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4 SEM LLB L & IL II 2

2015

(June)

LABOUR & INDUSTRIAL LAW - II

Paper : 402

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) Recognition of Trade unions is mandatory

(b) Minimum wage is the lower limit of the fair wage.

(c) 'Lay Off' is not a wilful act of the employer.

(d) A strike can be declared illegal if resorted to in consequence of an illegal lockout.

(e) Strike and lockout are illegal in public utility service.

(f) No employer can pay less than the minimum wages.

2. Explain the employer's liability for compensation to workmen pin-pointing the exceptions, if any, as per provision of the Employee's Compensation Act, 1923.

10+5=15

3. (a) What are the rights and liabilities of a registered trade union?

(b) Can two or more registered trade unions, become amalgamated?

13+2=15

4. (a) Explain the main objective of the Industrial disputes Act, 1947

(b) What do you mean by 'Triple Test Formulae'

10+5=15

5. Enumerate the procedure for fixing and revising the minimum rates of wages, under the Minimum Wages Act, 1948.

6. Distinguish between *any two* of the following : $7\frac{1}{2}+7\frac{1}{2}=15$

(a) 'Lay off' and 'retrenchment'

(b) 'Fair wage' and 'Living wage'

(c) Registered Trade Union and Un-registered Trade Union.

7. What is bonus? State the principle underlying the payment of bonus to the employees of an industrial concern.

$$7+8=15$$

8. Define 'minimum rate of wages'. What remedy is available to a workman, who has been paid less than the minimum rate of wages? $5+10=15$

9. Write short note on *any three* of the following : $3\times 5=15$

(a) Labour count

(b) Occupational disease

(c) Permanent total disablement.

(d) Cost of Living Index Number.