

SVKM'S NMIMS UNIVERSITY
SCHOOL OF DISTANCE LEARNING

Programme: PGDHRM (SEMESTER IV)

Subject: Labour Laws

Date: 03-06-2009
(3.00 p.m. to 6.00 p.m.)

Marks: 100
Time : 3 hrs

Instructions: Candidates should read carefully the instructions printed on the question paper and on the cover of the Answer Book, which is provided for their use.

NB:

1. Answer to each new question to be started on a fresh page.
2. Figure in brackets indicate full marks.
3. The paper contains three sections: A, B and C. Section A is for 25 marks, section B is for 45 marks and Section C for 30 marks.
4. Section A contains questions no. 1 and 2. Both are compulsory
5. Section B contains questions 3 to 7. The candidates have to answer any three from this section
6. Section C contains question no. 8 based on a small situation and the candidates have to answer the questions that follow based on the situation
7. In all there are eight (8) questions in the paper and the candidates have to answer the same as per the above instructions

Section A
(25 Marks)

1. Explain **ANY TWO** of the following four terms: (5+5=10 Marks)
 - a) Employees' Deposit-linked Insurance Scheme under Employees' Provident Fund and Miscellaneous Provisions Act, 1952
 - b) ILO Conventions and International Labour Standards
 - c) Minimum Rates of Wages
 - d) Workmen under Industrial Disputes Act, 1947

2. Write Short notes on **ANY THREE** of the following: (5+5+5=15 Marks)
 - a) Voluntary Arbitration under Industrial Disputes Act, 1947
 - b) Provisions for industries involving hazardous process under Factories Act, 1948
 - c) The conditions for payment of gratuity under the Payment of Gratuity Act, 1972
 - d) Registration of Establishment Employing Contract Labour under Contract Labour (Regulation and Abolition) Act, 1970
 - e) Misconduct

Continued...

Section B

(15+15+15=45 Marks)

3. Differentiate between lay-off and retrenchment. How are the provisions regarding lay-off and retrenchment impacting the industries in this era of labour flexibility?
4. How is the manufacturing process defined in Factories Act, 1948? Differentiate between the conditions of health, safety and working hours under the Mines Act and Factories Act.
5. Explain the conditions and process of registration of a workmen's union under the Trade Union Act, 1926. What are the rights of a registered union?
6. What are the conditions of eligibility for benefits under the Employees State Insurance Act, 1948? Explain the main benefits under the Act.
7. When is the wage to be paid and who is responsible for the payment under the Payment of wages Act, 1948? Discuss the deductions that can be made from the wages.

Section C

(30 Marks)

8. Read the passage given below and answer the questions that follow:

There is the fear of a strike in an automobile factory after the dismissal of five workers based on an enquiry held for an incident of indiscipline that occurred five years back. The union at the plant threatens to start the strike in case the workers are not taken back into service immediately. The employer looking at the gravity of the threat issues a warning that those who will be found obstructing the maintenance of discipline will also be suspended and the plant will be locked out. The unrest increases and despite the efforts to diffuse the tension by some workers, the situation snowballs, making the workers give notice of a strike. In retaliation, the employer declares the strike as illegal and threatens to start a lock-out.

- a) What are the means available for the resolution of this problem under the Industrial Disputes Act, 1947? *(15 Marks)*
- b) What are the factors that make a strike legal and justified? *(15 Marks)*
