

2010

LABOUR LEGISLATION

FOURTH PAPER

Full Marks : 100

Time : 3 hours

*The figures in the margin indicate full marks
for the questions*

1. Answer any five questions (within 100 words each) : 5×5=25
- (a) (i) What are the weekly and daily hours for which an adult worker may be required to work in a factory?
- (ii) What are the rules with regard to weekly holidays in the Factories Act, 1948?
- (b) Define 'Disablement' under the Workmen's Compensation Act, 1923.
- (c) Write briefly about the settlement of claims arising out of deductions from wages or delay in payment of wages under the Payment of Wages Act, 1936.
- (d) Explain briefly the procedure for fixing and revising minimum wages under the Minimum Wages Act, 1948.

- (e) Write the provisions relating to forfeiture of gratuity payable to an employee.
- (f) Explain the salient features of 'Provident Fund Scheme' under the Employees' Provident Funds and Misc. Provisions Act, 1952.
- (g) Define 'Strike' and 'Lockout' under the Industrial Disputes Act, 1947.

2. Answer any three questions (within 200 words each) : 10×3=30

- (a) Examine an employer's liability for payment of compensation to his workmen in case of industrial accident. What defences are available to an employer against such a claim?
- (b) Explain the provisions of the Factories Act, 1948 relating to annual leave with wages.
- (c) Explain the provisions for registration of a trade union under the Trade Unions Act, 1926.
- (d) Discuss the term 'Standing Orders'. Explain the provisions for certification of standing orders under the law.
- (e) Define 'Gratuity'. Elaborate the provisions of the Payment of Gratuity Act, 1972 relating to payment of gratuity to an employee.

3. Answer any *three* questions (within 300 words each) : 15×3=45

- (a) State the provisions of the Factories Act, 1948 to ensure the safety of the workers.
- (b) Define 'Lay off' and 'Retrenchment'. Write a note on the provisions of the Industrial Disputes Act, 1947 relating to lay off and retrenchment.
- (c) What are the different types of benefits to the employees under the Employees' State Insurance Act, 1948?
- (d) What are the conditions for the eligibility of bonus? When is an employee disqualified from receiving bonus? Mention the provisions of the Payment of Bonus Act, 1965 regarding minimum bonus, maximum bonus, 'set on' and 'set off' of allocable surplus and time limit for payment of bonus.
- (e) Define 'Wages' under the Payment of Wages Act, 1936. Explain the provisions of the act relating to responsibility for payment of wages, wage periods, time of payment of wages and deductions from wages.

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