


Name:			
Enrolment No:			
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, December 2022			
Course: Labour Law I Program: BA.LLB/BBA.LLB/B.COM.LLB Course Code: CLCC 3008		Semester: V Time: 03 hrs. Max. Marks: 100	
Instructions: Read the questions properly and answer all the questions.			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q.	Answer the questions (Q. 1 to Q.5) in not more than 50 words.		
1.	Living wages are provided under Article..... of the COI, 1950.	2	CO1
2.	Which ILO Conventions has not been ratified by India?	2	CO1
3.	Negotiating Council is.....	2	CO1
4.	Begar is prohibited under Article of the COI, 1950.	2	CO1
5.	Lock-out is	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q	Answer the following questions briefly:		
6.	To operate in the dynamics of industrial world, the Trade Unions need immunities of civil and criminal nature. Explain the immunities of a registered trade union as per the Industrial Relations Code 2020.	5	CO2
7.	Write a note on Recognition of a trade Union.	5	CO2
8.	Differentiate between 'Closure' and 'Lay-off.	5	CO2
9.	Briefly explain the process of certification of standing orders.	5	CO2
SECTION-C (2Qx10M=20 Marks)			

Q	Explain the following questions:		
10.	<p>Indiana Pvt Ltd Company, associated with toy-manufacturing, employed 1000 workers. The company suffered huge losses. Around 50 workers took voluntarily retirement. Later on, the employer of the factory retrenched 300 employees.</p> <p>Decide, whether the 350 workers in the above-mentioned situation can claim retrenchment compensation? Discuss the conditions to be fulfilled by the employer with the help of relevant provision of Industrial Relations Code 2020.</p>	10	CO3
11.	Discuss the concept of industrial disputes and decide whether an individual dispute can be considered as an Industrial dispute under the Industrial Relations Code 2020	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q	Analyse the facts mentioned and then answer the questions:		
12.	<p>The Dehradun Municipal Corporation (DMC) dismissed four of its employees, Ms. Mehreen, Ms. Nikita, Ms. Anwasha and Mr. Udit on the charges of negligence and unprofessional behavior. The Municipal Workers Union questioned the legality of the dismissal orders and the matter was referred to the industrial tribunal. The Tribunal awarded that all four be reinstated with immediate effect. The DMC challenged the award before the Hon'ble Supreme Court of India on the ground that it was not an industry since it functions closely with the local self-government and performs sovereign functions. The matter is pending before the Apex Court of India.</p> <p>Kindly solve the legal tangle as an amicus to the Supreme Court of India, referring to legislative and judicial developments in understanding the ambit of Industry and provide your valuable opinion to the Court on the basis of the same.</p>	25	CO4

13.	<p style="text-align: center;"><u>Read the below mentioned facts and answer the questions:</u></p> <p>In a factory, 500 workers were employed. There were certain rules in the standing orders, which the workers had to follow. One of such rule was that, workers should not go get involved in illegal strikes, which is in contravention of IR Code 2020.</p> <p>There was a settlement (though Collective bargaining) between the workers and the employers regarding wages, which was in operation and valid until December 2023.</p> <p>The workers wanted a hike in their wages, which resulted into disagreements between worker’s Union and employers. The union decided to go on strike to fulfil their demands. Around 250 workers gave notice on 1st August 2022 in which it was stated that they would strike on 20th August 2022. However, the workers went on the strike after 14th day i.e.: on 18th August 2022.</p> <p>The employer took disciplinary action against those 250 workers for the violation of standing orders.</p> <p>A. Decide whether the employer can take any such disciplinary action. If yes, discuss the procedure to be undertaken in cases of domestic inquiry.</p> <p>B. Decide the legality of strike in the above-mentioned situation as per the Industrial Relations Code 2020.</p>	<p>25 (10+15)</p>	<p>CO4</p>
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