. Proof of Address of Head Office and branch offices(s) if any
 - iv. The TPA will have to submit the Annual Action Plan on the portal at the time of registration that will be reviewed every six months.
 - v. Letters of support from at least 20 establishments wanting to engage apprentices stating that it is willing to appoint the applicant institution / organization as a TPA.
 - vi. Self-declaration duly filled in stating that it has not been blacklisted by any other organisation. In case of blacklisting by any other organisation, the blacklisting notice mentioning the cause of action / grounds of blacklisting,

additional comments, documents, etc. to be attached along with the self-declaration.

- vii. Self-declaration duly filled in stating that it will not engage existing workers of the informal / formal enterprises under apprenticeships. Involvement in such practices, if found, will lead to de-empanelment and blacklisting of the TPA by MSDE.
 - viii. TPAs de-empanelled for not generating requisite number of contracts within a specified time will not be allowed to re-apply for empanelment for a period of one year, post which the Committee may stipulate targets appropriately to reflect the TPA's commitment in terms of contract generation and mobilizing industry support.
 - ix. Financials for last two years (not mandatory)
- b. MSDE will receive this signed terms and condition / code of conduct from the applicant at the time of registration on the portal.
 - c. All signed code of conducts will be placed on Apprenticeship Portal.
 - d. Applications received in online mode will be scrutinized by MSDE.
 - e. Shortlisted applications (complete in all respect) will be placed before the TPA Empanelment Committee set up under the Chairmanship of the Central Apprenticeship Adviser (CAA) or the officer nominated by CAA in the MSDE.
 - f. The Applicants may be asked to present their proposal before the committee.
 - g. The committee reserves the right to accept / reject any / all the applications and the decision of the Committee shall be final and binding.
 - h. TPA Applications will be approved on the Portal by the concerned official dealing with the subject.

4. Performance Evaluation of the TPAs:

The Performance of the TPAs will be evaluated on the following parameters:

a. Outreach activities:

No. of Establishment Focused Workshops or Webinars on apprenticeship awareness, NAPS, apprenticeship portal related process flows and procedures, etc.

OR

No. of Career Melas / Job Fair for candidates / Career Counselling organized

OR

Events with Industry bodies organised / MoUs signed

b. Expansion and Contract Generation:

- i. No. of contracts generated
- ii. New Establishments* (active establishment**) registered on Portal
- iii. No. of MSME/ MSME Clusters onboarded on the Portal

*Establishment already registered on the portal however not yet generated any contract will also be considered as New Establishment

**Active Establishments are those establishments which have generated minimum One Contract.

After empanelment, the targets for the TPAs will be as given below:

Sl. No.	Duration	No. of Contracts to be created
Provisional Empanelment		
1	1st Year - First 6 Months	100
Regular Empanelment		
2	1st Year- Next 6 Months	150
3	2nd year	500
4	3rd year & onwards	1500 per year

The targets outlined above are the bare minimum threshold for the TPAs to retain their empanelment. The targets above and beyond the stipulated threshold shall be considered during the performance evaluation and shall influence the overall ranking of the TPA.

c. Contract Completion / Termination

TPA has to ensure that within any financial year the average contract completion rate has to be above 80%. Correspondingly, the average contract termination rate translates to under 20% for the same.

d. Placement Support

- i. TPA has to offer placement assistance to at least 40% of the apprentices upon completion of the apprenticeship training.
- ii. The performance evaluation will be held on a six-monthly basis in the first year and annually second year onwards. However, the Committee reserves the right to conduct special performance evaluation of any TPA, if needed. Participation

and cooperation in such a review shall be binding on the empaneled organisations.

Based on above criteria, the TPAs will be evaluated and ranked accordingly.

5. TERMS AND CONDITIONS OF EMPANELMENT AS A TPA

- a. Organisations will be given provisional empanelment of 6 (Six) months. During this period the empaneled TPA has to generate a minimum of 100 contracts. In case of an Industry Association as a TPA, the industry association has to ensure at least 20% of all its industry members are enrolled as establishments on the apprenticeship portal within first six months of their provisional empanelment.
- b. Provisional empanelment will cease upon achieving the minimum contract criteria and such eligible TPAs will be awarded empanelment for next three years.
- c. TPAs which could not achieve the minimum mandate under provisional empanelment will not be eligible for future empanelment process.
- d. Empanelment renewal after three years will be based on the performance of the TPA as mentioned in point 4.
- e. The empaneled organisations are expected to maintain a high level of professional ethics and not act in any manner, which is detrimental to the interest of the Apprenticeship program or the MSDE / State Governments or its allied departments / organisations like the DGT / NSDC / SSDMs.
- f. MSDE will have right to remove any empaneled TPA who is unable to achieve the target or involved in any unethical activity. Such TPAs will be barred from applying again as a TPA.
- g. MSDE can ask the TPAs to submit their plan for apprenticeship and present before the committee.
- h. MSDE also reserves the right to modify the terms & conditions for empanelment of institutions / organisations from time to time and such modified terms shall be binding on the empaneled organisations.

6. RESPONSIBILITIES OF EMPLOYERS (in cases where it engages TPAs)

The following core activities under the Apprentices act will continue to be the responsibility of the employer even in cases where it engages the services of the TPA:

- a. Enter into the contract of apprenticeship with apprentices.
- b. Ensure uploading of apprenticeship contract on portal.
- c. Ensure uploading of the syllabus with duration on portal.
- d. Arrange / provide of basic training to fresher apprentice.

- e. Provide on-the-job training / practical training at the workplace to apprentice engaged.
- f. Payment of prescribed stipend to apprentices
- g. Payment of compensation in case personal injury is caused to an apprentice by an accident during training.
- h. Organizing assessment & certification at the end of the apprenticeship program
- i. Not to share the User ID and Password to the TPA / any other agency.
- j. Tie-up with a TPA fully understanding the above.

7. Do's and Don'ts for TPAs

Do's:

- a. Age of candidate should be less than 35 years. If it is more than 35, prior approval from MSDE is required.
- b. To match the demand of establishments for apprentices with the candidates desiring to undergo apprenticeship program.
- c. To mobilize and counsel candidates to undergo apprenticeship training.
- d. To assist the establishment in designing courses under the apprenticeship program only based on job roles available at the establishment.
- e. To upload contracts of apprenticeship on the apprenticeship portal on behalf of the establishment for registration by Apprenticeship Adviser.
- f. To upload the syllabus with duration of courses on behalf of the establishment approved by competent authority
- g. To furnish all the returns under the Apprentices act on the portal on behalf of the establishment.
- h. To submit reimbursement claims on behalf of establishment towards stipend paid to apprentices.
- i. Maximum effort in reaching out to MSMEs and onboarding them to portal
- j. To assist the establishment for the matter related to conduct assessment / examination and issue certificates to successful apprentices.
- k. Completion of contract is the responsibility of TPA.
- l. To impart training to apprentices and not to use them as an option to low price manpower.

- m. TPA should ensure the issue of certificate to the apprentice on time and this process should be fast and hassle free.
- n. TPA should also keep record of terminated contracts
- o. TPA to ensure that placement assistance and support is provided to the apprentices upon completion of the apprenticeship.
- p. TPAs should provide handholding and support to the establishments regarding the online processes and procedures pertaining to the apprenticeship portal.

Don'ts

- a. TPA will not charge any money from apprentices. However, it may charge from the establishment for the services rendered.
- b. TPA must not involve in any fraudulent / unethical activities.
- c. TPA must not involve in any financial malpractices / promote corruption of any sort in apprenticeship program not to give any false information to any stakeholder in Apprenticeship Program (Establishment / MSDE / DGT / NSDC / SSDM/ Candidate etc.)
- d. To not use candidate data available on Apprenticeship Portal (www.apprenticeshipindia.gov.in) for the purpose other than engaging them under Apprenticeship Program.
- e. TPA should not indulge in assisting the establishments in designing courses for which there is no job role available in the establishment.
- f. TPA must not generate contract on the portal without the consent of both parties, that is, Establishment and Candidate.
- g. TPA should not engage existing workers of the informal / formal enterprises under apprenticeships. Involvement in such practices, if found, will lead to de-empanelment and blacklisting of the TPA.
- h. Ensure Establishment DO NOT pay stipend in cash.

[1] International Labour Organization, Apprenticeships - Frequently Asked Questions on Apprenticeships
https://www.ilo.org/global/topics/apprenticeships/WCMS_743634/lang--en/index.htm