

Name:	
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, May 2019

Course: INDUSTRIAL RELATIONS
Programme: BBA (CORE) HRM
Time: 03 hrs.
Instructions:

Semester: IV
Course Code: HRES2004
Max. Marks: 100

1. All sections are compulsory.
2. This question paper contains 4 printed pages

SECTION A
(1 x 20 = 20 Marks)
Answer in True/ False Only

S. No.		Marks	CO
Q-1	The philosophy of Industrial Relations is based on Industrial Democracy	1	CO1
Q-2	Every grievance raised by the worker is an Industrial Dispute	1	CO2
Q-3	Only a registered trade Union can have a recognized name of the Union	1	CO2
Q-4	Members of one registered trade union cannot be the members of some other registered trade union	1	CO3
Q-5	Workers form union so that they may address the political issues in the organization	1	CO4
Q-6	In every company it is mandatory to give a six weeks' notice before striking	1	CO2
Q-7	If a strike is already going on, the employer may not give a six weeks notice before declaring a lock out as per the law	1	CO1
Q-8	"Gherao" is a tool workers resort to in which they encircle the person/ premises. "Gherao" is illegal	1	CO2
Q-9	A worker can not be terminated for indulging in a strike, since strike is a legal weapon	1	CO1
Q-10	Board of conciliation is a perineal body that takes up the cases referred to it for conciliation either by the employer or the workers	1	CO3
Q-11	A male employee can never be a complainant as per The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013	1	CO4
Q-12	For sexual harassment to have occurred the female employee is not required to give evidences in support of her complaint	1	CO2
Q-13	During the pendency of the proceedings of ICC as per The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the aggrieved woman can not move to the court	1	CO1
Q-14	An aggrieved woman as per the POSH law, can not resign from her job when the ICC proceedings are going on	1	CO3
Q-15	A complaint of Preferential treatment can not be a sexual harassment complaint	1	CO2

Q-16	It is mandatory to take the permission of the employer to form a Union of workers	1	CO1
Q-17	A show cause notice is mandatory to be given to an accused employee before suspending him pending the inquiry	1	CO4
Q-18	Anonymous complaint/ grievance against a superior filed by the subordinate is not admissible as per the Indian Labor Legislation	1	CO3
Q-19	JMCs are formed to settle industrial disputes	1	CO4
Q-20	Monetary settlement between the respondent and the complainant is not permitted as per the Indian POSH law	1	CO2
SECTION B (4 x 5 = 20 Marks) Attempt Any FOUR Questions			
Q-21	What are the salient features of The Constitution of India? How does these features form the basis of Industrial Relation Regime in India?	5	CO1 CO3
Q-22	Differentiate between pluristic and Marxist approach to IR.	5	CO2 CO3
Q-23	What compensation (if any) is to be provided to the worker in case of closing down of the business due to non-financial supervening event such as natural disaster?	5	CO1 CO4
Q-24	What are the various forums provided under law to promote amicable relations between workers and the management? Have these forums been able to succeed?	5	CO2 CO4
Q-25	What the various purposes on which funds of a registered trade union may be applied? Can a Union receive funds from a political party?	5	CO3 CO4
SECTION-C (2 x 15=30) Attempt ANY TWO QUESTIONS			
Q-26	It has been observed that many a times the female employees refrain from putting a complaint of sexual harassment due to fear of social backlash and the fear of being judged by the peers. What can the organizations do to eliminate such fear and ensure every complaint is reported justice takes it's own course? Discuss.	15	CO1 CO2 CO3
Q-27	In spite of having so many legal provisions in place, so many bodies to reinforce industrial peace and democracy, industrial unrest remain the reality of the day? Do you think IR regime in India has failed? What is the cause of such failure? How to correct things?	15	CO1 CO3 CO4
Q-28	An employee was alleged of indulging in alcohol consumption and riotous behavior while inside the factory premises. Prepare a show cause notice with an order of suspension pending inquiry to be served to such employee.	15	CO2 CO3 CO4
SECTION-D			
Q-29	Case Study <i>As published in firstpost.com on May 17, 2017 17:24:07 IST</i>	30	CO1 CO2 CO3 CO4
	Last week, an article on <i>Huffington Post</i> described a bone-chilling account of cyberstalking faced by Vijay Nair, a Mumbai-based entrepreneur and founder of Only		

Much Louder (OML). The article, which has since gone viral, describes in detail the ordeal faced by Nair for months, which started with someone anonymously posting a sexually explicit tweet on his Twitter profile. What followed were a series of sexually explicit messages sent by the cyberstalker to Nair over Whatsapp and email, many of which were also copied to Nair's friends and acquaintances. When Nair finally unmasked the identity of his stalker, it was discovered that the stalker in question was a woman whom Nair was acquainted with. The cyberstalking incident involving Nair is not a lone incident of a man being sexually harassed by a woman. Sexual harassment incidents committed against men (with the perpetrator being a woman) are increasingly being reported and make one wonder whether we need gender neutral sexual harassment laws in India.

Is sexual harassment of men by women a reality in India?

An article on *The Hindu* outlines many instances of sexual harassment faced by Indian men including stalking, sexual harassment at workplace and sexual assault. In all these cases, the perpetrators were women. Apart from the lack of any legal recourse available to men in such cases, what emerges is that the male victims of sexual harassment do not receive emotional support within their social circle either; friends of male victims of sexual harassment are often dismissive of such incidents and instead call the victim in question "lucky" to be desired by a woman. The fear of not being taken seriously is not the only reason which prevents men from reporting sexual harassment cases. The fear that a female perpetrator may, in fact, use sexual harassment laws to wrongly implicate the male victim (by alleging that it was the man who sexually harassed her) has led many male victims of sexual harassment to not formally complain.

The idea that a woman can sexually harass a man is still considered *inconceivable* in the Indian society. What makes it even more difficult for men to speak about such incidents openly is the tendency of others to perceive male victims of sexual harassment as "feminine" or "weak". The disbelief surrounding sexual harassment of men by women in India can also be attributed to the absence of data/statistics on this issue. This, in turn, becomes a vicious cycle where the fear of being disbelieved may cause a male victim of sexual harassment to not report such incidents, leading to further lack of statistics in such matters.

According to a 2010 survey, conducted by Economic Times-Synovate, "men are as vulnerable to sexual harassment as women" in India.

Q-A Do you think The Indian POSH law that defines a complainant only to be an "aggrieved woman" and never an "aggrieved man" is haploid and biased? Why will it not be justifiable to address the complaints of sexual harassment made by men in Indian POSH law?

Q-B If a male employee genuinely feels sexually harassed what (if any) are the legal remedies available to him?

Q-C How does Indian POSH law deal with *quid-pro-quo* i.e cases of consensual sexual indulgence with an objective to gain professional opportunities/ success?

*****End of the paper*****

Name:	
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, May 2019

Course: INDUSTRIAL RELATIONS
Programme: BBA (CORE) HRM
Time: 03 hrs.
Instructions:

Semester: IV
Course Code: HRES2004
Max. Marks: 100

1. All sections are compulsory.
2. This question paper contains 4 printed pages

SECTION A
(1 x 20 = 20 Marks)
Answer in True/ False Only

S. No.		Marks	CO
Q-1	A male employee can never be a complainant as per The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013	1	CO1
Q-2	Every grievance raised by the worker is an Industrial Dispute	1	CO2
Q-3	A complaint of Preferential treatment can not be a sexual harassment complaint	1	CO2
Q-4	“Gherao” is a tool workers resort to in which they encircle the person/ premises. “Gherao” is illegal	1	CO3
Q-5	Workers form union so that they may address the political issues in the organization	1	CO4
Q-6	In every company it is mandatory to give a six weeks’ notice before striking	1	CO2
Q-7	If a strike is already going on, the employer may not give a six weeks notice before declaring a lock out as per the law	1	CO1
Q-8	During the pendency of the proceedings of ICC as per The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the aggrieved woman can not move to the court	1	CO2
Q-9	A worker can not be terminated for indulging in a strike, since strike is a legal weapon	1	CO1
Q-10	Board of conciliation is a perineal body that takes up the cases referred to it for conciliation either by the employer or the workers	1	CO3
Q-11	Members of one registered trade union cannot be the members of some other registered trade union	1	CO4
Q-12	The philosophy of Industrial Relations is based on Industrial Democracy	1	CO2
Q-13	Only a registered trade Union can have a recognized name of the Union	1	CO1
Q-14	An aggrieved woman as per the POSH law, can not resign from her job when the ICC proceedings are going on	1	CO3
Q-15	For sexual harassment to have occurred the female employee is not required to give evidences in support of her complaint	1	CO2

Q-16	It is mandatory to take the permission of the employer to form a Union of workers	1	CO1
Q-17	A show cause notice is mandatory to be given to an accused employee before suspending him pending the inquiry	1	CO4
Q-18	Anonymous complaint/ grievance against a superior filed by the subordinate is not admissible as per the Indian Labor Legislation	1	CO3
Q-19	JMCs are formed to settle industrial disputes	1	CO4
Q-20	Monetary settlement between the respondent and the complainant is not permitted as per the Indian POSH law	1	CO2
SECTION B (4 x 5 = 20 Marks) Attempt Any FOUR Questions			
Q-21	What are the salient features of The Constitution of India? How does these features form the basis of Industrial Relation Regime in India?	5	CO1 CO3
Q-22	Differentiate between pluristic and Marxist approach to IR.	5	CO2 CO3
Q-23	What compensation (if any) is to be provided to the worker in case of closing down of the business due to non-financial supervening event such as natural disaster?	5	CO1 CO4
Q-24	What are the various forums provided under law to promote amicable relations between workers and the management? Have these forums been able to succeed?	5	CO2 CO4
Q-25	What the various purposes on which funds of a registered trade union may be applied? Can a Union receive funds from a political party?	5	CO3 CO4
SECTION-C (2 x 15=30) Attempt ANY TWO QUESTIONS			
Q-26	It has been observed that many a times the female employees refrain from putting a complaint of sexual harassment due to fear of social backlash and the fear of being judged by the peers. What can the organizations do to eliminate such fear and ensure every complaint is reported justice takes it's own course? Discuss.	15	CO1 CO2 CO3
Q-27	In spite of having so many legal provisions in place, so many bodies to reinforce industrial peace and democracy, industrial unrest remain the reality of the day? Do you think IR regime in India has failed? What is the cause of such failure? How to correct things?	15	CO1 CO3 CO4
Q-28	An employee was alleged of indulging in alcohol consumption and riotous behavior while inside the factory premises. Prepare a show cause notice with an order of suspension pending inquiry to be served to such employee.	15	CO2 CO3 CO4
SECTION-D			
Q-29	Case Study <i>As published in firstpost.com on May 17, 2017 17:24:07 IST</i>	30	CO1 CO2 CO3 CO4
	Last week, an article on <i>Huffington Post</i> described a bone-chilling account of cyberstalking faced by Vijay Nair, a Mumbai-based entrepreneur and founder of Only		

Much Louder (OML). The article, which has since gone viral, describes in detail the ordeal faced by Nair for months, which started with someone anonymously posting a sexually explicit tweet on his Twitter profile. What followed were a series of sexually explicit messages sent by the cyberstalker to Nair over Whatsapp and email, many of which were also copied to Nair's friends and acquaintances. When Nair finally unmasked the identity of his stalker, it was discovered that the stalker in question was a woman whom Nair was acquainted with. The cyberstalking incident involving Nair is not a lone incident of a man being sexually harassed by a woman. Sexual harassment incidents committed against men (with the perpetrator being a woman) are increasingly being reported and make one wonder whether we need gender neutral sexual harassment laws in India.

Is sexual harassment of men by women a reality in India?

An article on *The Hindu* outlines many instances of sexual harassment faced by Indian men including stalking, sexual harassment at workplace and sexual assault. In all these cases, the perpetrators were women. Apart from the lack of any legal recourse available to men in such cases, what emerges is that the male victims of sexual harassment do not receive emotional support within their social circle either; friends of male victims of sexual harassment are often dismissive of such incidents and instead call the victim in question "lucky" to be desired by a woman. The fear of not being taken seriously is not the only reason which prevents men from reporting sexual harassment cases. The fear that a female perpetrator may, in fact, use sexual harassment laws to wrongly implicate the male victim (by alleging that it was the man who sexually harassed her) has led many male victims of sexual harassment to not formally complain.

The idea that a woman can sexually harass a man is still considered *inconceivable* in the Indian society. What makes it even more difficult for men to speak about such incidents openly is the tendency of others to perceive male victims of sexual harassment as "feminine" or "weak". The disbelief surrounding sexual harassment of men by women in India can also be attributed to the absence of data/statistics on this issue. This, in turn, becomes a vicious cycle where the fear of being disbelieved may cause a male victim of sexual harassment to not report such incidents, leading to further lack of statistics in such matters.

According to a 2010 survey, conducted by Economic Times-Synovate, "men are as vulnerable to sexual harassment as women" in India.

Q-A Do you think The Indian POSH law that defines a complainant only to be an "aggrieved woman" and never an "aggrieved man" is haploid and biased? Why will it not be justifiable to address the complaints of sexual harassment made by men in Indian POSH law?

Q-B If a male employee genuinely feels sexually harassed what (if any) are the legal remedies available to him?

Q-C How does Indian POSH law deal with *quid-pro-quo* i.e cases of consensual sexual indulgence with an objective to gain professional opportunities/ success?

*****End of the paper*****

