



RC-4443-44

M. B. A. (Sem. IV) (FT) & (Sem. VI)
(Evening) Examination

April/May – 2010

Legal Aspects of Labour Management

Time : 3 Hours]

[Total Marks : 100

RC-4443

Instructions :

(1)

नीचे दृशावेव निशानीवाणी विगतो उत्तरवडी पर अवश्य लपवी. Fillup strictly the details of signs on your answer book.	Seat No. :
Name of the Examination :	<input type="text"/>
<input type="text" value="M. B. A. (Sem. 4) (FT) & (Sem. 6) (Evening)"/>	<input type="text"/>
Name of the Subject :	<input type="text"/>
<input type="text" value="Legal Aspects of Labour Management"/>	<input type="text"/>
Subject Code No. : <input type="text" value="4"/> <input type="text" value="4"/> <input type="text" value="4"/> <input type="text" value="3"/>	Section No. (1, 2,.....): <input type="text" value="1"/>
	<input type="text" value="Student's Signature"/>

- (2) Q.1 and Q.5 of section I and II respectively are **compulsory**.
- (3) Figures to the **right** indicate marks.
- (4) From Q. 2,3,4 and 6,7,8 of section I and II attempt **2** each respectively.
- (5) Cite relevant examples whenever needed.

1 Attempt the following by giving analytical answers : 18
(any **three**)

- (i) A, who is the adult worker, works in a factory LMN for 8 hours everyday from 6 am to 2 pm. Without any one knowing he takes up work in a factory PQR for 4 hours everyday from 4 pm to 8 pm. What action can be taken against him and who should rake the action? Explain.
- (ii) A, is the owner of a concern, manufacturing cigars. 20 persons are employed, of these 20 employees, one is graduate for supervising the work and another apprentice learning work. The remaining 18 are employed not on the time wage system but on the piece work system. Is the concern a factory within the meaning of the term under Factories Act-1948?

- (iii) A company running 2 separate and distinct industries, one engineering works employing 20 workers and other tile factory, having 24 works in the same premises. The engineering works is covered under Schedule I of the Employees Provident Fund and, therefore, contribution were demanded by Regional Provident Commissioner. The company challenged the validity of the demand made. Discuss.
- (iv) A bank had entrusted construction of a building to a contractor. A workman was injured in the course of this work. State who liable to pay compensation to the injured workman. Why?
- 2** Discuss the object of "The Workmen's Compensation Act, 1923. Discuss the employer's liability for compensation to a workman for personal injury caused by Accident. Give the formula for calculating the compensation to workman in the case of :
- 16**
- (i) Death
- (ii) Permanent partial disablement.
- 3** Discuss the need for having standing orders in industrial establishments. How are the standing orders made known to workman employed in an industrial establishment? Discuss the statutory provisions regarding notification of vacancies in public and private sector.
- 16**
- 4** Write short notes on : (any two)
- 16**
- (i) Provisions related to Hazardous Process
- (ii) The Inspecting Staff under Factories Act
- (iii) Provisions related to Working Hours of Adults.

Instructions :

(1)

<p>नीचे दृशायेक निशानीवाणी विगतो उत्तरवडी पर अवश्य लखवी. Fillup strictly the details of signs on your answer book.</p> <p>Name of the Examination :</p> <p>M. B. A. (Sem. 4) (FT) & (Sem. 6) (Evening)</p> <p>Name of the Subject :</p> <p>Legal Aspects of Labour Management</p> <p>Subject Code No. : 4 4 4 4 Section No. (1, 2,.....): 2</p>	<p>Seat No. :</p> <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> </table> <div style="border: 1px solid black; border-radius: 15px; width: 100%; height: 80px; margin-top: 10px; display: flex; align-items: center; justify-content: center;"> <p>Student's Signature</p> </div>						

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5 (a) Citation Case : 8

- (i) In Bihar State Transport Vs. State of Bihar, a person was appointed as head clerk in the office of Divisional Manager and there was no evidence that he was doing managerial or supervisory work. His conditions were governed by the standing orders of Rajya Transport. Is he the workman? Discuss with reference to Industrial Disputes Act.
- (ii) In Andhra University vs R.P.F. Commissioner, in order to cater to the needs of students, Andhra and Osmania University were running a printing press as part of Department of Publication and Press. The R.P.F. Commissioner issued an order intimating that the Department were liable for the applicability of the Act. Decide.

(b) What do you mean by strike? When do worker's resort to strike, also explain the different types of strike. 10

6 Discuss the object of the Employees' State Insurance Act, 1948. State the 6 types of benefits to which the insured persons, their dependants or certain other persons are entitled to. Also discuss 16

- (i) Sickness Benefit
- (ii) Dependant's Benefit.

- 7 Explain Bonus. What is the objective of Bonus under Bonus Act 1965? Who are eligible and disqualified for bonus? 16
- 8 Explain, minimum wages provisions regarding deductions in case of : 16
- (a) Absence from duty
 - (b) Damage caused to employer by negligence of the employed person.
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