



BRAINWARE UNIVERSITY

Term End Examination 2023

Programme – BBA LL.B.-2019

Course Name – Labour Law II

Course Code - BBALLB801

(Semester VIII)

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) Predict the principle of the utility of non-violence as the means of conflict resolutions
 - a) Gandhian approach
 - b) System approach
 - c) Both a and b
 - d) All of these
- (ii) Predict from the following the objectives of the trade union
 - a) Employee compensation
 - b) Working Condition
 - c) Recognition and participation
 - d) All of these
- (iii) Predict collective agreement legally enforceable
 - a) Yes otherwise they would be worthless
 - b) No they are never legally enforceable
 - c) They are presumed not to be legally enforceable unless the parties agree otherwise
 - d) Only those made with trade unions
- (iv) Predict the factors on which employers are obliged to provide information to trade union representatives for collective bargaining purposes
 - a) No because it would be unfair on the employer in the negotiations
 - b) No because there might be a lot of sensitive information included which the employer might not wish to be known
 - c) Yes if it is information that the employee representatives need to carry on collective bargaining
 - d) Yes but only if the union representatives agree to keep it secret
- (v) Predict the situation when an employer refuses to employ a trade union member because the employer regards them all as a troublemaker
 - a) Yes an employer may take on or reject who they wish
 - b) Only if they do not have any current trade union members
 - c) Yes if they have suffered from lots of industrial action from trade unions in the past
 - d) No it would be unlawful
- (vi) Identify from the following which is the best explanation of the term union ballot

- a) A ballot is the system by which union members vote for eg industrial action
 b) A ballot is the method by which a union recruits new members
 c) A ballot is the method by which a union expels members
 d) A ballot is the system by which union members put forward information for listing
- (vii) Select from the following which is not an industrial tort
 a) Gross misconduct
 b) Conspiracy
 c) Inducement
 d) Intimidation
- (viii) Identify employee share of provident fund contribution in industrial establishment
 a) 12percentage
 b) 833percentage
 c) 175percentage
 d) 475percentage
- (ix) Identify from the following amount of salary of the employee eligible for a Bonus under the Payment of Bonus Act
 a) Rs 3500
 b) Rs 6500
 c) Rs 15000
 d) Rs 21000
- (x) Identify from the following that is not included under the definition of wages given under the Payment of Wages Act of 1936
 a) Basic Wage
 b) Dearness Allowance
 c) Incentive
 d) Gratuity
- (xi) Select the name of the labor legislation where the provision of check-off recognized
 a) Industrial Disputes Act 1947
 b) Trade Unions Act 1926
 c) Payment of Wages Act 1936
 d) Industrial Employment Standing Orders Act
- (xii) Select the Indian labour legislation that includes the provision of check-off
 a) Industrial disputes Act 1947
 b) Trade unions Act 1926
 c) Payment of wages Act 1936
 d) Industrial employment standing orders Act
- (xiii) Identify the section which deals with the Mode of payment of gratuity under The Payment of Gratuity Act 1972
 a) Section 12 of the Payment of Gratuity Act 1972
 b) Section 9 of the Payment of Gratuity Act 1972
 c) Section 14 of the Payment of Gratuity Act 1972
 d) Section 20 of the Payment of Gratuity Act 1972
- (xiv) Identify the minimum number of trade union members requires in registering themselves as a union
 a) 7
 b) 10
 c) 5
 d) 15
- (xv) Identify from the following Act which define the term trade union
 a) Industrial trade resolution 1962
 b) Industrial Policy 1991
 c) The trade union and labour relations consolidation Act 1992
 d) The industrial employment Act 1946

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Define adolescent under Minimum Wages Act, 1948 (3)
3. Define adult under Minimum Wages Act, 1948 (3)
4. Describe the procedure of payment of Wages in kind. (3)
5. Explain the procedure for Maintenance of registers and records (3)
6. Explain in brief the eligibility criteria for EPF membership. (3)

OR

Explain in brief salient features of EPF (3)

Group-C

7. Define Award under the Industrial Relations Code 2020. (5)
8. Define banking Company under the Industrial Relations Code 2020. (5)
9. Define the term Employee under the Industrial Relations Code 2020. (5)
10. Explain Minimum Wage under Industrial Relations Code 2020. (5)
11. Justify the given statement with suitable examples- "Voluntary arbitration provides a chance to get the dispute settled by a person they prefer". (5)
12. Explain Wage under Industrial Relations Code 2020. (5)

OR

Explain the factors influencing Industrial Relations. (5)
