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| Enrolment No: | | | |
| UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, December 2022 | | | |
| Course: Labour Law II | | Semester: VII | |
| Program: B.A., LL.B. / BBA, LL.B. / B.Com., LL.B. | | Time: 03 hrs | |
| Course Code: CLCC4013 | | 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. | Distinguish between sickness benefit and medical benefit. | 2 | CO2 |
| 3. | How many laws are to be subsumed by the Code on Wages, 2019? Name them. | 2 | CO1 |
| 4. | State the characteristics of intra-mural and extra-mural facilities. | 2 | CO1 |
| 5. | What is the maternity leave given to women who already have three surviving children? | 2 | CO1 |
| SECTION B (4Qx5M= 20 Marks) | | | |
| Q | Answer the following questions briefly: | | |
| 6. | Discuss the concepts of social assistance and social insurance with examples. | 5 | CO2 |
| 7. | Distinguish between living wage and fair wage. | 5 | CO3 |
| 8. | Write a short note on 'fines' as a kind of deduction. | 5 | CO2 |
| 9. | What are the rights of an employee as provided in the Occupational Safety, Health and Working Conditions Code, 2020? | 5 | CO2 |
| SECTION-C (2Qx10M=20 Marks) | | | |
| Q | Explain the following questions: | | |

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| 10. | Critically examine the role of Labour Codes in protecting the rights of the inter-state migrant workmen in India. | 10 | CO3 |
| 11. | Discuss the benefits of Employees' State Insurance 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 facts stated below and answer the questions:</u></p> <p>Gopal, a 35-year-old bus driver associated with a transport corporation, is insured under Chapter IV (Employees' State Insurance Corporation) of the Code on Social Security, 2020. One day, while he was on duty, he got assaulted by a few people who were involved in a riot. He suffered from multiple injuries, which resulted in his permanent partial disablement. Thereafter, he claimed compensation from his employer. The employer repudiated the claim.</p> <p>Aggrieved by such repudiation, Gopal approached the industrial tribunal in order to avail remedy.</p> <p>Decide whether Gopal can claim any compensation from his employer. Justify your answer with reference to Chapter VII (Employees' Compensation) of the Code on Social Security, 2020 and relevant judgements.</p> | 25 | CO2 |
| 13. | <p style="text-align: center;"><u>Read the facts stated below and answer the questions:</u></p> <p>The people of India are thrilled for the upcoming 2023 Women's T20 World Cup Tournament. Ayushi Khanna, Manisha Chauhan and Yukta Jain are the top performers of the eleven players who have been picked for the Tournament. The whole nation has great expectations from the team, especially the top performers.</p> <p>Ayushi Khanna, a senior player of the team, started her cricketing career in 2012. She got married to a famous Bollywood actor Varun Rao in 2015 and the couple was graced with a child in 2017 for which Ayushi took a break from cricket for a few months on the ground of 'maternity'. The couple is expecting another child by</p> | 25 (10+15) | CO4 |

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| | <p>the month of February 2023 and this has turned out to be a controversial news for the whole nation since the IWCA (Indian Women’s Cricket Association), which is a government body, in its Engagement Rules has a clause of mandatory retirement of cricketer on the ground of her second pregnancy. The possibility of Ayushi not playing the 2023 Tournament has caused a huge uproar in the nation and upset many cricket fans.</p> <p>Ayushi has challenged the Engagement Rules claiming them to be violative of the norms of equality under Articles 14 and 15 of the Constitution of India and sought to be allowed to play the 2023 Tournament subject to her fitness.</p> <ul style="list-style-type: none">a) Determine the issue(s) at hand as the Judge of the Supreme Court, with the help of various legal provisions and relevant cases.b) If Ayushi succeeds in the matter, enumerate what all maternity benefits she would be entitled to, with reference to the key features of the law on maternity. | | |
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