



Name:

Enrolment No:

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
Online End Semester Examination, Dec 2020

Course: Labour Laws-2

Program: BA LL.B (Hons.)(Criminal Law/ Labor Law/ Constitution Law)

Course Code: CLCC 4003

Semester: VII

Time 03 hrs

Max. Marks: 100

SECTION A

1. Each Question will carry 5 Marks

2. Instruction: Complete the statement / Select the correct answer(s)

S. No.	Questions	Marks	CO
Q1	Brief Note on 'Forced Labour' under Article 23	5	CO1
Q2	Brief note on 'Occupier' under Factories Act, 1948	5	CO1
Q3	Brief note on ' <i>equal pay for equal work</i> ' as a directive principle of state policy	5	CO1
Q4	Brief note on Amendment of 2016 on 'Law regarding child labour in India'	5	CO1
Q5	Brief note on aims and objectives of ESI Act, 1948	5	CO1
Q6	Brief note on 'Eligibility of Bonus' under the Code of Wages 2019	5	CO1

SECTION B

1. Each question will carry 10 marks

2. Instruction: Write short / brief notes

Q7	Explain the term 'Factory' as per the Factories Act, 1948 with relevant case-laws and provisions.	10	CO2
Q8	Discuss the objectives of Payment of Wages Act, 1936 (now repealed) and briefly describe its application in Code of Wages Act 2019.	10	CO2

Q9	The 'prohibition/regulation' approach under the Child Labour (Prohibition and Regulation) Act 1986 was based on 'keeping wolf out of the door' policy. Comment on the statement in light of Article 24 of Indian Constitution.	10	CO2
Q10	Explain the principle of <i>notinal extension of employer's liability</i> under the Employee's Compensation Act 1923 with illustrations and case laws.	10	CO2
Q11	Analyse and comment on the nexus between the directive principles of state policy and labour legislations with the help of precedents and provisions.	10	CO3

Section C

1. Each Question carries 20 Marks.

2. Instruction: Write long answer.

Q12-	<p>India, a place where 'Cricket' is treated as a religion, is all thrilled for the upcoming 2022 Women's T20 World Cup Tournament. Aprajita Khanna, Shrija Chauhan and Yukta Jain are the lead performers of the best 11 to be picked for the tournament. The whole nation has great hopes from the team, especially the lead performers.</p> <p>Aprajita Khanna, a senior player of the team, started her cricketing career in 2012. She got married to a famous Bollywood actor Mr. Ayush Rao in 2015 and the couple was graced with a child in 2017 for which Aprajita took break from cricket for a few months on the grounds of 'Maternity'. The couple is expecting to become parents again by the month of March 2021 and this has turned out to be a controversial news for the whole nation since the IWCA (Indian Women Cricket Association), in its terms of engagement has a clause of mandatory retirement of cricketer on the ground of her <i>second pregnancy</i>. Anticipating Ms. Aprajita not playing the 2022, World Cup has invited a huge uproar in the nation and upset many cricket fans.</p> <p>Ms. Aprajita has challenged the Engagement Rules claiming them to be violative of the norms of equality under Art.14 of the Indian Constitution and seeking to be allowed to play the 2022 World Cup subject to her fitness.</p>	20	CO4
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	<p>Determine the issue at hand as the Judge of the Apex Court, with the help of various legal provisions and case-laws applicable. Also determine, if Mr. Aprajita succeeds in the matter, what all maternity benefits she would be entitled to as per the latest Amendment of 2017 in the Maternity Relief Act,1961 highlighting the key features of the law on maternity.</p>		
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