

Roll No.

SAP ID



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, July 2020
Open Book – Through Blackboard Learning Management System

Course: LABOUR LAW- II
Course Code: LLBL 252

Semester: VIII

Programme: B.COM LLB TAXATION LAWS, 2016; BBA, LL.B. (HONS.) INTERNATIONAL TRADE & INVESTMENT LAW 2016/ BANKING, FINANCE & INSURANCE LAW 2016
TIME: 03 HRS.

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Max. Marks: 100

Instructions:

As this examination is in open-book format, the students are expected to demonstrate a very high degree of Academic Integrity and not copy contents from resources referred. Instructors would look for understanding of the concept by the students and any similarity found from resources online/ offline shall be penalized in terms of deduction of marks and even cancellation of paper in requisite cases. The online examination committee of the School would also look for similarity of two answer scripts and if answer scripts of two or more students are found similar, both the answer scripts shall be treated as copied and lead to cancellation of the paper. In view of the aforesaid points, the students are warned that they should desist from using any unfair means.

All Questions are Compulsory
Answer each question in not more than 500 words

S. No.		Marks	CO
1	<p><u>Read the following passage and answer the Question given below:</u></p> <p>International Labour Organization (ILO) defines Labour Welfare as, “<i>Such services and amenities which may be established in or in the vicinity of undertakings to enable the persons employed in them to perform their work in healthy, congenial surroundings and such amenities conducive to good health, and high morale.</i>”</p> <p>In other words Labour welfare is process of improving the health, safety, general well-being and the development of skills and efficiency of the workers than the minimum set standards.</p> <p>Elucidate the concept of Labour Welfare by Citing the Statutory Laws applicable to the Labourers in India especially female workers working in any factory or establishment.</p>	20	CO1
Ans.			

2	<p><u>Read the following Case study and then answer the Question:</u></p> <p style="text-align: center;"><u>CASE STUDY</u></p> <ul style="list-style-type: none"> • Mr. X was a worker in a factory Mill. He was knocked down by a cyclist while he was standing near the main entrance gate only about 10-15 feet away trying to get access in the mill so that he could attend the second shift starting at 3.30 P.M. • He was present there at that fatal hour of 3.20 P.M. at that fatal place of 10-15 feet distance from the main gate. <p>Discuss whether he can claim compensation under the Employee's Compensation Act, 1923 under the doctrine of Notional Extension. Give reasons for your answer citing relevant provisions and case laws.</p>	20	CO4
Ans.			
3	<p><u>Read the following problems and discuss with relevant provisions applicable:</u></p> <p>A. Faisal was employed as an electrician in a factory. One day while on duty he suffered Partial Disablement because of electric shock. He was insured under the Employees state Insurance Act, 1948.</p> <p>Discuss Whether Faisal can Claim Compensation under the Employee's Compensation Act, 1923. Give reasons for your answer by citing appropriate provisions of Law.</p> <p>B. Lovely Khurana is working in a factory which is covered by the Employee's state Insurance Act, 1948. But Her wages is ₹ 30,000.p/m.</p> <p>Discuss whether Lovely can claim the Maternity Benefits under the ESI Act. If not why? Discuss the benefits which she may claim under the law which is applicable in this case.</p>	20	CO1
Ans.			
4	<p><u>Read the following Passage and then answer the question:</u></p> <p>Migrant workers move from their native place to the place of employment just for the purpose of livelihood. They are hired by the contractors and agree to work in very low wages because poverty forces them to accept such rates. 92% of workers in India are in Unorganised sectors.</p> <p>There are sufficient laws for the protection of such workers. However the workers faces problems like occupational health hazards and disease, Irregular payment of wages, wages paid are very low and many other problems.</p>	20	CO2

	Discuss the Laws which are applicable to migrant workers and the benefits which they may claim under those laws.		
Ans.			
5.	<p><u>Read the following situation and discuss with relevant provisions applicable:</u></p> <p>Manoj is working in a Petrol Pump wherein there are in total 12 workers including him. He suffered injury while in the course of employment.</p> <p>Discuss whether he can claim benefit under the Employee's State Insurance Act, 1948. Give Reasons For your Answer</p>	20	CO3
Ans.			

I,, understand that submitting work that isn't my own may result in failure in this paper and I may also be subject to Disciplinary Proceedings as per the Academic Integrity policy of the University.

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