4 SEM LLB 1 LL

5.1

2008

(December)

LABOUR LAW

Paper : 401

Full Marks - 80

Pass Marks - 32

Time - Three hours

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

Answer question No.1 and any *four* questions from the rest.

1. Examine the following statements and give your comment. (any *five*):   4×5=20

   (a) A strike cannot be declared illegal if resorted to in consequence of an illegal lockout.

   (b) An industrial dispute cannot arise when a demand is made by the workmen and denied by the management.

   (c) A workman is not entitled to get compensation if he/she dies in accident due to his/her disregard to safety devices.

(d) The employer has no option to retain employee if his name is on muster-roll ...

(e) Working hours of an adolescent is the same that of an adult.

(f) Industrial dispute does not cease to exist the dissolution of the industry.

(g) Minimum wage cannot be the same in all industries.

2. Discuss fully the conditions under which employer is liable to pay compensation to employee involved in accident.

3. Bring out the difference between : 7½×2

    (a) Fair wage and Living wage

    (b) Registered Trade Union and Unregistered T Union.

4. Discuss the safety measures to be adopted by employer for protection of women and the yo persons while on work in factory.

5. "Every strike or lockout is not illegal". Justify this statement by mentioning the provisions of the Industrial Disputes Act, 1947. Under which strike or lockout cannot be declared illegal. 15

6. Discuss the salient features of lay-off and retrenchment. Can a workman whose name is harm in muster roll be subjected to lay-off operation? 13+2=15

7. Discuss the relationship between master and servant and state the provisions under which a master is liable for the act of his servant. 15

8. Write short notes on any *three* of the following :

   (i) Industry

   (ii) Occupational disease

   (iii) Minimum wage

   (iv) Award

   (v) Arbitrator. 3×5=15

9. Define child, adolescent and young persons according to the Factories Act of 1948 and discuss the provisions of the law for employment of non-adult workers in a factory. 5+10=15

10. What is the meaning of authorised deduction of wages ? Discuss the rules of deductions for fines according to the provisions of the Payment of Wages Act, 1936.   3+12=15