


Name:			
Enrolment No:			
UPES End Semester Examination, May 2024			
Course: Legal Aspects of Safety, Health & Environment Program: BTech FSE Course Code: HSFS4020		Semester: VIII Time: 03 hrs. Max. Marks: 100	
Instructions: All questions are compulsory.			
SECTION A (5Qx4M=20Marks)			
S. No.		Marks	CO
Q 1	State the reasons for jurisdiction requirements and explain its benefits: “The petroleum act is completely under the jurisdiction of the Central Government”.	4 (2*2)	CO1
Q2	Explain overcrowding and rights of workers as envisaged in the Factories Act 1948.	4 (2*2)	CO2
Q3	Explain after referring to the Dock Workers Act whether this legislation is still relevant in a time when private parties are controlling docks.	4	CO2
Q4	Explain the concepts of “commencement” and “local extent” as stated in the Indian Explosives Act.	4 (2*2)	CO2
Q5	State the facilities that must be provided to the inspector by the dock manager / occupier. Refer to the Dock Workers’ Act	4	CO1
SECTION B (4Qx10M= 40 Marks)			
Q6	Analyze in reference to the Indian Explosives Act, the following: <ol style="list-style-type: none"> 1. Restriction on disclosure of information. 2. Appeals. <p style="text-align: center;">OR</p> Analyze in reference to the Factories Act, the following: <ol style="list-style-type: none"> 1. Work on or near a machinery of motion. 2. Fencing on machinery. 	10 (5*2)	CO3
Q7	Explain the concept of “power to exempt during public emergency”, and what are the probable reasons that this clause was included in the Factories Act 1948.	10 (5*2)	CO2
Q8	A gas leak in Ludhiana killed 11 people while four others were admitted to hospital in the wee hours of April 30, 2023. Authorities have detected high levels of hydrogen sulphide, a highly toxic gas, in Ludhiana’s Giaspura locality. Hydrogen sulphide at low levels triggers irritation of the eyes, nose and throat. Moderate levels lead	10 (5*2)	CO4

	<p>to headache, dizziness, nausea, vomiting, coughing and difficulty breathing. The gas gives an unpleasant smell at concentrations above 0.5 parts per million (ppm). Hydrogen sulphide occurs naturally in sewers. It tends to build up in low-lying and enclosed spaces, such as manholes and sewers. Sources that the manhole was cleaned recently. But we cannot be certain how effective the cleaning was, leakage may have occurred if the cleaning was not done correctly. Alternatively, some chemicals may have been disposed of in the sewer. This, in turn, may have produced more hydrogen sulphide.</p> <p>Evaluate the actions including penalties that will be taken following the incident in line with the Air Pollution Act 1981 by the state pollution control board.</p>		
Q9	<p>A worker fell from height when working inside the factory. Safety harness was not working it seems. All other workers went into a strike following the incident citing ineffective and insensitive management attitude towards safety and workers. You being the chief inspector of factories went to visit the site but were not allowed citing safety concerns as workers were extremely agitated and violence was a possibility.</p> <ol style="list-style-type: none"> 1. State the actions including penalties to be imposed in line with the Factories Act 1948, as amended 1987. 2. State how will you respond as a representative of the Occupier: The factories inspector has issued a notice asking for explanation regarding obstruction to duty. If the response is not provided in 3 working days, further penalties could be imposed. 	10 (5*2)	CO1
<p>SECTION-C (2Qx20M=40 Marks)</p>			
Q10	<p>Explain the differences (if any) between the general duties of an occupier and the general duties of a manufacturer.</p> <p style="text-align: center;">OR</p> <p>Explain the following in detail in line with the Workmen Compensation Act 1923.</p> <ol style="list-style-type: none"> 1. Commissioner and employer 2. Dependent and managing agent 	20 (10*2)	CO2

Q11



20 (10*2)

CO4

Evaluate based on the above picture of a worker engaged in a hazardous industry / work in line with the Factories Act 1948, as amended in 1987:

1. Violations by the occupier including but not limited to PPE.
2. As a Chief Inspector of Factories penalties to be recommended by you.