

Name:

Enrolment No:



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2018

Course: Labour Law -I
Programme: B.TECH LL.B (CL+IPR)
Course Code: LLBL 251

Semester: IX
Max. Marks: 100
Time: 03 hrs.

SECTION A
(Attempt all)

S. No.		Marks	CO
Q 1	Define the term "Appropriate Government".	2	CO1
Q 2	Define the term of "Industry" as per the Industrial Disputes (Amendment) Act, 1982.	2	CO2
Q 3	Which international organization talks of Labour Law. What are its objectives?	2	CO3
Q 4	Define the term "Trade Union".	2	CO3
Q 5	Whether Hospitals fall under the category of industries as per the Industrial Amendment Act, 1947?	2	CO4

SECTION B (20 marks)
(Attempt all)

Q 6	Discuss the development of Labour Laws in India.	5	CO3
Q 7	Write a short note on ILO and its contributions towards developing labour jurisprudence and furthering labour welfare.	5	CO2
Q 8	Differentiate between Contract of Service and Contract for Service.	5	CO3
Q 9	What is the Collective Bargaining?	5	CO1

SECTION-C
(Attempt any two)

Q 10	In the light of the various judgments of the High Court and the Hon'ble Supreme Court discuss Trade Dispute.	10	CO1
Q 11	The employees at the Governor's Residence formed an Unregistered Union. There was a dispute. However, the Labour Court did not recognise them to be as workmen and their union as a Trade union as per the definitions. An appeal has been filed before your Court. Will they succeed? Support your answer with the help of relevant reasons and case laws.	10	CO3

Q 12	An employer is running an industry where readymade garments are manufactured and 200 workmen are employed. He desires to retrench 30 of its workmen. What steps should be taken by the employer to lawfully retrench them?	10	CO4
SECTION-D			
Q 13	XYZ Municipality on the charges of negligence, insubordination and indiscipline. The workers union of XYZ employees of which Mr. A and Mr. B were members questioned the dismissal and the matter was referred to the Industrial Tribunal. The Tribunal finds it difficult to hold the XYZ Municipality as 'industry' under the ID Act 1947 and mentioned that 'The understanding of the term 'Industry' under the Industrial Disputes Act, 1947 has been a challenging task before the Courts in India in spite of the fact that the term was defined under section 2(j) of the Act.' Comment on the aforementioned statement in light of the relevant case laws, which reflect this 'challenge' faced by the Courts in India including the recent developments in this regard.		
a)	Are Municipality Corporations Industry's as per the definition under the ID Act, 1947? Support your answer with the help of case laws.	15	CO3
b)	The Industrial Disputes (Amendment) Act 1982 has not been enforced until now. Assuming that it was enforced, discuss the implications on the understanding of the term 'Industry'.	20	CO3
c)	Can the workers of the Municipality form a Trade union under the Trade Unions Act, 1926? Support your answer with the help of case laws.	15	CO2