

LLB  
FIFTH SEMESTER  
LABOUR & INDUSTRIAL LAW  
LLB – 501 [SPECIAL REPEAT]  
[USE OMR FOR OBJECTIVE PART]

SET  
A

Duration : 3 hrs.

Full Marks : 80

( PART-A : Objective )

Time : 30 min.

Marks : 30

Choose the correct answer from the following:

1×10=10

- No person employed in a public utility service shall go on strike in branch of contract with in----- of giving such notice :
  - 14 days
  - 42 days
  - 7 days
  - 49 days
- Section ----- covers the definition of retrenchment under Industrial Dispute Act,1947
  - 25 B
  - 2 (0)
  - 2(oo)
  - None of the above
- Before the Industrial Dispute Act, was implemented in the year 1947 , which act took care of the industrial dispute :
  - Trade Dispute Act, 1926
  - Royal Commission on labour 1934
  - Labour management relations Act,1947
  - None of the above
- Choose the correct objective of Industrial Dispute Act, 1947 :
  - To prevent illegal strike
  - To promote measures for security and preserving good relationship
  - To provide relief to workmen in matter of lay off , retrenchment etc
  - All of the above .
- The power has been given to ----- to require works committee to constitute in every establishment employed 100 workmen or more :
  - Appropriate government
  - State government
  - High court
  - Board of conciliation
- Which of the following sections deals with penalty for illegal strike and lock-out :
  - Section 24
  - Section 25
  - Section 26
  - Section 27
- Which of the following schedules under the Industrial Dispute Act,1947contains provision regarding unfair labour practice :
  - The first schedule
  - The second schedule
  - The third and fourth schedule
  - The fifth schedule
- Which of the following are unfair labour practice on the part of employer :
  - To recruit workmen during a strike which is not illegal
  - Failure to implement award settlement on agreement
  - Refuse to bargain collectivity in good faith with the trade union
  - All of the above

[1]

9. Which of the following section states employers liability for compensation :
- a. Section 3
  - b. Section 4
  - c. Section 5
  - d. Section 6
10. First category of dependents includes :
- a. Widow and her mother
  - b. Legitimate or adopted son
  - c. An unmarried legitimate daughter
  - d. All of the above

*Answer the following: (Use descriptive answer sheet)*

**2×10=20**

1. What is industrial dispute ?
2. What do you understand by retrenchment .
3. Who is a conciliation officer ?
4. Mention two functions of labour court ,
5. Define illegal strike .
6. Discuss the procedure of retrenchment .
7. Explain jurisdiction of civil court in relation to industrial dispute .
8. Where unfair labour practice is committed ?
9. Define wage as per the Employees Compensation Act, 1923.
10. Explain the procedure of calculating wage in case of employers compensation

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**(PART-B : Descriptive)**

Time : 2 hrs. 30 min.

Marks : 50

*[ Answer the following questions ]*

1. a. Explain in detail Industrial Jurisprudence in India . 10  
*Or*  
b. Discuss various objectives and scope of Industrial Dispute Act, 1947 10
2. a. Industrial dispute Act,1947 gives the discretionary power to Labour court, Tribunal ,National Tribunal to solve industrial dispute .Explain . 10  
*Or*  
b. How industrial dispute can be solved as per the Industrial Dispute Act, 1947. Discus various authorities under the Act . 10
3. a. What is strike ? Whether a notice is necessary before conducting strike ?If so under what circumstances notice can be dispensed with . When a strike becomes illegal. ? 2+1+3+4=10  
*Or*  
b. Write short notes on the following 5+5=10  
a. Lockout  
b. Lay-off
4. a. Define unfair labour practice . Discuss various provisions of nature and penalties of unfair labour practice . 3+7=10  
*Or*  
b. Discuss in detail various provisions of unfair labour practice in relation to the part of employees and trade union of the employees and from the part of workmen and trade union of the workmen . 5+5=10
5. a. What do you understand by compensation ?. Discuss in detail main features of the Employees Compensation Act,1923. 2+8=10  
*Or*  
b. Discuss the importance of compensation under the Employees Compensation Act,1923. What are the powers and functions of commissioner under the said Act. 3+7=10

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