


Name:			
Enrolment No:			
UPES End Semester Examination, December 2024			
Course: Labour Laws 1 Semester: IX Program: BTech LLB Course Code: CLCC 5020		Time : 03 hrs. Max. Marks: 100	
Instructions: All questions are mandatory. If Optional, it is mentioned clearly.			
SECTION A (5Qx2M=10Marks)			
S. No.	Write Very Short Notes on	Marks	CO
Q 1	Article 43 of the Constitution of India provides for....	2	CO1
Q2	Number of Judges in the landmark judgment of Bangalore Water Supply were	2	CO1
Q3	<u>Write True or false:</u> Lockout is permanent closure of an industry.	2	CO1
Q4	One Similarity between Retrenchment and layoff	2	CO1
Q5	Which constitutional provisions relate to Collective bargaining.	2	CO1
SECTION B (4Qx5M= 20 Marks)			
	Write Short Notes on-		
Q6	Mention briefly about the immunities available to registered trade unions.	5	CO2
Q7	Write a short note on general fund and separate (special) fund of a Trade Union.	5	CO2
Q8	National Industrial Tribunal.	5	CO2
Q9	Briefly explain the steps to be followed for the purposes of Certification of Standing orders as per IR Code 2020.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q10	Describe the concept of Individual Dispute and Industrial Dispute. Also, in which instances can individual dispute be deemed as industrial dispute?	10	CO3
Q11	The entire industrial law is shaped around the ‘employer employee relationship’. However, who is an ‘employee’ needs sincere	10	CO3

	consideration. Discuss the concept of ‘workman’ and ‘employee’ and how is law shaped around it as per the Code on Industrial relations and the ID Act 1947.		
SECTION-D (2Qx25M=50 Marks)			
Q12	<p>Rohi Enterprises is a mega organization in the hospitality sector. It provides various kinds of services from hotel chains, restaurant services, destination-based events and other services connected to the hospitality sector. Its chairperson, Ms. Rohi, is a person committed not just to business development but also social welfare. She started an undertaking named “Rachna-the creation” as an CSR arrangement of Rohi enterprises to cater to the issue of hunger and through a team of 20 people which is named “the Robin Hood gang” ensures distribution of leftover food and eatables across the localities near their hotel chains. Rohi decided to dismiss Mr. Jayant, one of the passionate members of the team robin hood, on the grounds that he is not consistent with his performance. Mr. Jayant wrote back to the management about the unfairness of this dismissal, but no relief was granted to him. He approached the tribunal in the respective district where the cause of action arose. The presiding officer asked Mr. Jayant and his advocate Ms. Nikita, to present a write up clarifying whether the forum has jurisdiction considering whether ‘Rachna-the creation’ is an ‘Industry’ within the meaning of the Industrial Relations Code 2020.</p> <p>Elaborate your response commenting on the ambit of the word ‘Industry’ reflecting the prominent legislative and judicial developments on the same and covering the abovementioned facts determine whether tribunal may hear the grievance of Mr. Jayant.</p>	25	CO4
Q13	<p>The Supreme Court of India in a landmark case observed that if a strike is legal as well as justified then, the worker is entitled to wages for the period of strike, the strike should be legal and justified. Whether a particular strike is justified or not is a question of fact, which must be judged in the light of the facts and circumstances of each case. The use of force, coercion, violence or acts of sabotage resorted to by the workmen during the strike period which was legal and justified would disentitle them to wages for the strike period.</p> <p>Commenting on the above, kindly respond to the two questions below-</p> <ol style="list-style-type: none"> 1. Elaborate the law concerning strikes in India focusing on the legality and illegality of strikes. (15 marks) 2. Decide, with the help of case laws, whether the workers can claim wages for the period of the strike. (10marks) 	25	CO4