

possible facilities to the employees. Compared to other mills, the employees of VJ industries are enjoying higher wages and other benefits.

The company has a chief executive, followed by executive in-charge of different functional areas. The Industrial Relations Department is headed by the Industrial Relations Manager. The employees are represented by five trade unions – A, B, C, D and E (unions are alphabetically presented based on membership) – out of which the top three unions are recognized by the management for purposes of negotiations. All the unions have maintained good relations with the management, both individually and collectively.

For the past ten years, the company has been distributing bonus to the workers at rates more than the statutory minimum prescribed under the Bonus Act. Last year, for declaration of the rate of bonus, the management had a series of discussions with all recognized unions and finally announced a bonus which was, in turn, agreed upon by all the recognized unions. The very next day when the management prepared the settlement and presented it before the union representatives, while unions A and C signed the same, the leader of union B refused to do so and walked out, stating that the rate of bonus declared was not sufficient. The next day union B issued a strike notice to the management asking for higher bonus. The management tried its best to avoid the unpleasant situation, but in vain. As a result, the members of union B went on strike. They were joined by the members of union D also.

During the strike, the management found that leader of union A, soon after the first meeting, had stated in the presence of a group of workers, “it is because of me that the management has agreed to declare this much amount of bonus to the employees; union B has miserably failed in its talks with the management for want of initiative and involvement”. This observation somehow reached the leader of union B as a result of which he felt insulted. Soon after identifying the reason for union B’s strike call, the Industrial Relations Manager brought about a compromise between the leaders of union A and B. Immediately after this meeting, the strikers (members of union B and D) resumed work and the settlement was signed for the same rate of bonus as was originally agreed upon.

- (a) What should be the management’s long-term strategy for avoiding recurrence of inter-union differences on such issues? **5**
- (b) If you were the Industrial Relations Manager, what would you have done had the union B resorted to strike for a reason other than that mentioned in the case. **5**

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Total No. of Questions: 7

Total No. of Printed Pages:4

Enrollment No.....



Faculty of Management Studies  
End Sem (Even) Examination May-2022

MS5OE13 Labour Legislation

Programme: MBA

Branch/Specialisation: Management

Duration: 3 Hrs.

Maximum Marks: 60

Note: All questions are compulsory. Internal choices, if any, are indicated. Answers of Q.1 (MCQs) should be written in full instead of only a, b, c or d.

- Q.1 i. In relation to Indian labour legislations in the pre-Independence era, which of the following statements is not true? **1**
  - (a) Unregistered unions were excluded from legal protection.
  - (b) The legislations obligated the employees to bargain with registered unions.
  - (c) The legislations limited the right to strike and required referral of industrial disputes to a conciliation board or court of enquiry.
  - (d) The outcomes of a referral to conciliation board or court of enquiry were not binding upon the parties.
- ii. Labour legislation in India has a history of over- **1**
  - (a) 200 years (b) 125 Years (c) 100 Years (d) 65 Years
- iii. Sections 21 – 40A, 40B and 41 of the Factories Act 1948 deal with \_\_\_\_\_ in a factory. **1**
  - (a) The employee welfare
  - (b) The safety of the workers
  - (c) The annual leave and wages
  - (d) The rules regarding penalties for offences against the Act.
- iv. In every factory where 500 or more workers are employed, the Factories Act also provides for the appointment of- **1**
  - (a) A welfare officer (b) A medical officer
  - (c) An education officer (d) None of these
- v. The Trade Unions Act, 1926 specifies the purposes for which the general funds of the union may be spent that includes- **1**
  - (a) Payment of salaries and payment allowances and so on, to the office-bearers of the union.
  - (b) Payment of expenses for the administration of the union.
  - (c) Both (a) and (b)
  - (d) Neither (a) nor (b)

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- vi. A notice of amalgamation is required to be signed by at least- **1**  
 (a) Seven Members  
 (b) The secretary of each amalgamating union  
 (c) Both (a) and (b)  
 (d) Neither (a) nor (b)
- vii. Average pay in the case of workmen in the case of monthly paid **1**  
 workman is the average of monthly wages payable in-  
 (a) Two complete calendar months  
 (b) Three complete calendar months  
 (c) Six complete calendar months  
 (d) Twelve complete calendar months
- viii. \_\_\_\_\_ is/are set up by the central government to adjudicate **1**  
 upon the industrial disputes involving questions of national importance  
 in industrial establishments situated in more than one state.  
 (a) National Tribunals (b) Court of enquiry  
 (c) Industrial Tribunals (d) Board of conciliation
- ix. The contribution to be paid by the employer to the provident fund is **1**  
 \_\_\_\_\_ of the basic wages, dearness allowance and retaining  
 allowances (if any) for the time being payable to each of the employees.  
 (a) 8.33% (b) 5.33% (c) 8.25% (d) 10.33%
- x. A women employee is entitled to \_\_\_\_\_ in the course of her **1**  
 daily work till her child is 15 months old.  
 (a) Four nursing breaks of 15 minutes each  
 (b) Six nursing breaks of 15 minutes each  
 (c) Two nursing breaks of 15 minutes each  
 (d) Two nursing breaks of 30 minutes each
- Q.2 i. What are the guiding principles of labour legislation in India? **2**  
 ii. In the pre-Independence era, which factors majorly influenced the **2**  
 labour relations and changes in political and legal landscape in India?  
 iii. What was the role played by NCL in reformation and evolution of **4**  
 labour legislations in India?
- OR iv. Write a detailed note on development and reformation of industrial **4**  
 relations and labour legislations in the post-independence era.
- Q.3 i. Discuss the importance of Section 10 of the Child Labour (Abolition **3**  
 and Regulation Act), 1970.

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- ii. Throw light on different provisions related to hazardous processes under **5**  
 the Factories Act, 1948.
- OR iii. Throw light on specific provisions for the employment of young persons **5**  
 and women laid down by Factories Act, 1948.
- Q.4 i. What are the rules to be met to change the name of a registered trade **3**  
 union?  
 ii. Discuss the provisions dealing with amalgamation of trade unions. **5**
- OR iii. Write a short note on dissolution of trade union and related provisions **5**  
 under the Trade Unions Act, 1926.
- Q.5 i. Write a short note on Bar of suits under section 22 of the Payment of **2**  
 Wages Act, 1936  
 Attempt any two:  
 ii. What do you mean by wage period? Also discuss the provisions **3**  
 regarding wage periods under the Payment of Wages Act, 1936.  
 iii. Throw light on the powers and duties of the inspector appointed under **3**  
 section 19 of the Minimum Wages Act, 1948.  
 iv. Write a note on major objectives and scope of the Payment of Bonus **3**  
 Act, 1976.
- Q.6 Attempt any two:  
 i. Can gratuity be forfeited? If yes, state the circumstances under which **4**  
 gratuity is forfeited.  
 ii. Are the daily rated casual labour, apprentices or the substitutes covered **4**  
 by the provisions of Workmen's Compensation Act, 1923? What are the  
 relevant provisions of the Act?  
 iii. What is the purpose of the ESI fund? Discuss various provisions for **4**  
 audit laid down by the ESI Act.
- Q.7 Case Study  
 VJ Textiles is a leading industry having a workforce of more than 1200  
 employees, engaged in manufacturing cotton yarn of different counts.  
 The company has a well-established distribution network in different  
 parts of the country. It has modernized all its plants, with a view to  
 improve the productivity and maintain quality. To maintain good human  
 relations in the plants and organization as a whole, it has extended all

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## Marking Scheme

### MS5OE13 Labour Legislation

- Q.1 i. In relation to Indian labour legislations in the pre-Independence era, which of the following statements is not true? **1**  
(b) The legislations obligated the employees to bargain with registered unions.
- ii. Labour legislation in India has a history of over- **1**  
(b) 125 Years
- iii. Sections 21 – 40A, 40B and 41 of the Factories Act 1948 deal with \_\_\_\_\_ in a factory. **1**  
(b) The safety of the workers
- iv. In every factory where 500 or more workers are employed, the Factories Act also provides for the appointment of- **1**  
(a) A welfare officer
- v. The Trade Unions Act, 1926 specifies the purposes for which the general funds of the union may be spent that includes- **1**  
(c) Both (a) and (b)
- vi. A notice of amalgamation is required to be signed by at least- **1**  
(c) Both (a) and (b)
- vii. Average pay in the case of workmen in the case of monthly paid workman is the average of monthly wages payable in- **1**  
(b) Three complete calendar months
- viii. \_\_\_\_\_ is/are set up by the central government to adjudicate upon the industrial disputes involving questions of national importance in industrial establishments situated in more than one state. **1**  
(a) National Tribunals
- ix. The contribution to be paid by the employer to the provident fund is \_\_\_\_\_ of the basic wages, dearness allowance and retaining allowances (if any) for the time being payable to each of the employees. **1**  
(a) 8.33%
- x. A women employee is entitled to \_\_\_\_\_ in the course of her daily work till her child is 15 months old. **1**  
(c) Two nursing breaks of 15 minutes each
- Q.2 i. Any two guiding principles of labour legislation in India **2**  
1 mark for each (1 mark \* 2)
- ii. Any two factors majorly influenced the labour relations and changes in political and legal landscape in India **2**  
1 mark for each (1 mark \* 2)

- iii. Role played by NCL in reformation **2 marks 4**  
Evolution of labour legislations in India **2 marks**
- OR iv. Development and reformation of industrial relations and labour legislations in the post-independence era **4**  
As per the explanation
- Q.3 i. Importance of Section 10 of the Child Labour (Abolition and Regulation Act), 1970. **3**  
Three marks will be given to students
- ii. Provisions related to hazardous processes under the Factories Act, 1948 **5**  
Any five provisions 1 mark for each (1 mark \* 5)
- OR iii. Provisions for the employment of young persons and women laid down by Factories Act, 1948 **5**  
Any five provisions 1 mark for each (1 mark \* 5)
- Q.4 i. Rules to be met to change the name of a registered trade union **3**  
Any three rule 1 mark for each (1 mark \* 3)
- ii. Provisions dealing with amalgamation of trade unions **5**  
Any five provisions 1 mark for each (1 mark \* 5)
- OR iii. Dissolution of trade union **5**  
Provisions under the Trade Unions Act, 1926 **3 marks**
- Q.5 i. Bar of suits under section 22 of the Payment of Wages Act, 1936 **2**  
As per the explanation  
Attempt any two:
- ii. Wage period **1 mark 3**  
Provisions regarding wage periods under the Payment of Wages Act, 1936  
Any two provisions 1 mark for each (1 mark \* 2) **2 marks**
- iii. Powers and duties of the inspector **3**  
Any three powers and duties 1 mark for each (1 mark \* 3)
- iv. Objectives and scope of the Payment of Bonus Act, 1976 **3**  
Any three objectives 1 mark for each (1 mark \* 3)
- Q.6 Attempt any two:
- i. Can gratuity be forfeited? If yes, state the circumstances under which gratuity is forfeited. **4**  
Yes **1 mark**  
Damage to employer property **3 marks**

Q.7	ii.	Provisions of Workmen's Compensation Act, 1923?		<b>4</b>
		No	1 mark	
		Relevant provisions of the Act		
		Any three provisions 1 mark for each	(1 mark * 3)	
	iii.	Purpose of the ESI fund	2 marks	<b>4</b>
		Provisions for audit laid down by the ESI Act	2 marks	
	(a)	Management's long-term strategy	5 marks	<b>10</b>
	(b)	If you were the Industrial Relations Manager, what would you have done had the union B resorted to strike for a reason other than that mentioned in the case	5 marks	

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