

Sem - V

Paper / Subject Code: 75801 / Labour Law

SEITE 1999

Tybl.  
labour law.

[Time: 3 Hours]

[ Marks:100]

Please check whether you have got the right question paper.

N.B: 1. All questions are compulsory.

Q.1 Answer in **one or two** sentences. (20)

- 1) Define 'Appropriate Government' under I.D. Act, 1947.
- 2) To which industrial establishment M.R.T.U. & P.U.L.P. Act, 1971 is applicable?
- 3) What is the definition of 'Wages' under the E.C. Act 1923?
- 4) What is the rate of subsistence allowance payable to the workman under I.E. (S.O.) Act, 1946?
- 5) When the 'National Industrial Tribunal' may be constituted under I.D. Act, 1947?
- 6) Define 'Total Disablement' under E.C. Act, 1923.
- 7) State any two grounds for declaring lay-off.
- 8) State any two instances of illegal lock-out under M.R.T.U. & P.U.L.P. Act, 1971
- 9) When and who can constitute the 'Works Committee' under I.D. Act, 1947.
- 10) Elucidate when can the certified Standing Orders be modified?

Q.2 Write short notes on **any four** of the following: (20)

- 1) Notice of change
- 2) Rights of recognized trade union under M.R.T.U. & P.U.L.P. Act, 1971
- 3) Employee under E.C. Act, 1923
- 4) Triple test under I.D. Act, 1947
- 5) Certifying officer under I.E. (S.O.) Act, 1946
- 6) Permanent disability

Q.3 Attempt **any two**. (12)

- 1)
  - i) The Industrial court granted recognition to the Indian worker's Association as a recognized union but Bharitya Kamgar Sena has more membership than the Indian workers Association. What remedy is available to Bharitya Kamgar Sena?
  - ii) Kamgar Utkarsha Sabha a recognized union, assisted illegal strike in ABC undertaking & applied for seeking recognition in XYZ undertaking. Will Kamgar Utkarsh Sabha get recognition in XYZ undertaking. Why?
- 2)
  - i) PQR industrial undertaking is purchased by another employer. The standing orders which are applicable to PQR Industrial undertaking will continue to be applicable or cease to be operative.
  - ii) In an industrial undertaking, the standing orders state 3 months probation period. But in appointment letter of a employee it was 6 months. Is it possible for parties to enter into a contract? Why?
- 3)
  - i) Empire Industrial undertaking is closed down on account of unavoidable circumstances beyond the control of the employer. Whether the workmen are entitled for compensation? Explain.
  - ii) In the above mentioned situation employer is planning to restart the closed industry but refused to employ senior employees & appointed junior employees. What remedy is available to senior employee?

Q.4 Answer any four of the following.

(48)

- 1) Explain the concept of 'arising out of' and 'in the course of employment' as contemplated in the Employees Compensation Act, 1923.
- 2) What is Collective Bargaining? Explain the requisite conditions along with its merits & demerits?
- 3) Discuss the 'Unfair Labour Practices' on the part of employer and trade union. Explain the procedure for filing complaint against unfair Labour practices. Under M.R.T.U. & P.U.L.P. Act, 1971.
- 4) Explain in detail the procedure for certification & modification of Standing Orders under I.E. (S.O.) Act, 1946.
- 5) Define 'Industry' under the I.D. Act, 1947. How the Apex Court has widened the definition of the term 'Industry'?
- 6) Define 'Retrenchment'. Illustrate the provisions regarding retrenchment under the I.D. Act, 1947.

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