



Reg. No. :

Name :

**Eighth Semester B.A.LL.B. (Five Year Integrated) Degree
Examination, August 2016**

Paper – II : LABOUR AND INDUSTRIAL LAW – I

Time : 3 Hours

Max. Marks : 80

- I. Explain **any five** of the following. **Each** question carries **2** marks. Answer should **not exceed 50 words each** :
- a) Conciliation officer.
 - b) Retrenchment.
 - c) National tribunal.
 - d) Settlement.
 - e) Registrar under the Trade Union Act.
 - f) Distinguish between lock out and closure.
 - g) Award. **(5×2=10 Marks)**
- II. Answer **any four** of the following. **Each** question carries **4** marks. Answer should **not exceed 120 words each**.
- a) Explain briefly Jurisdiction and Constitution of Labour Court.
 - b) What are the powers and functions of a certifying officer under the Standing Orders Act.
 - c) Enumerate the unfair labour practices on the part of the employer.
 - d) Write a note on general fund and political fund of a trade union.
 - e) What are the rules and provisions governing the payment of compensation to a workman who is laid off ? **(4×4=16 Marks)**



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

- a) Industrial dispute relating to bonus scheme of the company was referred by the appropriate government to the industrial tribunal. While the dispute was pending before the court, the workers went on strike. Can the workers claim for wages during the strike period ?
- b) The standing orders provided that every employee shall retire on completing the age of 58 years or 30 years of unbroken service, whichever is earlier. This standing orders was certified and enforced after the appointment of Mr. X. Is this order binding on Mr. X ? Decide.
- c) A trade union leader along with some other workmen obstructed work in the factory for five hours, protesting against the deputation of a workman to work in another section of the factory. The management initiated criminal proceedings against him. Can he claim immunity from criminal liability ?
- d) The workmen of the industrial establishment went on strike and continued strike even after the order prohibiting strike was issued by the Govt. Therefore the industrial establishment was closed by the management. After some months, pursuant to a settlement, it resumed work as a new unit. Some of the workmen claimed closure compensation. Decide.
- e) "XYZ" Ltd. is an industry employing 1000 workers and three trade unions in which one is registered and two are unregistered. Advise the management in conducting negotiations relating to wage structure. **(4×6=24 Marks)**

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

- a) Discuss the procedure and formalities for registration of a trade union. How the registration of a trade union can be cancelled or withdrawn ? What are the benefits of a registered trade union ?
- b) What is an industrial dispute ? Can an individual raise an industrial dispute ? How industrial dispute can be distinguished from individual dispute ?
- c) Collective bargaining has multi-oriented importance to employers, employees and society. Discuss.
- d) Discuss the nature and importance of Industrial Employment Standing Orders. Examine the conditions and procedure for the certification of standing orders. **(3×10=30 Marks)**