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19 (3-VI) LBIL-II 6.1

2016

LABOUR & 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 answer given in the brackets : $1 \times 10 = 10$

(a) The Payment of Bonus (Amendment) Act, 2015 has come into force from _____ . (1st April, 2015/1st April, 2014)

Contd.

- (b) The Wage-Ceiling under the Payment of Wages Act, 1936 is _____. (Rupees eighteen thousand/Rupees twenty one thousand)
- (c) _____ of the Constitution of India requires that the state shall in particular direct its policy towards securing that the health and strength of workers, men and women are not abused. (Article 43/Article 39)
- (d) The Committee on Fair Wages was appointed in _____. (1947/1948)
- (e) The ILO Code of Industrial Hygiene was followed in the matter of enactment of the _____. (Factories Act, 1948/ Workmen's Compensation Act, 1923)
- (f) Dispute relating to bonus under the Payment of Bonus Act, 1965 is _____. (an industrial dispute/not an industrial dispute)

- (g) The Wage-Fund Theory is associated with the name of _____. (Adam Smith/J.S. Mill)
- (h) The Payment of Wages Act, 1936 was enacted on the basis of recommendations of the _____. (ILO/ Royal Commission on Labour)
- (i) The decision of the Conciliation Officer on an industrial dispute is _____. (binding on the parties to the dispute/ not binding on the parties to the dispute)
- (j) Industrial Tribunal is constituted by the _____. (appropriate government/ Central government)

2. Write short notes on : 2×5=10

- (a) "Unpaid group" under the Payment of Wages Act, 1936

- (b) Subsistence Allowance
- (c) "Scheduled employment" under the Minimum Wages Act, 1948
- (d) "Settlement" under the Industrial Disputes Act, 1947
- (e) "Occupational diseases" under the Workmen's Compensation Act, 1923.

3. What is adjudication? What are the adjudicatory authorities under the Industrial Disputes Act, 1947? Discuss the jurisdiction of adjudicatory authorities under the Act. $2+2+8=12$

OR

What is an award under the Industrial Disputes Act, 1947? Write a note on judicial review of industrial awards. $2+10=12$

4. Discuss the concepts of different kinds of Wages. 12

OR

Write notes on : (any two) $4 \times 3 = 12$

(a) Subsistence Theory of Wages

(b) Dearness Allowance

(c) Machinery for fixation of Statutory minimum wage.

5. Discuss the salient features of the Payment of Bonus Act, 1965. 12

OR

Enumerate the deductions permissible under the Payment of Wages Act, 1936. 12

6. Under what circumstances and at what rates are the compensations payable under the Workmen's Compensation Act, 1923, now renamed as the Employees' Compensation Act, 1923? 12

OR

Write notes on : (any two) 6+6=12

- (a) Health and Safety measures under the Plantation Labour Act, 1951
- (b) Health and Safety measures under the Mines Act, 1952
- (c) Salient features of the Factories Act, 1948.

7. What do you mean by "Standing Orders" under the Industrial Employment (Standing Orders) Act, 1946? Discuss the process of certification of Standing Orders under the said Act. 2+10=12

OR

Narrate the procedure for domestic enquiry and disciplinary action against Workmen.

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