

Seventh Semester B.A. LL.B. Five Years Course (C.B.S.) Examination

LABOUR LAW

Compulsory Paper—1

Time : Three Hours]

[Maximum Marks : 80

N.B. :— (1) Attempt **ALL** sections.Section A consists of **10** marks.Section B consists of **30** marks.Section C consists of **40** marks.

(2) Follow the instructions given in each section.

(3) Marks are indicated against each question.

SECTION—A1. Choose the correct alternative (any **ten**) :

- (i) Award means an _____ or _____ determination of any industrial dispute or of any question relating there to by Labour Court, Industrial Tribunal or National Industrial Tribunal and includes an arbitration award made under Section 10-A.
- (a) Interim or final determination (b) Final or interim
(c) Judgement or decree (d) All of the above
- (ii) Industrial dispute is defined under section :
- (a) 2(a) (b) 2(k)
(c) 2(kkk) (d) 2(oo)
- (iii) Minimum _____ numbers of members are required in registering Trade Union.
- (a) 7 (b) 10
(c) 5 (d) 15
- (iv) Industrial Employment (Standing Orders) Act is applicable in every industrial establishment where _____ workmen are employed.
- (a) 200 (b) 150
(c) 100 (d) 50
- (v) A person is qualified to be chosen as a member of the executive or any other office bearer of the registered trade union if he has attained the age of _____.
- (a) 15 years (b) 18 years
(c) 21 years (d) 25 years
- (vi) _____, an authority who is appointed by the Appropriate Government by notification in the official gazette to exercise in such area as may be specified under the Industrial Employment (Standing Orders) Act, 1946.
- (a) Appellate Authority (b) Certifying Officer
(c) Acting Officer (d) None of the above
- (vii) Who coined the word “Collective Bargaining” ?
- (a) Beatrice Webb (b) V.V. Giri
(c) Salmond (d) Austin
- (viii) What is the formula lay off to calculate compensation under the ID Act, 1947 ?
- (a) 50 % of Basic Wages + Dearness Allowance
(b) 75 % of Basic Wages + Dearness Allowance
(c) 25 % of Basic Wages + Dearness Allowance
(d) None of the above

- (ix) The provision relating to Suspension of an employee from service has been made under which of the following regulations ?
 (a) The Industrial Disputes Act, 1947
 (b) Trade Unions Act, 1926
 (c) Industrial Employment (Standing Orders) Act, 1946
 (d) None of the above
- (x) Trade dispute has been defined under Section _____ of the Trade Unions Act, 1926.
 (a) 2(a) (b) 2(g)
 (c) 2(h) (d) 2(c)
- (xi) What type of work, makes persons engaged, to be covered by the definition of “Workman”, as per the Industrial Disputes Act, 1947 ?
 (a) Skilled, Unskilled or Manual labour (b) Technical work
 (c) Supervisory work (d) All of the above
- (xii) _____ is the rule of Retrenchment.
 (a) Last Come First Go (b) Last Come Last Go
 (c) First Come First Go (d) None of the above
- (xiii) The definition of the term ‘industry’ was amended in the year _____ by Section 2 of the Amending Act, 46.
 (a) 1981 (b) 1982
 (c) 1983 (d) 1984
- (xiv) The person who mediates and promotes the settlement of an industrial dispute is called :
 (a) Referee (b) Umpire
 (c) Presiding officer (d) Conciliation officer
- (xv) University of Delhi V/s Ramnath AIR 1963 SC 1873. This case is connected with which of the following ?
 (a) Retrenchment (b) Industry
 (c) Closure (d) Lay off

1×10=10

SECTION—B

Note :- Both the questions in this section are compulsory.

2. Answer the following (any **three**) :
 (a) Write a note on the history of the Trade Union movement in India.
 (b) Define the term ‘Industrial Dispute’. State the circumstances under which ‘individual dispute’ be termed as an ‘industrial dispute’.
 (c) Explain “Charge sheet” under the disciplinary proceeding.
 (d) Write a note on Voluntary Arbitration. 5×3=15
3. Write short notes on (any **three**) :
 (a) ‘Settlement’ under the Industrial Disputes Act, 1947.
 (b) Strike and Lock out.
 (c) Definition of Trade Dispute and Trade Union. 5×3=15
 (d) Types of Misconduct.

SECTION—C

Note :- Answer any five questions of the following.

4. Explain the procedure for conducting a disciplinary proceeding. What is the role of an enquiry officer in conducting the proceedings ?
5. In the light of ‘Barsi Light Railway Co. Ltd v/s K.N. Joglekar’, AIR 1957 SC 121, explain the term ‘Retrenchment’. Elaborate various other aspects with regard to the term.

6. Explain the concept of collective bargaining. Explain the essentials of a good collective bargaining process.
7. What is the role played by the Appropriate Government while making a reference under Section 10 of the Industrial Disputes Act, 1947 ? Is there any implied restriction on such power of the Appropriate Government ? Explain.
8. What is the object of the Industrial Employment (Standing Orders) Act, 1946 ? In which circumstances provisions of Model Standing Orders are applicable to an Industrial Establishment ? Explain in detail.
9. What are the immunities and privileges granted to a registered Trade Union ? Explain.
10. What is “Recovery of money due from the employer” ? What is the scope of Section 33(c)(1) and Section 33(c)(2) ? Explain.
11. Write a note on the change in service conditions under Section 33 of the Industrial Disputes Act, 1947.

8×5=40