

2023**LAW****Labour & Industrial Law-II****Paper - 503****(NEW SYLLABUS)**

Full Marks : 80

Time : 3 Hours

*The figures in the right-hand margin indicate marks.**Candidates are required to give answers in their own words as far as practicable.***Answer question no. 1 and any five from the rest.**1. Answer any **ten** questions: $2 \times 10 = 20$

- a) A, an employee, enters into a contract with his employer B to accept his wages in kind and not in money. Can A later on demand his wages in cash?
- b) Define 'Industrial Establishment' under the Payment of Wages Act, 1936.
- c) In a film studio, raw film is moulded and transformed into a finished product. Is it a factory as defined in the Factories Act, 1948?

[Turn over]

- d) A was the owner of a ginning factory. Certain men were engaged in putting the ginned cotton into what are called bojhas and they were engaged for that work not by A but the merchants who owned cotton. A did not show their names in the attendance register of the factory. Are the labour employed by the merchants workers within the meaning of the Factories Act, 1948?
- e) An employee goes to attend to his work riding on a bicycle and is involved in an accident in the course of journey. Is the employer liable to pay compensation?
- f) A worker lost his mental balance as a result of an injury by accident while working in the factory and committed suicide. Is the employer liable to pay compensation?
- g) Define trade dispute.
- h) State the kinds of trade union under the Trade Unions Act, 1926.
- i) Is a security guard in a factory a worker?
- j) Is oil pumping station a factory?
- k) Define employee under EC Act 1923.
- l) Who are the employers under the EC Act 1923?

2. Discuss the mode of registration of a trade union under Trade Union Act. 12
 3. Discuss the provisions of the Factories Act regarding health of factory worker. 12
 4. Discuss the employer's responsibility for payment of wages under the Payment of Wages Act, 1936. 12
 5. Discuss the concept of notional extension of premises supported by Judicial decisions. 12
 6. State the provisions of the Payment of Wages Act, 1936 with regard to deduction which may, and which may not, be deducted from wages. 12
 7. What provisions have been made in the Factories Act, 1948 for protection against fire and for safety of building and machinery of a factory? 12
 8. What are the defenses available to an employer regarding payment of compensation? 12
 9. State the penalty provisions under Trade Unions Act, 1926. 12
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