

F 4541

(Pages : 2)

Reg. No.....

Name.....

**FIVE YEAR B.A., LL.B./B.B.A., LL.B./B.Com., LL.B. (HONOURS) DEGREE
EXAMINATION, DECEMBER 2023**

Seventh Semester

F.L. 19—LABOUR AND INDUSTRIAL LAW—II

(2019 Admissions—Regular/2018 Admissions—Supplementary)

Time : Three Hours

Maximum : 75 Marks

Part A

Write short notes on any five of the following.

Each question carries 3 marks.

1. Concept of 'social security'.
2. Employees' State Insurance Fund.
3. Different concepts of 'wages'.
4. Essential elements of a factory.
5. Occupational diseases.
6. Industrial Employment Standing Orders.

(5 × 3 = 15 marks)

Part B

Answer any three of the following problems.

Each question carries 10 marks.

7. A workman, while performing the duty of the employer, died due to an accident. Afterwards, it was proved that, at the time of the accident, the workman was under the influence of intoxication. Examine whether the employer is liable to pay compensation.
8. 'W', a worker, was attacked by some rioters on his way to work place and died as a result of injuries sustained. Decide whether the deceased workman's wife is entitled to get compensation under provisions of law.

Turn over

9. 'X' was employed in a scheduled employment and was offered wages at a rate lower than the minimum wages. The employer did not respond positively to his plea of being given the minimum wages. The employer pleaded that the employee had agreed the conditions of service and moreover, the establishment was running at loss. 'X' intends to challenge the contention of his employer. Will he succeed? Substantiate your answer referring to decided cases.
10. Gratuity was denied to Mr. 'A' on the ground that performance of duties by Mr. 'A' was only average and not meritorious to enable him to get gratuity. Mr. 'A' says that no action whatsoever was taken against him during the period of his service till retirement. Can the denial of gratuity to 'A' be justified? Decide.

(3 × 10 = 30 marks)

Part C

*Answer any two of the following questions.
Each question carries 15 marks.*

11. Explain the nature of employer's liability for compensation if personal injury is caused to a workman by accident arising out of and in the course of employment.
12. "Maternity and paternity benefits are measures of social assistance and developed out of the doctrine of employers' liability." Comment. Who are the persons having the right to payment of maternity benefits? What are such benefits available?
13. Explain in detail the provisions relating to employees' eligibility to receive statutory 'bonus'. What is meant by 'minimum' and 'maximum' bonus? Can an employer be exempt from paying minimum bonus? How is bonus calculated?

(2 × 15 = 30 marks)