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Question Paper Code : 10123

M.B.A. DEGREE EXAMINATIONS, NOVEMBER/DECEMBER 2021.

Elective

BA 5016 — LABOUR LEGISLATIONS

(Regulations 2017)

Time : Three hours

Maximum : 100 marks

Answer ALL questions.

PART A — (10 × 2 = 20 marks)

1. What are the two main objects of contract labour (regulation and abolition) act, 1970?
2. Discuss the definition of "Appropriate Government" under section 2(a) of the Industrial Dispute act, 1947.
3. Distinguish between "Award" and "Settlement".
4. Define "Strike", and the strike becomes illegal.
5. Narrate the concept of the "Standing Orders".
6. Define cost of living index number under the minimum wages act, 1948.
7. Explain the purpose of equal remuneration act, 1976.
8. Who is an insured employee?
9. Narrate the benefits of the maternity benefit act, 1961.
10. Narrate the application of the employees' provident funds and miscellaneous provisions act, 1952.

PART B — (5 × 13 = 65 marks)

11. (a) Explain the concept of bonus. How "Minimum" and "Maximum" bonus under the payment of bonus act, 1965 is calculated. Explain the qualifications and disqualifications to receive bonus. (3 + 5 + 5)

Or

- (b) Who is called graduate or technician apprentice? What are the requirements to be complied with for engaging an apprentice? (4 + 9)
12. (a) Explain the term "Dependent", and different kinds of dependents under the employee's compensation act, 1923. Explain the terms "Employee" and "Employer" under the workmen's compensation Act, 1923. (6 + 7)

Or

- (b) How an Industrial dispute can be raised and settled under the Industrial dispute act, 1947? When an "Individual Dispute" will become "Industrial Dispute"? (9 + 4)
13. (a) How is the gratuity determined under the payment of gratuity act, 1972? Explain the powers of the inspectors and controlling authority under the gratuity act. (5 + 8)

Or

- (b) What are the requisites of valid "Lay-off and Retrenchment"? Explain the distinction between "Lay-off and "Retrenchment". (4 + 9)
14. (a) Who is an occupier in the factories act? What are provisions in the factories act, 1948 relating to the health and welfare of the labour in India? (4 + 9)

Or

- (b) Explain the remunerative aspects and wages in India. Distinguish between "The Payment of Wages Act, 1936" and "The Minimum wages Act, 1948". (4 + 9)
15. (a) Briefly narrate the rights of the children and the child labour granted by the constitution of India. Write the salient features of child labour (Abolition and Regulation) Act, 1986. (4 + 9)

Or

- (b) To whom the employees' state insurance Act, 1948 applies? Explain the distinction between "The Employees' State Insurance Act, 1948" and "The Employee's Compensation Act, 1923". (4 + 9)

PART C — (1 × 15 = 15 marks)

16. (a) The Teachers of Excel University formed a Trade Union and applied for registration to the Registrar of Trade Unions. In the meanwhile, the management of Excel University writes a letter to the Registrar of Trade Unions and asks him not to register the Trade Union, as the Teachers are not workmen. The Registrar in spite of such a letter from the management registers the Trade Union and issues a certificate of Registration. The management of Excel University files a writ petition challenging the certificate of Registration issued. Decide and discuss. (15)

Or

- (b) In a Textile manufacturing unit, the workers went on a legal strike, but unfortunately on the fourth day of the strike the workers became violent and damaged the property of the management. Also, the Personnel manager was assaulted. The management prosecutes the workers for the alleged acts of violence on the part of the workers. In a Civil Court the management also files a suit claiming compensation for the damages suffered during violence as well as compensation towards the loss of production during the strike period. The workers union resists the prosecution and claim of the management on the ground that it is a registered Trade Union and as such is entitled to the immunities provided in the Trade Unions Act 1926. Decide by referring to relevant case law. (15)
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