



BRAINWARE UNIVERSITY

Term End Examination 2022

Programme – BBA LL.B.-2019

Course Name – Labour Law I

Course Code - BBALLB702

(Semester VII)

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

- (i) Select the section which deals with the concept of Responsibility for payment of wages
- | | |
|---|--|
| a) Section 9 of the Payment of Wages Act,1936 | b) Section 10 of the Payment of Wages Act,1936 |
| c) Section 3 of the Payment of Wages Act,1936 | d) Section 4 of the Payment of Wages Act,1936 |
- (ii) Choose from the following options that in which the Payment of Bonus Act is enacted
- | | |
|---------|---------|
| a) 1963 | b) 1964 |
| c) 1965 | d) 1966 |
- (iii) The term employer has been defined in
- | | |
|---|---|
| a) section 2(e) of the Minimum Wages Act 1948 | b) section 2(f) of the Minimum Wages Act 1948 |
| c) section 2(g) of the Minimum Wages Act 1948 | d) section 2(h) of the Minimum Wages Act 1948 |
- (iv) Identify the correct option in the Minimum Wages Act 1948
- | | |
|---|--|
| a) completed his fourteenth year of age but has not completed his eighteenth year | b) it is expedient to provide for fixing minimum rates of wages in certain employments |
| c) provide for fixing minimum rates of wages in certain employments | d) provide a person wages who has completed his eighteenth year of age |
- (v) Locate the meaning of an adolescent under Section 2(a) of The Minimum Wages Act
- | | |
|--|---|
| a) a person who has completed his fourteenth year of age but has not completed his eighteenth year | b) a person who has completed his fifteenth year of age but has not completed his eighteenth year |
| c) a person who has completed his sixteenth year of age but has not completed his eighteenth year | d) a person who has completed his seventeenth year of age but has not completed his eighteenth year |
- (vi) Select from the following. Under Minimum Wages Act, 1948, Government may by notification in the Official Gazette appoint an Authority to hear and decide claims except

- a) Any Commissioner for Workers Compensation
- b) Any Officer of Central Government exercising functions as Labour Commissioner
- c) Employer of Company
- d) Any Officer of State Government not below the rank of Labour Commissioner
- (vii) Select from the following. Under Minimum Wages Act, 1936 no Court shall entertain any suit for recovery of wages insofar as sum so claimed
- a) Forms the subject of an application under section 20 which has been presented by or on behalf of plaintiff
- b) Could have been recovered by an application under section 20
- c) Had formed the subject of direction under section 20 in favour of plaintiff
- d) Any Officer of Central Government exercising functions as Labour Commissioner
- (viii) Select the section which deals with the fixing of minimum rates of wages
- a) Section 3 of The Minimum Wages Act, 1948
- b) Section 4 of The Minimum Wages Act, 1948
- c) Section 5 of The Minimum Wages Act, 1948
- d) Section 6 of The Minimum Wages Act, 1948
- (ix) Choose from the following options that the Every employee receiving salary or wages upto ` 3,500 p.m. and engaged in any kind of work whether skilled, unskilled, managerial, supervisory, etc. is entitled to bonus for every accounting year if he has worked for at least _____ in that year
- a) 15 working days
- b) 30 working days
- c) 60 working days
- d) 90 working days
- (x) Justify from the following. Written permission must be obtained from the employee for making payment of wages by _____.
- a) Cheque
- b) Crediting in his account
- c) Both Cheque and Crediting in his account
- d) Neither Cheque and Crediting in his account
- (xi) Select the fixing of minimum rates of wages in respect of any scheduled employment for the first time under this Act or in revising minimum rates of wages so fixed, the appropriate Government shall
- a) provide minimum rate of employees for time work (hereinafter referred to as a minimum time rate
- b) fix the index number ascertained and declared by the competent authority by notification in the Official Gazette to be the cost of living index number applicable to employees in such employment
- c) appoint as many committees and subcommittees as it considers necessary to hold enquiries and advise it in respect of such fixation or revision, as the case may be
- d) provide a minimum rate of supervisors for time work (hereinafter referred to as a minimum time rate
- (xii) Identify the section which deals with the Advisory Board
- a) Section 7 of The Minimum Wages Act, 1948
- b) Section 8 of The Minimum Wages Act, 1948
- c) Section 9 of The Minimum Wages Act, 1948
- d) Section 10 of The Minimum Wages Act, 1948
- (xiii) Choose from the following options that the Section 2(1) of The Payment of Bonus Act, 1965 defines
- a) Accounting year
- b) Allocable Surplus
- c) Appropriate Government
- d) Available Surplus
- (xiv) Justify from the following. Payment of wages will become risk when
- a) Number of workers are large
- b) Industry in remote area
- c) Total wages is very high
- d) All of these
- (xv) Choose from the following term of wages as defined in Sec 2 (vi) of The Payment of Wages Act, 1936 which includes
- a) any remuneration payable under any award or settlement between the parties or order of a Court
- b) any bonus (whether under a scheme of profit sharing or otherwise) which does not form part of the remuneration payable

- under the terms of employment or which is not payable under any award or settlement between the parties or order of a Court
- c) any contribution paid by the employer to any pension or provident fund, and the interest which may have accrued thereon
- d) any travelling allowance or the value of any travelling concession

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Analyze the constitution of National Occupational Safety and Health Advisory Board under the Occupational Safety, Health and Working Conditions Code, 2020. (3)
3. Discuss the concept of "industrial dispute" under Industrial Disputes Act,1947 (3)
4. Explain the Fixing hours of work for normal working day under the Factories Act,1948 (3)
5. Explain the components of minimum wages under the Minimum Wages Act,1948 (3)
6. write in your own words, the constitution of National Occupational Safety and Health Advisory Board under the Occupational Safety, Health and Working Conditions Code, 2020 (3)

OR

Justify the duties of employee under the Occupational Safety, Health and Working Conditions Code, 2020 (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Remember and write the safety provisions of the Factories Act,1948 (5)
8. Discuss the concept of Payment of Bonus under the Payment of Bonus Act,1965 (5)
9. Evaluate the background of the Occupational Safety, Health and Working Conditions Code, 2020 (5)
10. Explain words the duties of employer under the Occupational Safety, Health and Working Conditions Code, 2020. (5)
11. Interpret and discuss the role of Advisory Board under the Minimum Wages Act, 1948 (5)
12. Assess the health provisions of the Factories Act,1948 (5)

OR

Justify deductions for payments to co-operative societies and insurance schemes under section 13 of Payment of Wages Act,1936 (5)
