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Reg. No.....

Name.....

**FIVE YEAR B.A., LL.B./B.B.A., LL.B./B.Com., LL.B. (HONOURS) DEGREE
EXAMINATION, JULY 2024**

Seventh Semester

F.L. 19—LABOUR AND INDUSTRIAL LAW—II

[2020 Admissions—Regular/2018 and 2019 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. Social Justice and labour laws.
2. Notional extension of premises.
3. Employees' State Insurance Fund.
4. Partial and total disablement.
5. Customary Bonus.
6. Certification of Standing Orders.

(5 × 3 = 15 marks)

Part B

*Answer any three of the following problems.
Each question carries 10 marks.*

7. 'X', a workman in a Steel Industry, was residing in a hut provided by the employer in the factory premises itself. One night, the hut caught fire and the workman was burnt alive. Can his dependents claim compensation on the ground of claiming the mishap as accident 'arising out of and in course of employment' ?
8. A hospital in Ernakulam has a department which is called the Equipment Maintenance Department (EMD). There are Forty-five persons employed in the Department. The Department maintains and repairs the equipment in the hospital such as X-Ray, ECG, Kidney-dialysis, heart and lung machine etc. Examine whether the Equipment Maintenance Department will come under the definition of 'factory' as defined in the Employees' State Insurance Act, 1948. Justify your answer with the help of legal provisions and case laws.

Turn over

9. 'S', an employee in a cloth industry, absented herself from work without giving any notice to her employer for the entire month of February, 2024. But on 2nd March, her employer received a notice about her delivery two days ago, i.e., on 29th February, 2024. In spite of receipt of such notice, the employer denied her any maternity benefit or medical bonus. Advise 'S'.
10. In an accounting year, a company suffered heavy losses. The Board of Directors of the said company decided not to give bonus to the employees. The employees of the company move to the Court for relief. Decide.

(3 × 10 = 30 marks)

Part C

Answer any two of the following questions.

Each question carries 15 marks.

11. The Employees' State Insurance Scheme is administered by a corporate body known as Employees' State Insurance Corporation (ESIC) along with subsidiary bodies like Standing Committee and Medical Benefit Council. Explain the constitution, powers and functions of these bodies and state how they help in the implementation of the Employees' State Insurance Scheme.
12. "Wages are to be paid in a particular form at regular intervals and without any unauthorized deductions". Explain in detail the law relating to 'wages' in India.
13. What do you understand by 'gratuity' ? How is gratuity different from provident fund and pension ? What are the qualifying conditions for an employee to earn gratuity ? Discuss various statutory provisions and relevant judicial decisions relating to payment of gratuity in India.

(2 × 15 = 30 marks)