

Name:

Enrolment No:



**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, December 2019**

**Course: INDUSTRIAL RELATIONS**

**Programme: MBA- HRM**

**Time: 03 hrs.**

**Instructions:**

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

**Semester: III**

**Course Code:HRES8006**

**Max. Marks: 100**

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

| S. No. |                                                                                                                                                                                                   | Marks | CO  |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-----|
| Q-1    | The guiding principles behind practice of industrial relation is industrial democracy                                                                                                             | 1     | CO1 |
| Q-2    | Every grievance raised by the worker is an Industrial Dispute                                                                                                                                     | 1     | CO2 |
| Q-3    | Registration is mandatory for every workers union                                                                                                                                                 | 1     | CO2 |
| Q-4    | People who do not work in a company can not be members of the trade union of that company.                                                                                                        | 1     | CO3 |
| Q-5    | Certificate of registration of a trade union is valid for a period of five years                                                                                                                  | 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.                                                                                        | 1     | CO1 |
| Q-8    | “Wild cat” strike is illegal in every establishment                                                                                                                                               | 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   | Arbitral agreement reached to settle an industrial dispute is binding on parties in dispute in all circumstances                                                                                  | 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   | Even if ICC exists in a organization, the complainant can still file a complaint of sexual harassment to the LCC                                                                                  | 1     | CO1 |

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|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|--------------------------|
| 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                      |
| <b>SECTION B (4 x 5 = 20 Marks)</b><br><b>Attempt Any FOUR Questions</b> |                                                                                                                                                                                                                                                                                                                                                                                               |    |                          |
| Q-21                                                                     | What are various approaches to IR? Briefly explain citing relevant examples                                                                                                                                                                                                                                                                                                                   | 5  | CO1<br>CO3               |
| Q-22                                                                     | Explain how the philosophy of “Welfare State” in India influences the policies and practices of Industrial Relations                                                                                                                                                                                                                                                                          | 5  | CO2<br>CO3               |
| Q-23                                                                     | What compensation (if any) is to be provided to the worker in case of transfer of the undertaking?                                                                                                                                                                                                                                                                                            | 5  | CO1<br>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<br>CO4               |
| Q-25                                                                     | Briefly explain the process of registration of trade unions in India, also what are the guidelines for the employer for recognition of a Union                                                                                                                                                                                                                                                | 5  | CO3<br>CO4               |
| <b>SECTION-C (2 x 15=30)</b><br><b>Attempt ANY TWO QUESTIONS</b>         |                                                                                                                                                                                                                                                                                                                                                                                               |    |                          |
| Q-26                                                                     | In India 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 its own course?<br>Discuss.                                                                              | 15 | CO1<br>CO2<br>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<br>CO3<br>CO4        |
| Q-28                                                                     | Customer of a bank who was seeking loan filed a complaint against the Asst. Manager of the bank for asking for bribe in return of approval of the loan application. Upon preliminary inquiry the vigilance department of the bank found the complaint to be prima facie actionable.<br>Explain step by step and in detail the process of disciplinary action to be taken by the bank.         | 15 | CO2<br>CO3<br>CO4        |
| <b>SECTION-D</b>                                                         |                                                                                                                                                                                                                                                                                                                                                                                               |    |                          |
| Q-29                                                                     | Registered cases of sexual harassment at Indian workplaces increased 54% from 371 in 2014 to 570 in 2017, according to official data.<br><br>In all, 2,535 such cases were registered over the four years ending July 27, 2018--that is nearly two cases reported every day as per government data tabled in the Lok Sabha (lower house of parliament) on July 27, 2018 and December 15, 2017 | 30 | CO1<br>CO2<br>CO3<br>CO4 |

Over the first seven months of 2018, ending July 27, 533 cases of sexual harassment were reported across the country, as per the data.

India is now witnessing its own #MeToo movement, a year after it swept through United States following allegations of rape and molestation against movie mogul Harvey Weinstein. This has empowered several women to take to social media and voice personal stories of harassment and out alleged perpetrators.

Tanushree Dutta, a model and Bollywood actress, was the first to allege harassment by actor Nana Patekar on the sets of a movie in 2008. Dutta has now filed a fresh complaint with the police naming Patekar, choreographer Ganesh Acharya, producer Samee Siddiqui and director Rakesh Sarang--all of them were connected to her film *Horn Ok Please*.

On October 11, 2018, she recounted to the police how Patekar had "indecently" touched her on the sets of the movie. Dutta had made these allegations in an interview to the television channel *Zoom* on September 25, 2018.

MJ Akbar, minister of state for external affairs and former editor of *The Asian Age* and *The Deccan Chronicle*, has been accused by 10 women journalists so far of sexual harassment at the workplace. These included accusations that he summoned young female journalists to hotel rooms and harassed them at work. The opposition, mainly the Congress, has demanded Akbar's resignation.

There have been allegations of harassment against other prominent personalities from various industries--cinema, television, media, advertising, music and entertainment. These include actors Alok Nath and Rajat Kapoor, directors Vikas Bahl, Subhash Ghai and Sajid Khan, Tamil lyricist and poet Vairamuthu, journalists Prashant Jha, Mayank Jain, Meghnad Bose, KR Sreenivas and Gautam Adhikari, comedian Utsav Chakraborty and advertising consultant Suhel Seth.

In an another set of data, the National Crime Records Bureau (NCRB) categorises "insult to modesty of women" under section 509 of the IPC. This includes workplace harassment. NCRB reported 665 such cases in 2016, down 20% from 833 cases in 2015 and up 26% from 526 cases in 2014. The offence could be uttering a word or sound, making a gesture or committing an act intended to insult a woman.

### **Why women are afraid to speak up?**

As many as 70% women said they did not report sexual harassment by superiors because they feared the repercussions, according to a survey conducted by the Indian Bar Association in 2017, of 6,047 respondents.

"Low or no reporting speaks volumes about the gender sensitivity of a particular organisation," Anagha Sarpotdar, a researcher working on sexual harassment at workplace. "Women may not know where to go to report harassment or it could be that the cases may not have been dealt with sincerely. Often, women go to committees believing them to be independent, and find that they are actually puppets in the hands of their superiors."

But voices against sexual harassment at workplaces have grown stronger. Twenty-three cases of sexual harassment were filed by sportspersons against their coaches or Sports Authority of India officials, Rajyavardhan Rathore, minister of state (independent charge) ministry of youth affairs and sports, informed the Lok Sabha in his reply on July 19, 2018. However, the time period during which these cases were registered was not mentioned.

Q-1 Sexual harassment is a global phenomenon, but in India female employees think twice before reporting a case especially against the superior. Conduct a cause and effect analysis of women not reporting a case, and recommend policies and procedure an establishment may formulate to inculcate confidence among female employees.

Q-2 *Quid-pro-quo* involving career progression and enhanced career opportunities in exchange of sexual favors with mutual consent of the parties involved has also been observed in professional organizations. This causes denial of opportunities and professional injustice to other male and female employees who refrain from such practices.  
Suggest policies that are recommendable to an organization to check such *quid-pro-quo*.

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