

2020**LAW****Labour and Industrial Law–I****Paper : 405****[NEW SYLLABUS]**

Full Marks : 80

Time : 3 Hours

*The figures in the right-hand margin indicate full 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 of the following:

2×10=20

- i) Is club an Industry?
- ii) When can an industrial dispute be raised by a person who is not a workman?
- iii) Who is an employer under I.D. Act, 1947?
- iv) Define principal employer under the Contract Labour (Regulation and Abolition) Act, 1970.
- v) Define wages under the said Act.

[Turn over]

- vi) Define Appropriate Government under the Employees' State Insurance Act, 1948.
- vii) Define Permanent Partial Disablement under the said Act.
- viii) Define Employer under the Payment of Gratuity Act, 1972.
- ix) Define Railway company under the said Act , 1972.
- x) Define Temporary Disablement under ESI Act, 1948.
- xi) What is lock-out under I.D. Act, 1947?
- xii) Define Plantation under the Payment of Gratuity Act, 1972.

- 2. Distinguish between retrenchment and lay-off . What are the conditions precedent to lay-off under the ID Act for an industrial establishment in which not less than 100 workmen were employed on an average per working day in the preceding twelve months? 4+8=12
- 3. Explain the provisions in relation to unfair trade labour practices in India. 12
- 4. Narrate the provision of obstruction. Discuss the contravention of provisions regarding employment

of contract labour under the Contract Labour
(Regulation and Abolition) Act, 1970. 3+9=12

5. Discuss the types of benefits under the Employees' State Insurance Act, 1948. 12
6. Discuss the provision of penalties and exemption of employer from the liability in certain cases under the Payment of Gratuity Act 1972. 6+6=12
7. Discuss the provision of Cognizance of offences and protection of Gratuity. 12
8. Discuss the constitution of Employees' Insurance Court. What are the matters that are decided by the Employees' Insurance Court? 6+6=12
9. Discuss the procedure of retrenchment. 12
