

2014

LAW

(Labour Law)

Course No. 4:2

Full Marks : 100

Time : 3 hours

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

Answer question No. 1 and any five from the rest.

1. Write short notes on *any four* from the followings: **4x5**
 - a) Continuous service
 - b) Lay off and Lock out
 - c) Bonus is a dynamic concept
 - d) Conciliation office
 - e) Unfair Labour Practice

2. What do you understand by "*Labour and Industrial Jurisprudence*"? Is there any difference between the two? Briefly examine the stages of development Labour Law in the country. Examine the impact of Labour Legislation in your state. **3+3+5+5**

3. a) What are the objects on which the General fund of a Registered Trade Union can be spent? **8**

(Please turn over)

- b) Examine briefly the rights and liabilities of a Registered Trade Union under the provisions of Trade Union Act, 1926. 8
4. Define the term "Factory" under the Factories Act 1948. What are the provisions for women worker and young persons under Factories Act, 1948? Distinguish between "Factories" under Factories Act 1948 and "Industry" under the Industrial Disputes Act, 1947. 4+6+6
5. a) Enumerate briefly the Tests laid down by the Apex Court in Bangalore water supply and Sewerage Board vs. A. Rajppa (AIR 78 SC 548) for determining whether an activity in question is an Industry under Sec. 2 (j) of the Industrial Dispute Act, 1947. 8
- b) Examine whether the following activities are covered within the definition of "Industry" under Sec. 2 (j) of the Industrial Disputes Act, 1947-
- i) Activities of State Bank of India.
 - ii) A firm of Chartered Accountant advising people in tax matters, preparing Project report etc. having clerks, typists computer operators and peon on its pay role. 4+4
6. What are the basic objectives of Payment of Wages Act? Can deduction be made for absence under circumstances created by the employer? State the power and functions of the Inspector. 16
7. How do you classify different kinds of wages? Distinguish between minimum wages, fair wages and living wages. 16

8. Discuss the objects and reasons of the workmen compensation Act, 1923? How is the quantum of compensation determined under the Act? Discuss in detail with example. 16
9. a) Examine the difference between "Lock-out" and closer under the Industrial Dispute Act, 1947. 8
- b) Distinguish between "wage", "Salary" and "bonus" 8
10. Discuss the principles of law laid down in
Bandhua Mukti Morcha vs Union of India
AIR 1984 SC802 16

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