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4 SEM LLB (N) L & IL II 2

2013

(June)

LABOUR AND INDUSTRIAL LAW-II

(NEW COURSE)

Paper : 402

Full Marks : 80

Pass Marks : 32

Time : Three hours

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

Answer Q. 1 and any four from the rest.

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

(a) Recognition of Trade Unions is not mandatory

(b) A strike cannot be declared illegal if resorted to in consequence of an illegal lock out

- (c) A workman is not entitled to get compensation if he/she dies in an accident due to his/her disregard to safety devices
- (d) Lay off is not a wilful act of the employer
- (e) A registered Trade Union cannot raise and spend fund for political purpose
- (f) minimum wage is the lower limit of the fair wage.

2. What are the provisions of Workmen's Compensation Act, 1923 relating to registration of agreement for the payment of compensation? What is the effect of failure of registration?

10+5=15

3. Enumerate the provisions relating to immunities available to a Registered Trade Union, under the Trade Unions Act 1926?

15

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

5. Define minimum rate of wages. What remedy is available to a workman, who has been paid less than the minimum rate of wages ? $5+10=15$
6. Distinguish between *any two* of the following : $7\frac{1}{2}+7\frac{1}{2}=15$
- (a) Fair wage and Living wage
 - (b) Registered Trade Union and unregistered Trade Union
 - (c) Closure and lockout.
7. What is meant by "Public utility service" ? What are the specific prohibitions of strike and lock out in a public utility service ? $5+10=15$
8. What is 'bonus' ? State the principle underlying the payment of bonus to the employees of an Industrial concerned. $5+10=15$
9. Write short notes on *any three* of the following : $3\times 5=15$
- (a) Industry
 - (b) Lay off
 - (c) Collective bargaining
 - (e) Disablement.
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