



Reg. No. :

Name :

Eighth Semester B.A.LL.B./B.B.A.LL.B./B.Com.LL.B. (Five Year Integrated) Degree Examination, October 2017
Paper – II : LABOUR AND INDUSTRIAL LAW – I

Time : 3 Hours

Max. Marks : 80

1. Explain **any five** of the following. **Each** question carries 2 marks. Answer should **not exceed 50 words each** :

- a) Award
- b) Illegal strike
- c) Conciliation officers under the Industrial Dispute Act
- d) Public utility service
- e) Court of inquiry
- f) Unfair labour practices
- g) Multiplicity of trade unions.

(5×2=10 Marks)

2. Answer **any four** of the following. **Each** question carries 4 marks. Answer should **not exceed 120 words each** :

- a) Define standing order and explain the procedure for certification of standing orders under the Industrial Employment Standing Orders Act, 1946.
- b) Write a note on layoff, retrenchment and closure.
- c) Discuss tripartism.
- d) Discuss the rights and immunities of trade union.
- e) Define retrenchment and examine the condition precedents for valid retrenchment.

(4×4=16 Marks)



3. Answer **any four** of the following. **Each** question carries **6** marks :

- a) Ramu a workman under the Industrial Disputes Act was retrenched from service by an oral order made by the employer. Ramu wants to challenge the validity of the order. Advise.
- b) A factory stopped working continuously for 10 days due to dispute between the trade unions. The employer contended that this stoppage of work was due to concerted refusal to work without notice and therefore an illegal strike. Discuss.
- c) While framing the standing orders the employees insist on adding conditions which relate to matters not included in the schedule of Industrial Employment (Standing Orders) Act, 1946. Whether the certifying officer can consider the conditions for certifications of standing orders as demanded by the employees ?
- d) Some conductors who were actually performing the duties of cashier were asked during the pendency of the conciliation proceedings, to perform the duties of conductor. The workers contended that the action of the employer contravenes Section 33 (1) (a) of the Industrial Dispute Act. Decide.
- e) There was a dispute between an employer on the one side and a dismissed employee on the other side. Can this be considered as an industrial dispute ?

(4×6=24 Marks)

4. Answer **any three** of the following. **Each** question carries **10** marks :

- a) Collective bargaining is a tool of labourers. Do you agree with this ? Discuss.
- b) Define the term industry and explain how the Supreme Court interpreted this term in various decisions.
- c) Discuss the powers, functions and duties of both Conciliation Officers and Board of Conciliation pointing out the differences in the activities of each.
- d) What are Employment Standing Orders and what purpose do they serve ? What are the matters for which provisions have to be made in the employment Standing Orders ?

(3×10=30 Marks)