

Total No. of printed pages = 6

5 SEM LLB L&IL 1 (N)

2016

(December)

LAW

Paper : 5.1

(Labour and Industrial Law-I)

Full Marks - 80

Time - Three hours

The figures in the margin indicate full marks for the questions.

1. Choose the correct answers : $1 \times 10 = 10$
- (i) The Industrial Disputes Act, 1947 is applicable to —
- (a) Whole of India
 - (b) India except Jammu and Kashmir
 - (c) Only Jammu and Kashmir
 - (d) None of the above.

(ii) India received the first stipulation of eight hours of work in —

(a) Factories Act, 1947

(b) Factories Act, 1883

(c) Factories Act, 1881

(d) None of the above.

(iii) As per the Factories Act, 'Adult' means a person who has completed — years of age under section 2(a).

(a) 15

(b) 16

(c) 17

(d) 18

(iv) The labour and industrial problems increased when major industries came into existence followed by mass production in the early :

(a) 18th Century

(b) 19th Century

(c) 21st Century

(d) 20th Century.

(v) The earliest Indian statute to regulate the relationship between employer and his workmen was —

- (a) Trade Disputes Act, 1929
- (b) Factories Act, 1948
- (c) The Industrial Disputes Act, 1947
- (d) None of the above.

(vi) Minimum rate of wages deals with section — of the Minimum Wages Act, 1948.

- (a) 4
- (b) 5
- (c) 3
- (d) 2

(vii) The minimum number of workers required to register a Trade Union under the Trade Unions Act, 1926 is —

- (a) 10%
- (b) 50%
- (c) 33%
- (d) 10% or 100 whichever is less.

(viii) The name of which of the following legislation has been recently changed ?

- (a) Workmens' Compensation Act, 1923
- (b) Employees' State Insurance Act, 1948
- (c) The Factories Act, 1948
- (d) None of the above.

(ix) Lay off compensation is to be paid @
—— of average wages.

- (a) 50%
- (b) 60%
- (c) 75%
- (d) 15 days.

(x) Forming of a Works Committee under the Industrial Disputes Act, 1947, is mandatory where the number of employees are ——.

- (a) 100
- (b) 1000
- (c) 500
- (d) 250

2. Write short notes on any *five* within 4/5 lines each : 5×2=10

- (i) Strikes
- (ii) Living wage
- (iii) Employment of young person

- (iv) Fixation of wages
- (v) Notional Extension
- (vi) Fair wages.

3. Describe historical development of labour laws in India. 12

Or

Elaborate pattern of labour exploitation in India and describe the constitutional safeguards with judicial verdicts. 12

4. (a) Define Industrial Disputes.

(b) Discuss object and scope of the Industrial Disputes Act, 1947. 4+8=12

Or

Elucidate various methods for the settlement of industrial disputes with the help of case laws. 12

5. (a) What is a factory ? 4+8=12

(b) Describe registration procedure of factories.

Or

Elaborate safety and welfare measures that have been taken by the Factories Act, 1948. 6+6=12

6. Describe rights, liabilities and immunities of a trade union with the help of case laws. 12

Or

(a) What is minimum wage ?

(b) Describe concept and object of minimum wage with the help of case laws. 4+8=12

7. Who is employer ? Elucidate employer's liability for compensation with the help of case laws.

4+8=12

Or

Describe various powers and duties of Commissioner under the Employees' Compensation Act, 1923. 12