

Format of Question Paper



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2021

Course: Labour Legislations
Programme: BBA- HRM
Time: 3hours

Course Code: HRES 3003
Semester: V

Instructions: All the questions are compulsory.

SECTION A
(Type the answers in test box)

10 Qx2M=20 Marks

Q. No.	Very Short Note/One word-	Marks	CO
1.	Article _ of the constitution of India provides for just and humane conditions of work and maternity relief.	2	CO1
2.	Article _ of the constitution mentions that the tender age of children should not be abused.	2	CO1
3.	Article 43 of the constitution provides for _____	2	CO1
4.	Code on social security provides for _____ number of schedules.	2	CO1
5.	The code on wages 2019 has repealed Payment of Gratuity Act 1972. (True/False)	2	CO1
6.	Living Wages	2	CO1
7.	Time work v. Piece work	2	CO1
8.	Occupier under Factories Act, 1948	2	CO1
9.	Forced Labor under Article 23 of the Constitution	2	CO1
10.	Social Security	2	CO1

SECTION B
(Scan and upload)

4Q x5M=20 Marks

Q. No.	Write Short notes on:	Marks	
11.	Theory of Notional Extension of Workplace	5	CO2
12.	Rights of the Interstate Migrant workers	5	CO2
13.	Brief note on aims and objectives of ESI Act, 1948	5	CO2
14.	Duties of employer under the Occupation safety working Conditions Code, 2020	5	CO2

SECTION-C
(Scan and upload)

3Qx10M=30 Mark

Q. No.		Marks	CO
15.	Discuss the essentials for the employers liability towards workman in case of injury/accident as under the Code of Social security/Employee Compensation Act 1923.	10	CO 3

16.	Analyse and comment on the nexus between the directive principles of state policy and labour legislations with the help of precedents and provisions.	10	CO3
17.	Explain the terms Factory & Manufacturing Process as per the Factories Act, 1948 with relevant case-laws and provisions.	10	CO3

SECTION-D
(Scan and upload)

2Qx15M =30 Marks

Q. No.		Marks	CO
18.	<p>Mayank was employed as worked in the manufacturing plant of Bhagwati corporation whose major work was wholes selling of Spices across the state of Rajasthan. Mayank worked there for 30 years with devotion and dedication towards his work and the employer. Nearing the age when he planned to stop working, he faced some breathing issues and when checked upon it was found that due to constant exposure to dust particles at his workplace, he has caught up a lung disease called pneumoconiosis. Mayank cannot afford to the treatment of the same and therefore sought help from the employer, who denied the same to Mayank. Mayank consulted you as your client to persuade the employer to compensate him for this disease. As a lawyer, advise mayank responding to following point-</p> <p>On the basis of above mentioned facts, answer the following questions:</p> <p>Discuss the concept of occupational hazard; and how it is dealt under the labor laws of India. Relying on the case of CERC v UOI, discuss the relation of social justice and right to life impacting the responsibility of the state and employer to take care of the health of workers and prevent occupational hazards.</p>	15	CO4
19.	<p>India, a place where ‘Cricket’ is treated as a religion, is all thrilled for the upcoming 2022 Women’s T20 World Cup Tournament. Ayushi Khanna, Shrija Chauhan and Yukta Jain are the lead performers of the best 11 to be picked for the tournament. The whole nation has great hopes from the team, especially the lead performers.</p> <p>Ayushi Khanna, a senior player of the team, started her cricketing career in 2012. She got married to a famous Bollywood actor Mr. Ayush Rao in 2015 and the couple was graced with a child in 2017 for which Ayushi took break from cricket for a few months on the grounds of ‘Maternity’. The couple is expecting to become parents again by the month of March 2021 and this has turned out to be a controversial news for the whole nation since the IWCA (Indian Women Cricket Association), in its terms of engagement has a clause of mandatory retirement of cricketer on the ground of her <i>second pregnancy</i>. Anticipating Ayushi not playing the 2022, World Cup has invited a huge uproar in the nation and upset many cricket fans.</p> <p>Ms. Ayushi has challenged the Engagement Rules claiming them to be violative of the norms of equality under Art.14 of the Indian Constitution and seeking to be allowed to play the 2022 World Cup subject to her fitness.</p> <p>Determine the issue at hand as the Judge of the Apex Court, with the help of various legal provisions and case-laws applicable. Also determine, if Ayushi succeeds in the matter, what all maternity benefits she would be entitled highlighting the key features of the law on maternity.</p>	15	CO4

--	--	--	--