

27/6/13

34-67-4-01

THREE YEAR/FIVE YEAR L.L.B. DEGREE EXAMINATION — JUNE 2013

FOURTH/EIGHTH SEMESTER

PAPER 4.1 — LABOUR LAW — II

(Revised Regulations w.e.f. 2009-2010)

Time : 3 hours

Max. Marks : 100

PART – A (Short Answer Questions)

Write short notes on any SIX of the following. Each question carries 4 marks.

(Marks : $6 \times 4 = 24$)

1. Forfeiture of gratuity.
2. Family Pension Scheme.
3. Partial disablement.
4. Doctrinal notional extension.
5. Leaving wages.
6. Marginal productivity.
7. Labour force.
8. Concept of Bonus.
9. Pay Commission.

PART – B (Essay Type Questions)

Answer any TWO of the following questions. Each question carries 18 marks.

(Marks : $2 \times 18 = 36$)

10. Explain the purpose of The Payment of Wages Act. What is the remedy in case of non-payment or under payment wages?
11. Discuss the various provisions in regard to maternity benefits under Factories Act.
12. "In the Indian context, Social Security is a comprehensive approach designed to prevent deprivation, assure the individual of a basic minimum income for himself and his dependents and to protect the individual from any uncertainties." Explain
13. Discuss the salient features of Payment of Gratuity Act, 1936.

[P.T.O.]

PART - C (Case Comment Type Questions)

Answer any TWO of the following questions. Each question carries 20 marks.

(Marks : $2 \times 20 = 40$)

14. A committee formed by the government was of the opinion that the Factories Act, 1948 has undergone some changes and it still needs some more changes in view of the changes in the social and educational level of employees currently working in them as also the economic necessities and challenges being faced by the country. The age of liberalization has added newer dimensions to manufacturing. The committee set up by the government having heard of the competence and research capabilities of the students of a University, decided to approach the students for deeper insights into the changes required to the Factories Act. What changes would you suggest to the committee?
15. The State Government engaged daily wage workers for construction of dam by payment of wages less than minimum fixed. Discuss the rights of the workers to get minimum wages.
16. The workers of 'X' company went on a spontaneous strike as a protest against dismissal of their union leader. The management stopped payment of wages for the strike period, i.e. two days on the principle of 'No Work No Pay'. Decide.
17. 'X' a cinema theatre was an establishment covered under ESI Act. The management leased out their parking place for scooters and canteen to two persons, A and B. The management paid contributions in respect of employees working in the theatre, but excluded the employees of A and B. ESI corporation filed a suit against 'X' for recovery of the contribution of the employees of A and B. The management contends that the employees of A and B. The management contends that the employees of A and B were not their employees. Advise.