


Name:			
Enrolment No:			
UPES End Semester Examination, December 2023			
Course: Labour Law I Program: BA.LLB/BBA.LLB/B.COM.LLB Course Code: CLCC 3008		Semester: V Time: 03 hrs. Max. Marks: 100	
Instructions: All the questions are compulsory.			
S. No.	Answer the following questions in not more than 100 words.	Marks	CO
Q 1	Write a short note on the Negotiating Council.	2	CO1
Q.2	Which constitutional provisions relate to Collective bargaining.	2	CO1
Q.3	What are the laws repealed by the Industrial Relations Code 2020?	2	CO1
Q.4	“First come last go” is related to which concept?	2	CO1
Q.5	Briefly write a note on Lockout.	2	CO1
SECTION B (4Qx5M= 20 Marks)			
S. NO	Answer the following questions in not more than 300 words.		
Q. 6	Write a short note on Privilege to make agreement in restraint of trade.	5	CO2
Q. 7	Distinction between Lockout, layoff, and closure.	5	CO2
Q. 8	Write a short note on any one of the following: 1. Grievance redressal committee 2. Works Committee 3. Industrial Tribunal 4. National Industrial Tribunal.	5	CO2
Q. 9	Briefly explain the Certification process of Standing orders as per IR Code 2020.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
S. NO	Answer the following questions in detail.		CO3

Q. 10	Explain the Concept of Industrial Dispute with the help of relevant provision of law. Is individual dispute considered as an industrial dispute under the IR Code 2020?	10 (5+5)	CO3
Q. 11	<p>Read the following facts and then answer:</p> <p>In a telecommunication industry, the total number of workers employed was more than 500. The employer decided to retrench around 80 workers due to recession of business.</p> <p>Explain the meaning of retrenchment and conditions which are required to be fulfilled by the employer before the retrenchment.</p>	10 (4+6)	CO3
SECTION-D (2Qx25M=50 Marks)			
S. NO	Answer the following questions in detail		
Q. 12	<p>Read the following facts and then answer:</p> <p>Anwasha Enterprises is a mega organisation in the hospitality sector. It provides various kinds of services from hotel chains, restaurant services, destination-based events and other services connected to the hospitality sector. Its chairperson, Ms. Anwasha Pathak is a person committed not just to business development but also social welfare. She started an undertaking named “Rachna-the creation” as an CSR arrangement of Anwasha enterprises to cater to the issue of hunger and through a team of 20 people which is named “the Robin Hood gang” ensures distribution of leftover food and eatables across the localities near their hotel chains. Anwasha decided to dismiss Mr. Udit, one of the passionate members of the team robin hood, on the grounds that he is not consistent with his performance. Mr. Udit wrote back to the management about the unfairness of this dismissal, but no relief was granted to him. He approached the tribunal in the respective district where the cause of action arose. The presiding officer asked Mr. Udit and his advocate Ms. Nikita, to present a write up clarifying whether the forum has jurisdiction considering whether ‘Rachna-the creation’ is an ‘Industry’ within the meaning of the Industrial Relations Code 2020.</p> <p>Elaborate your response commenting on the ambit of the word ‘Industry’ reflecting the prominent legislative and judicial developments on the same and covering the abovementioned facts determine whether tribunal may hear the grievance of Mr. Udit.</p>	25	CO 4

<p>Q.13</p>	<p>Read the following facts and then answer:</p> <p>In a Company, wherein workers were employed for manufacturing of cycle, went on a strike for a period of one month demanding increase in wages. They gave the strike notice on 3rd November 2022 and in the notice, they mentioned that they will start striking on 25th November 2022. However, they indulged in a strike on 1st December 2022.</p> <p>In the meantime, an application was made by the employer to an industrial Tribunal on 10th December 2022 to resolve the dispute and decide the legality of the strike. While the matter was pending the workers continued the strike till 2nd January 2023. After the workers stopped the strike, the employer took disciplinary action against those workers who were indulged in strikes.</p> <p>The workers have reached out to you and as an Advocate you need to argue on the following issues in your pleading:</p> <ol style="list-style-type: none"> 1. Decide and explain, with the help of relevant provisions of law, whether the strike was legal or illegal. (10 marks) 2. Decide, with the help of case laws, whether the workers can claim wages for the period of strike. (5 marks) 3. Decide whether the disciplinary action taken by the employer was fair and valid. Describe the steps to be undertaken in cases of any misconduct. (10 marks) 	<p style="text-align: center;">25</p>	<p style="text-align: center;">CO4</p>
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