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6.1

2011

(July)

**LABOUR AND INDUSTRIAL LAW - II**

Paper : 402

(New Course)

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* from the rest.

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

(a) A workman is not entitled to get compensation if he died in accident due to his disregard to safety devices.

- (b) Workman's right to compensation is suspended if he voluntarily leaves the place, where he was required to submit for medical examination which relates to claim for compensation.
- (c) Industrial dispute means a dispute between workmen and employers.
- (d) Retrenchment includes the termination of service of a workman on the ground of continued ill health.
- (e) A strike can be declared illegal if resorted to in consequence of an illegal lockout.
- (f) A child cannot be allowed to work in factory unless his/her eligibility is proved.
2. What do you mean by 'Certificate of Registration'? Can a Certificate of Registration of a Trade Union be cancelled or withdrawn? Enumerate the grounds for the same. 5+10=15
3. What shall be the amount of compensation for a workman in the following categories of injuries?
- (a) In case of death
- (b) Permanent total disablement. 8+7=15

4. What is bonus ? State the principles underlying the payment of bonus to the employees of an industrial concern. 5+10=15
5. Distinguish between any *two* of the following :
- (a) Registered Trade Union and Un-registered Trade Union
  - (b) Retrenchment and Layoff
  - (c) Adult and Adolescent. 8+7=15
6. What are the conditions precedent to valid retrenchment of workmen under the Industrial Disputes Act 1947 ? 15
7. Explain, what do you understand by the following :
- (a) The date of accident in the case of occupational disease.
  - (b) Notional extension of Employer's premises.
  - (c) Compensation Return. 4+7+4=15
8. Explain the procedure for fixing and revising the minimum rates of wages. 15

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

(a) Lockout

(b) Theory of added Peril

(c) Protected workman

(d) Industrial dispute

(e) Certifying surgeon.

5×3=15

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