



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES  
End Semester Examination, December 2021

Course: Labour Law II

Course Code: CLCC4013

Programme: BA.LLB (hons.) (Criminal law/ Constitutional law)

Semester: VII

Time: 3 hours

Instructions: All the questions are compulsory.

**SECTION A**  
*(Type the answers in test box)*

5Qx2M=10 Marks

Q. No.	One word/very short answer	Marks	CO
1.	Article _ of the constitution of India provides for just and humane conditions of work and maternity relief.	2	CO1
2.	Article _ of the constitution mentions that the tender age of children should not be abused.	2	CO1
3.	Article 43 of the constitution provides for _____	2	CO1
4.	Code on social security provides for _____ number of schedules.	2	CO1
5.	The code on wages 2019 has repealed Payment of Gratuity Act 1972. <b>(True/False)</b>	2	CO1

**SECTION B**  
*(Scan and upload)*

4Q x5M=20 Marks

Q. No.	Write Short notes on:	Marks	
6.	Floor wage under the Code on wages 2019.	5	CO2
7.	Applicability of Employee State Insurance provisions (Chapter IV) under the Code on Social Security 2020.	5	CO2
8.	Manufacturing process under the Occupation safety working Conditions Code, 2020	5	CO2
9.	Duties of employer under the Occupation safety working Conditions Code, 2020	5	CO2

**SECTION-C**  
*(Scan and upload)*

2Qx10M=20 Mark

Q. No.	Answer the following in brief:	Marks	CO
10.	Discuss the rights of the Interstate Migrant workers provided under the Indian Law regime.	10	CO3
11.	Discuss the benefits provided under Chapter IV of the Code on Social Security 2020.	10	CO3

**SECTION-D**  
(Scan and upload)

2Qx25M =50 Marks

Q. No.	Answer the following case study/descriptive questions	Marks	CO
12.	<p>Mayank was employed as driver in Bhagwati corporation whose major work was wholes selling of Spices across the state of Rajasthan. His work involved picking the truck from the warehouse to the store and the days work ended by dropping the truck at the warehouse. On 25<sup>th</sup> of October 2021 Mayank noticed that the truck is not running smooth. Next day he reported the same to his Manager who responded to look into it if the issue prevails. Same evening while returning to the warehouse the truck stopped by itself a number of times. The issue still persisted and therefore Mayank took a de tour towards the local mechanic. The mechanic detected a petrol leakage, stated that the tank was empty, and asked him to enter the tank to detect the point of leakage. Mayank entered the tank and lighted a matchstick to check the leakage point, thereby the tank caught fire and Mayank received burnt injuries and later on succumbed to death.</p> <p><b>On the basis of above mentioned facts, answer the following questions:</b></p> <ol style="list-style-type: none"> <li>1. Decide whether the act of getting the truck repaired was within the course of employment.</li> <li>2. Decide whether Mayank can claim compensation given the fact that peril caused was due to his negligence and carelessness.</li> </ol>	25 (15+10)	CO4
13.	<p>India, a place where 'Cricket' is treated as a religion, is all thrilled for the upcoming 2022 Women's T20 World Cup Tournament. Ayushi 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>Ayushi 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 Ayushi 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 Ayushi not playing the 2022, World Cup has invited a huge uproar in the nation and upset many cricket fans.</p> <p>Ms. Ayushi 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> <p><b>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 Ayushi succeeds in the matter, what all maternity benefits she would be entitled highlighting the key features of the law on maternity.</b></p>	25 (10+15)	CO4