

Total number of printed pages-7

19 (SEM-VI) LIL-II G-1

2025

LABOUR AND INDUSTRIAL LAW-II

Paper : 6.1

Full Marks : 80

Time : Three hours

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

1. Fill in the blanks with appropriate options :
1×10=10

(a) Works Committee has been defined under section _____ of the Industrial Disputes Act, 1947. (3/5)

(b) Section _____ of the Industrial Disputes Act, 1947 deals with the period of operation of settlement and awards. (19/18)

(c) The Industrial Employment (Standing Orders) Act has been passed in the year _____ . (1946/1942)

(d) Section 33(4) of the Industrial Disputes Act, 1947 provides that in every establishment the number of recognized protected workmen shall be _____ of the total number of workmen employed therein. (one per cent/ten per cent)

(e) Marginal Productivity theory of wage is primarily based on MRP and _____. (MPP/MPL)

(f) The Constitutional validity of the Minimum Wages Act, 1948 was attacked on the ground of violation of Article _____ of the Constitution of India. [19(1)(a)/14]

(g) The Payment of Bonus Act, 1965 provides for _____ bonus. (ex gratia/profit-based)

(h) Section 10 of the Payment of Bonus Act, 1965 lays down rules regarding minimum bonus at _____ % of salary or wage earned by the employee during one accounting year. (8.33/20)

(i) The term 'workmen' has been replaced with the term 'employee' in the Workmen's Compensation Act, 1923 in the year _____. (2009/1999)

(j) Under Chapter _____ of the Factories Act, 1948, safety provisions have been laid down. (IV/III)

2. Answer the following questions in brief :
2×5=10

(a) What is Court of Inquiry?

(b) Distinguish between minimum wage and living wage.

(c) What is managerial prerogative?

(d) What is interim bonus?

(e) Differentiate award and settlement.

3. Explain the concept of dispute settlement machinery as laid down under the Industrial Disputes Act, 1947. Write in detail the composition, power and function of Labour Court, Industrial Tribunal and National Industrial Tribunal. 4+8=12

Or

Explain in detail the nature and scope of the power of Appropriate Government as laid down under the Industrial Disputes Act, 1947. 12

4. What do you mean by Domestic Enquiry and Disciplinary action in industrial establishments? How Disciplinary action can be taken against an industrial worker by virtue of managerial prerogative on the basis of the principles of natural justice? What are the restrictions on the managerial prerogative? What remedies are available against any arbitrary or unjustifiable action taken against a worker by the management in the name of managerial prerogative? 2+4+2+4=12

Or

Explain the process of framing standing orders as mentioned under the Industrial Employment (Standing Orders) Act, 1946. 12

5. Give an illustrative concept of wage. What are the different theories of wage? Explain each theory with criticism, if any. 4+8=12

Or

Write in detail the process of fixation of minimum wage according to the provisions of the Minimum Wages Act, 1948. Explain the provisions relating to non-payment, delayed payment and unauthorized deduction of wage under the Minimum Wages Act, 1948. 6+6=12

6. Write the history and background of the Payment of Bonus Act, 1965. Discuss the provisions of computation of bonus according to the Payment of Bonus Act, 1965. 4+8=12

Or

Write short notes on the following :

6×2=12

(a) Customary Bonus

(b) Disqualification for entitlement to bonus

7. Illustrate the concept of injury arising out of and in the course of employment. How compensation is calculated for different types of injuries incurred during working hours in an industrial employment as provided under the Workmen's Compensation Act, 1923 ?

4+8=12

Or

Answer the following :

4×3=12

(a) Quantum of compensation for partial and total disablement

(b) Provisions of health under the Factories Act, 1948

(c) Provisions relating to Hazardous Process under the Factories Act, 1948