

Total number of printed pages—4

19 (3-VI) LILW-II

2015

**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 : 1×10=10
  - (a) Section \_\_\_\_\_ of the Industrial Dispute Act, 1947 defines Settlement. (2(p)/2q)
  - (b) The machineries designed for conciliation under the Industrial Dispute Act, 1947 are \_\_\_\_\_.  
(Board of Conciliation Officers and Public servants/Conciliation Officer and the Board of Conciliation)
  - (c) Compulsory adjudication was first introduced in India by \_\_\_\_\_ of the Defence of India Rules during the Second World War.  
(Rule 81-A/Rule 81-B)
  - (d) The Labour Courts are to perform the functions laid down under \_\_\_\_\_ of the Industrial Dispute Act, 1947.  
(Sec. 6/Sec. 7)

Contd.

- (e) The liability to pay bonus is a — upon the employer under the Payment of Bonus Act, 1965. (statutory obligation/non-statutory obligation)
- (f) Under Section 8 of the Payment of Bonus Act, 1965, every employee is entitled to bonus in any accounting year if he has worked in the establishment for not less than — working days in that year. (20/30).
- (g) Under the Payment of Wages Act, 1936 an employed person includes the — of a deceased employed person. (Legal representative/related representative)
- (h) Under the Workmen's Compensation Act, 1923, the amount of compensation depends upon the —. (Personal satisfaction of the employee/gravity of the injury and the nature of disablement)
- (i) The Factories Act, 1948 was designed to implement many provisions of the — of Industrial hygiene. (ILO Code/Labour Commission)
- (j) — was enacted for the purpose of safeguarding the wages of the employees under certain conditions laid down in the Act. (The Factories Act, 1948/The Payment of Wages Act, 1936)

2. Write Short notes on the following : 2×5=10
- (a) Conciliation as a Dispute Settlement Mechanism.
- (b) Judicial view's on Industrial Awards.
- (c) Overtime.
- (d) Hazardous
- (e) Total Disablement.
3. Explain in detail the various dispute settlement machineries under the Industrial Dispute Act, 1947. Also Discuss about the voluntary adjudication and arbitration and compulsory adjudication. 12

**Or**

- Discuss in detail: 6+6=12
- (i) Power of the appropriate Government under Section 10 of the Industrial Dispute Act, 1947.
- (ii) Settlement of Industrial Dispute.

4. Write a detailed note on the Domestic Enquiry and Disciplinary actions with special reference to the Industrial Employment (Standing orders) Act, 1946. 12

**Or**

- Mention the various authorities to which reference, regarding any Industrial dispute or any matter connected, be made. Discuss the power of Industrial Tribunal for adjudication of such matter. 6+6=12

5. Explain in detail the concept of National Wage Policy. Also discuss the different theories of wages with examples.

6+6=12

**Or**

Discuss the salient features of the Minimum Wages Act, 1948, along with the machineries under the Act for the fixation of Minimum Wage. 12

6. "Bonus is a boon or gift over and above what is nominally due as remuneration to the receiver and which is therefore something wholly to the good"—Comment on the above statement by explaining the concept of Bonus and Computation of Bonus. 12

**Or**

What are the different features of the Payment of Bonus Act, 1965. 12

7. Who are entitled for compensation under the Workmen's Compensation Act, 1923. Also discuss the concept of injury arising out of and in the course of employment.

6+6=12

**Or**

Discuss the safety provisions of workers under the Factories Act, 1948. 12