

PARUL UNIVERSITY
FACULTY OF LAW
I- B.A. / B.Com. / B.B.A. LL.B Summer 2018 – 19 Examination

Semester: 6
Subject Code: 17300352
Subject Name: Labour and Industrial law-I

Date: 11/04/2019
Time: 10.30 am to 1.00 pm
Total Marks: 60

Instructions:

1. All questions are compulsory.
2. Figures to the right indicate full marks.
3. Make suitable assumptions wherever necessary.
4. Start new question on new page.

Q.1 Do as directed.**(15)**

1. Choose the correct objective of the Industrial Disputes Act.
 - a. To secure Industrial Peace and Harmony
 - b. Preventing and settling industrial disputes between employer and employee.
 - c. Settling up of an Internal works committee for maintaining good relations between employer and employee
 - d. All of the above
2. How many persons shall a national tribunal consist of which is to be appointed by the central government?
 - a. 1
 - b. 2
 - c. 3
 - d. 4
3. Which one of the following is not a machinery for settlement of Industrial Disputes under the Industrial Disputes Act, 1947?
 - (A) Conciliation Officer
 - (B) Board of Conciliation
 - (C) Collective Bargaining
 - (D) Labour Court
4. What is the minimum number of trade union members required in registering themselves as a union?
 - a. 7
 - b. 10
 - c. 5
 - d. 15
5. Trade union means any combination formed primarily for the purpose of regulating the relations between
 - a) Workmen and employers permanently
 - b) Workmen and workmen permanently
 - c) Workmen and employers, workmen and workmen, employers and employers temporary or permanent
 - d) Workmen and employers, workmen and workmen, employers and employers permanently
6. When Individual dispute can be termed as Industrial Dispute?
7. Define the term "Badli workman"?
8. Who is a Conciliation Officer?
9. Define the term "Sit down strike"?
10. What do you understand by the word "Primary Union"?
11. What do you mean by Principles of Natural Justice?
12. A charge-sheet essentially contains detailed particulars of the misconduct, specific charges against the workman and the relevant clauses of the Standing Order under which the workman is liable to the punished. (True or False)

13. According to Section 25 C of the Industrial Disputes Act, a workman who is laid-off is entitled to compensation equivalent to 50 per cent of the total basic wages and dearness allowance for the period of lay-off. (True or False)

14. The object of Industrial Employment (Standing Orders) Act 1946 is not to require employers to define precisely the conditions of service of workmen employed in the industrial establishments. (True or False)

15. As per Section -----of the Industrial Disputes Act, 1947 “strike” means a cessation of work by a body of persons employed in any industry acting in combination, or a concerted refusal, or a refusal under a common understanding, of any number of persons who are or have been so employed to continue to work or to accept employment

Q.2 Write short notes on (Each of three mark) (15)

1. Works Committee
2. Wage Board
3. Lockout
4. Unfair labour practices
5. Retrenchment

Q.3 A) Discuss the powers of Labour Court and tribunals to give appropriate relief in case of discharge or dismissal of workmen? (08)

OR

A). Define Standing orders under Industrial Employment Standing Orders Act 1946? Elaborate the process of certification of standing orders? (08)

B) What do you understand by Trade Union? Discuss the procedure of registration of trade union? What are the rights and liabilities of registered trade union? (07)

OR

B) Define Collective bargaining? Discuss the concept and importance of principle of collective bargaining? (07)

Q.4 A) What do you mean by “Triple test”? Define the term ‘industry’ under the ambit of Bangalore water supply & Sewage Board V/S A. Rajappa? (07)

B) Answer the following (Each of two mark) (08)

1. Discuss the salient features of Industrial Dispute Act?
2. Define the term “ Layoff”? What are the special provisions relating to the prohibition of Lay off?
3. What do you mean by the term Certifying officer under Industrial Employment (Standing orders) Act 1946?
4. Define Workmen under Industrial Dispute Act 1947?
- 5.) Define Representative Union? Discuss rights and duties of the Representative Union?