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UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

End Semester Examination, May 2018

Program: B.A.LL.B. (Hons.) specialization in Energy Laws 2015

Subject (Course): Labour Laws- 1

Course Code : LLBL251

No. of page/s: 02

Semester – VI

Max. Marks: 100

Duration : 3 Hrs

SECTION A (10 MARKS)

Q.1. Write a short note:

- i. Strike (2 Marks)
- ii. General Fund (2 marks)
- iii. Political Fund (2 marks)
- iv. Closure (2marks)
- v. Lay-off (2marks)

SECTION B (20 MARKS)

Q.2. Differentiate between a registered and unregistered Trade Union in the light of Trade Unions Act 1926. (5 marks)

Q.3. Differentiate between 'Lock-out' and 'Lay-off' under the Industrial Disputes Act 1947. (5 Marks)

Q.4. Write short note on the objective and purpose of Industrial Employment (Standing Orders) Act, 1946. (5 Marks)

Q.5. what is 'retrenchment'? What are the conditions precedent to retrenchment as per the Industrial Disputes Act 1947? (5 Marks)

SECTION C (2 * 10= 20 MARKS)

Q.6. What is an 'Industrial Dispute' under the Act of 1947? Distinguish between an Individual dispute and Industrial Dispute. When can an Individual dispute deemed to be as Industrial Dispute?
(10 Marks)

Q.7. Discuss the history of the Trade Unions Movement in India and comment upon its importance for the rights of the workers?

Or

Discuss the history and background of Industrial Disputes Act, 1947.

(10 Marks)

SECTION D (50 MARKS)

Q.8 Discuss the Immunities available to a registered Trade Union as per the Trade Unions Act 1926. Comment on the importance of these immunities.

(10 Marks)

Q.9 Who is a 'workman' under the Industrial Disputes Act 1947? How is the 'workman' different from an 'Independent Contractor'? Discuss and comment on the celebrated judgment of Dharangdhra Chemical Works v. State of Saurashtra (AIR 1956 SC 264) in this regard.

(20 Marks)

Q.10 "In the celebrated *Bangalore Water Supply Case*, the Supreme Court of India reviewed the earlier dicta of the Court on the definition of 'Industry' in the spirit of crusaders. It went haywire and far beyond the confines of the case in the name of judicial activism to bring every conceivable activity in the sweep of Industry." Critically examine the statement commenting on Section 2(j) of the Industrial Disputes Act 1947.

(20 Marks)