



‘समानो मन्त्रः समितिः समानी’

UNIVERSITY OF NORTH BENGAL

LL.B. (3 yr.) 4th Semester Examination, 2022

LABOUR AND INDUSTRIAL LAW-II

PAPER CODE: CC16

Time Allotted: 3 Hours

Full Marks: 100

The figures in the margin indicate full marks.

The students are advised to follow the word limit mentioned below strictly while answering questions. The marks will be deducted if answers exceed word limit. 20 marks- not more than 2000 words / 15 marks- not more than 1500 words / 10 marks- not more than 1000 words / 5 marks- not more than 500 words

Answer Question No. 7 and any four questions from the rest

GROUP-A

1. (a) Comment on the constitutionality of the Minimum Wages Act, 1948. 5
(b) Write a note on the procedure of fixation of minimum rate of wages under the said Act alongwith the structure of wage. 10
(c) Whether an employee can get overtime allowance if he is receiving higher wages than the minimum wage fixed under the Minimum Wages Act, 1948? Why? 5
2. (a) Explain the provisions relating to contribution under the Employees' State Insurance Act, 1948. 10
(b) Does educational institutions (public or private) come under the ambit of Employees' State Insurance Act, 1948? 6
(c) Comment on the constitution and powers of the standing committee. 4
3. (a) Explicate upon the legal provisions relating to the regulation of the child labour in India. Also highlight the role of judiciary in protecting the child rights in India. 15
(b) Write a short note on the Child and Adolescent Labour Rehabilitation Fund. 5
4. Discuss the following provisions:
(a) Fixation of hours of a normal working day under the Minimum Wages Act, 1948. 5
(b) Protection against attachment of assets of employer with the government under the Minimum Wages Act, 1948. 5
(c) Benefits under the Employees' State Insurance Act, 1948. 10

5. (a) Explain the process for registration of Trade union under the Trade Union Act, 1926. 10
- (b) Do the minors have any right to become the member of Trade Union? Comment. 4
- (c) Explain the legal provisions relating to recognition of Trade Union and with relevant case laws. 6
6. (a) Write an explanatory note on Employees' Provident Fund Scheme. 8
- (b) Is special allowance a part of the basic wage that can be considered for calculating the contribution to the Provident Fund Scheme? 4
- (c) What are the components of Basic wages under the Employees' Provident Fund Scheme? 4
- (d) Explain the provisions relating to the Employees' Provident Fund Appellate Tribunal. 4

GROUP-B

7. Write short notes on any *four* of the following: 5×4 = 20
- (a) Regulation of Adolescent labour in India
- (b) Rights of the Registered trade union
- (c) Medical Benefit Council
- (d) History of Trade unionism in India
- (e) Employees' State Insurance Corporation
- (f) Employees' Pension Scheme.

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