


Name:			
Enrolment No:			
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, December 2022			
Course: Labour Law II Program: LL.B Course Code: CLCC 2030		Semester: III Time: 03 hrs. Max. Marks: 100	
Instructions: Read the questions properly and answer all the questions.			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q.	Answer the questions (Q. 1 to Q.5) in not more than 50 words.		
1.	Who is a gig worker? Give examples.	2	CO1
2.	Will a person be entitled to sickness benefit if he goes to work and gets wages for the same? Justify your answer with relevant provision.	2	CO2
3.	How many laws have been repealed by Code on Wages 2019? Name them.	2	CO1
4.	Write briefly the ruling in Bijoy Cotton mills V. State of Ajmer (1953)?	2	CO1
5.	What is the maternity leave given to women who already has three surviving children?	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q	Answer the following questions briefly:		
6.	What is the applicability of Chapter VII (Employees Compensation) of the Code on Social Security 2020?	5	CO2
7.	What is minimum wage and national floor wage?	5	CO3
8.	Write a short note on absence from duty as kind of deduction.	5	CO2
9.	Write a short note on the welfare provisions to be provided by the employer in his establishment as per the Occupation, safety, health and working Conditions Code 2020.	5	CO2

SECTION-C (2Qx10M=20 Marks)			
Q	Explain the following questions:		
10.	Discuss how the labour Code protects the rights of the inter-state migrant workers in India.	10	CO3
11.	Discuss the ESI benefits provided to an employee as per Chapter IV of the Code on Social Security 2020.	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q	Analyse the facts mentioned and then answer the questions:		
12.	<p style="text-align: center;"><u>Read the below mentioned facts and answer the questions:</u></p> <p>Malini, who was working in a factory was insured under Chapter IV (ESI Provisions) of the Code on Social security 2020. She claimed maternity benefit from ESI Corporation, which was awarded.</p> <p>Later, she claimed maternity benefits under Chapter VI of Code on Social Security 2020. The employer repudiated the claim.</p> <p>a) Decide whether Malini is entitled to maternity benefit under Chapter VI and was the repudiation of claim by employer valid.</p> <p>b) Now supposing, Malini is not insured under Chapter IV, she wants to claim under Chapter VI, what is the eligibility criteria and what are the benefits provided to a women under Chapter VI (with respect to maternity benefits).</p>	25 (5+20)	CO4
13.	<p style="text-align: center;"><u>Read the below mentioned facts and answer the questions:</u></p> <p>Bharat, who was then about 21 years of age, while working as an electrician with ABC Co. Pvt ltd., was tasked with rectifying a fault in an electricity pole that was causing fluctuation in the electricity supply at a farmhouse, suffered a fall while performing the task since the electricity pole that he had climbed on, snapped, and fell. Bharat thus met with Permanent Partial disablement. It is pertinent to note that Bharat was provided with safety gear before he was directed to climb the pole to undertake the task, which he willingly refused.</p>	25 (7+18)	CO4

	<p>Bharat filed a claim against ABC Company for compensation as the accident occurred in the course of employment.</p> <p>a) Decide whether Bharat can claim compensation given the fact that peril caused was due to his negligence and carelessness. Justify your answer with relevant provision of law.</p> <p>b) Discuss the conditions, which has to be proved by Bharat to claim the compensation. Support your answer with relevant provisions and case laws.</p>		
--	--	--	--