

2025

LAW

Paper : LLB 601

(Labour and Industrial Law - II)

Full Marks: 80

Pass Marks: 36

Time: 3 Hours

The figures in the margin indicate full marks for the questions

1. Choose the correct answer: 1x10=10

- (a) The term 'hazardous process' is defined under _____ of the Factories Act, 1948.
- (i) Section 2(bc)
 - (ii) Section 2(h)
 - (iii) Section 2(cb)
 - (iv) Section 2(ca)
- (b) During lay-off a workman is _____ at work.
- (i) retrenched
 - (ii) dismissed
 - (iii) not retrenched
 - (iv) reinstated
- (c) Statutory bonus is the _____ of the eligible employee.
- (i) entitlement
 - (ii) duty
 - (iii) obligation
 - (iv) contribution

- (d) Works Committee promotes _____ for resolving industrial dispute.
- (i) adjudication
 - (ii) harmonious relations
 - (iii) trial
 - (iv) court proceedings
- (e) 'Wages' does not include _____ of an employee.
- (i) gratuity
 - (ii) cash remuneration
 - (iii) holiday pay
 - (iv) salary
- (f) Reduction of wages for suspension from service is not deemed to be deduction of wages under _____ of the Payment of Wages Act, 1936.
- (i) Section 7
 - (ii) Section 8
 - (iii) Section 9
 - (iv) Section 10
- (g) Safety measures for factories are provided under _____ of the Factories Act, 1948.
- (i) Chapter IV
 - (ii) Chapter V
 - (iii) Chapter VI
 - (iv) Chapter VII
- (h) Domestic enquiry under the labour law is initiated by the _____.
- (i) employer
 - (ii) employee
 - (iii) trade union
 - (iv) labour court

(i) Employer is _____ to pay compensation under the Employee's Compensation Act, 1923 on the death of a workman for injury in course of employment under the influence of drink.

- (i) liable
- (ii) not liable
- (iii) partially liable
- (iv) relieved

(j) The maximum bonus allowed under the Payment of Bonus Act, 1965 is _____ of the employee's salary or wage in a financial year.

- (i) 8.33pc
- (ii) 10 pc
- (iii) 20 pc
- (iv) 30pc

2. Answer the following questions :

2x5=10

- (a) Partial disablement of a worker for compensation.
- (b) Grounds for disqualification for bonus.
- (c) Difference between fair wage and living wage.
- (d) Grievance Settlement Authority.
- (e) Definition of 'factory' under the Factories Act, 1948.

3. State the objectives of domestic enquiries for employees. Explain the procedure for conducting domestic enquiry in the backdrop of the Industrial Employment (Standing Orders) Act, 1946.

4+8=12

Or

What is charge sheet for the purpose of domestic enquiry? Explain the need for adherence to the principles of natural justice in such enquiries with reference to case laws.

4+8=12

4. What do you mean by "Badli workmen" ? Define 'continuous service' in respect of a workman. Explain the right of workman laid-off for compensation under the Industrial Dispute Act, 1947. 2+4+6=12

Or

What is the penalty for committing unfair labour practices? Indicate unfair labour practices on the part of workmen and trade unions of workmen under the Industrial Dispute Act, 1947. 2+10=12

5. Who appoints inspectors of factories? Enumerate the powers of inspectors under the Factories Act, 1948. 2+10=12

Or

When and how are the welfare officers employed in factories? How the welfare of women workers ensured under the Factories Act, 1948? 4+8=12

6. Discuss National Wage Policy of India. Explain the key components of wages. 6+6=12

Or

What do you mean by subsistence allowance ? State the kinds of deductions which may be made from wages under the Payment of Wages Act, 1936. 2+10=12

7. Discuss the primary objectives of the Payment of Bonus Act, 1965. How are the minimum and maximum bonus paid under the provisions of the Payment of Bonus Act, 1965. 6+6=12

Or

Write short notes on the following (any three): 3x4=12

- (a) Authorities to be approached by workmen to claim compensation against employer for accidental injury.
- (b) Procedure for fixing and revising minimum wages.
- (c) Procedure for disciplinary action.
- (d) Indian Labour Codes 2024.

2026

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1. Choose the correct answer: 1x10=10

- (a) The 'Industrial Tribunal' constituted under section 7A of the Industrial Disputes Act, 1947 can Adjudicate the dispute under _____.
(i) Second Schedule
(ii) Third Schedule
(iii) Second and Third schedule
(iv) Fourth Schedule
- (b) A Board of Conciliation shall consist of a Chairman and _____ other members, as the appropriate Government thinks fit.
(i) One or two
(ii) two or four
(iii) three or five
(iv) five or more
- (c) The arbitrator or arbitrators shall investigate the dispute and submit to the _____ the arbitration award signed by the arbitrator or all the arbitrators. As the case may be.
(i) Appropriate Government
(ii) Labour Court
(iii) Tribunal
(iv) National Tribunal

- (d) The Appropriate Government's power of reference of industrial disputes to the authorities under section 10 of the Industrial Disputes Act, 1947 is not judicial or quasi judicial, but is _____ in its nature.
- (i) Prerogative
 - (ii) Discretionary
 - (iii) Mandatory
 - (iv) Non mandatory
- (e) Generally, no women worker shall be required or allowed to work in a factory except between _____.
- (i) 6 a.m. to 7 p.m.
 - (ii) 6 a.m. to 8 p.m.
 - (iii) 5 a.m to 7 p.m
 - (iv) 7 a.m to 9 p.m.
- (f) The presiding officers of the Labour Court and _____ hear and decide claims arising out of payment of less than the minimum rates of wages.
- (i) Labour commissioner
 - (ii) Deputy Labour Commissioner
 - (ii) Arbitrator
 - (iv) Conciliator
- (g) Adolescent under the Factories Act, 1948 means a person who has completed his _____ year of age but has not completed his eighteenth year.
- (i) fourteenth
 - (ii) fifteenth
 - (iii) sixteenth
 - (iv) seventeenth
- (h) The Industrial Employment (standing Orders) Act, 1946 applies to every industrial establishment wherein _____ hundred or more workmen are employed, or were employed on any day of the preceding twelve months.
- (i) one
 - (ii) Two
 - (iii) Three
 - (iv) Five

- (i) The appropriate government's notification fixing the minimum wages under the Minimum Wages Act, 1948 _____ be interfered by the Court.

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|-------------|----------------|
| (i) Can | (ii) Cannot |
| (iii) Shall | (iv) Shall not |

- (j) Compensation due under the Employees's Compensation Act, 1923 shall be paid within _____ month from the date it fell due.

- | | |
|-------------|-----------|
| (i) One | (ii) Two |
| (iii) Three | (iv) Four |

2. Write short answer on:

2x5=10

- (a) What do you mean by voluntary adjudication?
- (b) Enforceability of an Industrial Award and settlement.
- (c) What is a Standing order?
- (d) What is living wage?
- (e) Occupational disease under the Workmen Compensation Act, 1923.

3. Discuss the provisions relating to the constitution of Labour Court, its functions and power. Does the Labour Court have original jurisdiction to try a dispute?

10+2=12

Or

Discuss the nature of power of government in making a reference under section 10(1) of the Industrial Disputes Act, 1947. Can a reference once made be withdrawn?

10+2=12

4. Discuss the principles of natural justice which are required to be followed in a domestic enquiry conducted for misconduct. Support your answer with the help of decided cases. 12

Or

What do you mean by managerial prerogatives? Discuss the provisions relating to restraints on managerial prerogative as laid down in section 33 and 33 A of the Industrial Disputes Act, 1947. 2+10=12

5. What are the kinds of wages? Describe the procedure for fixing and revising the minimum wage under the Minimum Wages Act, 1948. 4+ 8=12

Or

What are the salient features of the payment of Wages Act, 1936? Discuss the remedial measure provided in the Act against the unauthorized deductions in the payment of wages. 5+7=12

6. What are the main objectives of the Payment of Bonus Act, 1956? Discuss the changes that have been brought in by the Payment of Bonus (Amendment) Act, 2015? 6+6=12

Or

Discuss in detail the "Theory of notional extension of employment" for the purposes of determining the liability of an employer under the Employee's Compensation Act, 1923. 12

7. What are the different kinds of disablement under the Employee's Compensation Act, 1923? Discuss the principles for determination of quantum of compensation in such disablement. 4+6=12

Or

Discuss the various measures relating to health and safety of workers that are enshrined under the Factories Act, 1948. Are there any specific provisions concerning women and young persons in a factory? 8+4=12