

**Subjt Code: R16MBA410H2****MBA - IV Semester Regular Examinations, April-May 2018.****INDUSTRIAL JURISPRUDENCE & LABOUR LEGISLATIONS (ELTIVE-II)****Time: 3 hours****Max Marks: 60**Question Paper Consists of **Part A** and **Part B**.Answering the question in **Part-A** is Compulsory & Four Questions should be answered from Part-B

All questions carry equal marks of 12.

PART A (CASE STUDY)**1 X 12 = 12**

1. The Labor Legislations are the products of Industrial Revolution and they have come into being to take care of errors created by it due to specific circumstances. They are different from common legislations. Therefore they are specific and not general in philosophy, concept and even in practice. Labor Legislations seeks to deal with the problems arising out of the occupational status of individuals. Problems such as hours of work, wages, working conditions, trade unionism, and industrial relations are the main subject matter of labor legislation. Individuals have different role to perform and different laws are designed for regulating the different roles. It is the role relation that determines whether a particular legislation falls under the category of labor legislation, social legislation or general legislation. All these legislations try to meet the specific objectives that are to provide subsistence, to aim at abundance (affluence), to encourage equality, to maintain surity. Labor class is indeed one of the classes most vulnerable to exploitation. Most of the labor legislations in India are pre- constitutional. The concept of fundamental rights was introduced in the constitution. International labor organization was formed in India and the success of these labor legislations must be an attribute to the ILO, as the guidelines issued by the ILO formed the principle on which these legislations were drawn. The ILO did have a great impact on the labor laws in India. Many new laws were enacted to incorporate the guidelines of the ILO. With the growth and expansion of factories and industries new avenues for employment were created, resulting in to gradual migration of labor force from rural areas to urban areas. In the absence of any state control or organization of the workers, the employers were less concerned about the needs of the employees & their work hours. The wages were much below the subsistence (survival) level and the working conditions were unsatisfactory. These situations led to the enactment of a number of legislations beginning from the year 1881. These include The Factories Act (1881), Workmen's Compensation Act (1923), and Trade Unions Act (1926), The Payment of Wages Act, (1936), The Maternity Benefit Act (1939) and so on. The Factories Act 1881 is the basis of all labor and industrial laws of the country. It contained provisions for even working hours for men and women, minimum age for employment of children. After the formation of ILO in 1919, this act was amended, which made provisions for safety, health and hygiene of the workers. It also made special provision for women and juvenile workers (i.e. labor above the age of 16 but less than 18), It also prohibited child labor.

Questions:

- What are the problems resolved by labor legislations?
- List out the reasons for new labor laws in India.
- Outline the role of ILO and its impact.



2. Explain Historical dimensions Labour and Legislations in India. Δ
3. Demonstrate the significance of The Industrial Disputes Act, 1947. $1-1$
4. Discuss the constitutional validity and eligibility of Payment of Bonus Act, 1965.
5. Summarize Payment of Gratuity Act, 1972. V
6. List out and explain the benefits of The Minimum wages Act, 1948. $3-1$
7. Determine the safety measures and provisions listed in The factories act, 1948. $5P$

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