


Name:			
Enrolment No:			
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, December 2019			
Course: Labour Laws- II		Semester: VII	
Program: B.A. LLB CL/LL/CL-2016; BA LLB (HONS) ENERGY LAW		Time: 03 hrs.	
Course Code: LLBL-252		Max. Marks: 100	
Section A (10 marks) - General Question- subject matter (Attempt all questions. Each questions carry equal marks)			Max. Marks
Write a short note on the following:			Mapped Course Outcomes
1.	Definition of Factory	[2]	CO1
2.	Objectives of the Inter-State Migrant Workmen Act, 1979	[2]	CO1
3.	Hazardous Process under The Factories Act, 1948.	[2]	CO1
4.	Origin of Social Security in India	[2]	CO1
5.	Benefits extended to women under the Maternity Benefit Act, 1961	[2]	CO1
Section B (20 marks) - Conceptual Question (Attempt all questions. Each questions carry equal marks)			
5.	Discuss the legal provisions related to labor welfare, social security and improvement in the status and condition of women.	[10]	CO2
6.	Discuss the criteria laid down by Supreme Court in fixing/revising minimum wages <i>Standard Vacuum Refining Co Ltd Case</i> and how is 'Minimum Wage' different from 'fair wage' and 'living wage'?	[10]	CO2
Section C (20 marks)- Analytical question (Attempt all questions. Each questions carry equal marks)			
7.	<i>There is no problem in detecting that the accident occurred in the course of employment when a workman is injured in the working place and in the working hour and doing his duty. The problem arises when these elements do not coincide</i>		

	<p><i>together. But a workmen if injured just near the work premises or just before joining the work or in the way to work problem arises. To address this kind of problem and giving some kind of relief to the workmen the theory of notional extension evolved.</i></p> <p>Discuss the “Doctrine of notional extension” with the help of case laws.</p>	[10]	CO2
8.	<p>Employees’ State Insurance Act is “An Act to provide for certain benefits to employees in case of sickness, maternity and ‘ employment injury ’ and to make provision for certain other matters in relation thereto”</p> <p>Discuss various benefits that have been enumerated in Chapter V of the Act.</p>	[10]	CO2
<p><u>Section D (50 marks) - Application Based Question</u> (Attempt all questions. All questions carry equal marks) (25*2)</p>			
9.	<p><i>The discourse on labour in the era of globalisation has gone in several directions. A central question has been ignored by this literature: in a period of marketisation, labour is disempowered on several dimensions: the numerical decline of the organised workforce; weakening trade unions; and, frequently, the politically right-ward turn of social democratic parties which shift to neo-liberal, market oriented policies.</i></p> <p>a) Critically analyze the statement with the help of socio- economic changes and labor policies of Indian Government.</p> <p>b) Analyse the effects of globalization on Organised labour sector, unorganized labour sector, Social Security and Labour Unions.</p> <p style="text-align: center;">Or,</p> <p>Raven, a girl, is 12 years of age and works for 6 hours a day in a week in a supermarket during school hours. However, when she asked the owner for weekly holiday, the owner of the supermarket denied to grant the same. Due to economic necessity she was forced to work in the supermarket.</p> <p>a) Analyse the above facts with the help of the law relating to young persons.</p> <p>b) Comment on the liability of the owner of the supermarket according to the labour laws applicable in India. Mention the relevant penalty provisions.</p>	[10] [15]	CO3 CO4
		[15] [10]	CO3 CO4
10.	<p>Mr.Sundar Lal, owner of a factory engaged in manufacturing process of garments in the city of Lucknow, Uttar Pradesh. He paid his employees less than the wages fixed by the appropriate government. He has been booked for offending provisions of the Code on Wages, 2019. He has challenged the constitutional validity of the</p>		

	<p>Act, based on the ground that it violates his fundamental right given under article 19(1)(g) in the supreme court of India under article 32.</p> <p>a) Comment on the constitutional validity of the Act and the need for its enactment.</p> <p>b) Discuss the procedure for fixing the Minimum Wage under the Bill.</p> <p>c) Discuss the composition and function of the Central Advisory Board constituted under the Code on Wages Bill, 2019.</p>	<p>[10]</p> <p>[5]</p> <p>[10]</p>	<p>CO2</p>
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