

Roll No.

SAP ID



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, July 2020
Open Book – Through Blackboard Learning Management System

Course: Labour Law - 1 Semester: 6th

Programme: B.A.LL.B. Hons. (Constitutional Law/Criminal Law)

Subject Code: CLCC 3008

Time: 03 hrs.

Max. Marks: 100

Instructions:

As this examination is in open-book format, the students are expected to demonstrate a very high degree of Academic Integrity and not copy contents from resources referred. Instructors would look for understanding of the concept by the students and any similarity found from resources online/ offline shall be penalized in terms of deduction of marks and even cancellation of paper in requisite cases. The online examination committee of the School would also look for similarity of two answer scripts and if answer scripts of two or more students are found similar, both the answer scripts shall be treated as copied and lead to cancellation of the paper. In view of the aforesaid points, the students are warned that they should desist from using any unfair means.

All Questions are Compulsory
Answer each question in not more than 500 words

S. No.		Marks	CO
1	Ms. Priya went on maternity leave for 6 months but she overstayed for 9 months i.e. three months beyond the sanctioned leave. As per the Standing Orders in the Industry “services of any employee who fails to report after expiration of sanctioned leave would be terminated.” Accordingly, Ms. Priya was issued a simple letter stating that “her services has been terminated with immediate effect.” Discuss the nature of termination of services?	20	3
Ans.			
2	Discuss if the following can be registered as a Trade Union under Trade Union’s Act, 1926. a) Indian Armed Forces Employees Association. b) Divorced Female Welfare Association.	20	1
Ans.			
3	Element of Control and Supervision’ were considered as test to define nature of employment as to <i>Contract of Service</i> or <i>Contract for Service</i> . Discuss this statement in the light of Bharat Heavy Electricals Ltd. Vs Mahendra Prasad Jakhmola (Date Of Judgment 20 February, 2019)	20	2
Ans.			
4	Jordiac Racer Pvt. Ltd. Company is a registered company producing spare parts of bicycle. This company faced severe financial loss due to CORONA pandemic and subsequent restrictions such as lock down which affected production and profits. As a result of such loss the Company resorted to laying off some of the workers. The	20	4

	Company duly paid the lay-off compensation. Yet the workers resisted the decision of the management. Discuss the right of the Company to lay off the workmen in the given situation. Substantiate your answer with relevant provisions and case laws.		
Ans.			
5	Discuss the Complaint Mechanism in ILO?	20	1
Ans.			

I,, understand that submitting work that isn't my own may result in failure in this paper and I may also be subject to Disciplinary Proceedings as per the Academic Integrity policy of the University.

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