

Subject : Legislation Affecting Conditions of Work

Day : Thursday

Date : 19/05/2016

S.D.E.



Time : 10.00 AM TO 01.00 PM

Max Marks : 100 Total Pages : 1

N.B.:

- 1) Attempt **ANY SIX** questions including **Q.No.1** which is **COMPULSORY**.
- 2) **Q.No.1** carries **20** marks and all other questions carry **16** marks each.

Q.1 Write short notes on **ANY FOUR** of the following:

- a) Definition of worker under the Factories Act, 1948
- b) Penalties under the Plantations Labour Act, 1948
- c) Leave with pay under Bombay Shop and Establishment Act, 1948
- d) Licenses under the Beedi and Cigar workers (Condition of Employment) Act, 1966
- e) Functions of Chief Inspector under the Mine Act, 1952
- f) Manufacturing process under Factories Act, 1948

Q.2 Enumerate the nature and scope of Factories Act, 1948 with reference to the important provisions of the said Act.

Q.3 State briefly the provisions regarding health and welfare of the workers under the Plantation Labour Act, 1951.

Q.4 Enumerate the important provisions of the Contract Labour (Regulation and Abolition) Act, 1970.

Q.5 Explain with reference to Motor Transport Workers Act, 1961:

- a) Registration of Motor Transport undertaking
- b) Employment of young persons

Q.6 Discuss the salient features of the Employment of Children's Act, 1986.

Q.7 Evaluate the salient features of Mines Act, 1952.

Q.8 Explain the power of State Government under Beedi and Cigar Workers (Conditions of Employment) Act, 1966.

Q.9 Describe the procedure of the registration of shops and commercial establishment under the Bombay Shops and Establishment Act, 1948.

Q.10 What are the provisions regarding health and safety of children under the Child Labour (Prohibition and Regulation) Act, 1986.

Subject : Law Relating to Industrial Relations and Adjudication

Day : Monday

Date : 16/05/2016

S.D.E.



Time : 10.00 AM TO 01.00 PM

Max Marks : 100 Total Pages : 1

N.B.:

- 1) Attempt **ANY SIX** questions including **Q.No.1** which is **COMPULSORY**.
- 2) **Q.No.1** carries **20** marks and all other questions carry **16** marks each.

Q.1 Write short notes on **ANY FOUR** of the following:

- a) Unfair labour practices
- b) Conciliation officer under Industrial Disputes Act
- c) Certification of standing orders
- d) Primary union
- e) Lay-off
- f) Award

Q.2 "The main object of Industrial Disputes Act is to ensure fair wages to workers and to prevent disputes so that production may not be adversely affected". Explain briefly the object and scope of the Industrial Disputes Act, 1947.

Q.3 "Strike means a cessation of work by a body of persons employed in any industry acting in combination or a concerted refusal or a refusal under a common understanding if any number of persons who or have been so employed to work or to accept employment." Discuss the various types of 'Strike' under the Industrial Disputes Act 1947.

Q.4 "Trade Union is the combination whether temporary or permanent formed primarily for the purpose of regulating relation between workmen and employers or workmen and workmen or employers and employees". Describe the procedure of the registration of trade union under the Trade Union Act, 1926.

Q.5 "The Principal object of Bombay Industrial Relations Act, 1946 is to encourage collective bargaining and also prevents illegal strike and lockouts and to make provision for lay-off and retrenchments compensation". Discuss the duties of Industrial Court under the Bombay Industrial Relations Act, 1946.

Q.6 State and discuss the procedure for the modification of standing orders under the Employment (standing orders) Act, 1946. Who can apply for modification?

Q.7 Who is certifying officer? Explain his duties under the Industrial Employment (Standing Order) Act, 1946.

Q.8 Briefly discuss the purposes for which general fund and political fund of a registered trade union may be spent.

Q.9 Enumerate the rights conferred on approved union under the Bombay Industrial Relations Act, 1946.

Q.10 Write an essay on Maharashtra Recognition of Trade unions and Prevention of Unfair Labour Practices Act, 1971.

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Subject : Social Security Legislations

Day : Tuesday
Date : 17/05/2016

S.D.E.



Time : 10.00 AM TO 01.00 PM
Max Marks : 100 Total Pages : 1

N. B. :

- 1) Attempt **ANY SIX** questions, out of which **Q. No. 1** is **COMPULSORY**.
- 2) **Q. No. 1** carries **20** marks and all other questions carry **12** marks each.

Q. 1 Write short notes on **ANY FOUR** of the following:

- a) Role of Inspector under The Maternity Benefit Act, 1961
- b) Continuous Service under The Payment of Gratuity Act, 1972
- c) Unpaid accumulation under The Bombay Labour Welfare Fund Act, 1953
- d) Total Disablement under The Employees' State Insurance Act, 1948
- e) Employees' Family Pension Scheme
- f) Accident under The Workmen's Compensation Act, 1923

Q. 2 Describe object and salient features of The Workmen's Compensation Act, 1923.

Q. 3 Discuss the defenses available to an employer against a claim for compensation for personal injury made by a workman's under The Workmen Compensation Act, 1923.

Q. 4 Elaborate the constitution of Provident Fund Scheme and Pension Scheme under the provisions of Employee's Provident Fund and Miscellaneous Provisions Act, 1952.

Q. 5 Can provident fund of a member dismissed for a serious and willful misconduct-be withheld under The Employee's Provident Fund and Miscellaneous Provisions Act, 1952?

Q. 6 State the provisions relating to payment of contribution under the Employees' State Insurance Act. 1948

Q. 7 Explain the conditions which must be observed by recipient of sickness or disablement benefits with Employees' State Insurance Act, 1948.

Q. 8 Discuss the Maternity Benefit Act, 1961. What are the benefits available under Maternity Benefits Act and how are these paid?

Q. 9 Explain definition of Employee and state the provisions relating to contribution of Bombay Labour Welfare Fund Act, 1953.

Q.10 Explain the provisions of the Payment of Gratuity Act, 1972 relating to nomination by an employee.

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- 1) Attempt **ANY SIX** questions including **Q. No. 1** which is **COMPULSORY**.
- 2) **Q. No. 1** carries **20** marks and all other carry **16** marks.

- Q.1** Write short note on **ANY FOUR** of the following :
- a) 'Annual leave with wages under 'Factories Act, 1948
 - b) Define 'Establishment' under the Bombay Shop and Establishment Act, 1948
 - c) Prosecutions under the Contract Labour (Regulation and Abolition) Act, 1970
 - d) Functions of committees under Mines Act, 1952
 - e) Child Labour in India
 - f) "Registration of Plantation" under Plantations Labour Act, 1951
- Q.2** Discuss the provisions relating to hazardous processes and specific responsibility of the occupier in relation to it as per the Factories Act, 1948.
- Q.3** "The Factories Act, 1948 is an act of social welfare legislation". Comment with special reference to provision in relation to welfare of the workers.
- Q.4** Describe the provisions of the Plantations Labour Act, 1951 regarding hours of work and leave with pay.
- Q.5** Define 'Dock Worker'. Elaborate the provisions regarding establishment and constitution of the first Advisory committee and Dock Labour Board and their functions with reference to Dock worker (Regulation of Employment) Act, 1948.
- Q.6** Explain the provisions relating to 'Hours of work and limitation of Employment' under the Mines Act, 1952.
- Q.7** Examine the provisions regarding registration of establishment under Bombay Shop and Establishment Act, 1948.
- Q.8** Define 'Contractor'. State the provisions relating to 'Licensing of contractors' under Contract Labour (Regulation and Abolition) Act, 1970.
- Q.9** Define the term 'Child' and examine the provisions relating to prohibition of employment of children in certain occupations and processes under the child Labour (Prohibition and Regulation) Act, 1986.
- Q.10** State and explain the important provisions incorporated under the Motor Transport Worker's Act, 1961.

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Subject : Law Relating to Industrial Relations and Adjudication

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N.B.:

- 1) Attempt any **SIX** questions including **Q. No. 1** which is **COMPULSORY**.
- 2) **Q. No. 1** carries **20** marks and all other questions carry **16** marks each.

- Q.1** Write short notes on (Any **FOUR**)
- a) Pen- down strike
 - b) Powers and Duties of labour officers under the Bombay Industrial Relations Act, 1946
 - c) Powers of investigating officer under the Maharashtra recognition of Trade Union and Prevention of Unfair Labour Practice Act, 1971
 - d) Notice of change under Industrial Disputes Act, 1947
 - e) Definition of wages under Industrial Disputes Act, 1947
 - f) Offences and Penalties under the Trade Union Act, 1926
- Q.2** What is retrenchment? Can any compensation under the Industrial disputes Act 1947 be granted?
- Q.3** Discuss the various provisions relating to awards and settlements as contained in the Industrial disputes Act 1947.
- Q.4** "Lock-out can be described as the antitheses of a strike. Just as a strike is weapon available to the employees for enforcing their industrial demands, lock out is weapon available to the employer, to persuade by a coercive process the employers to see his point- of view and to accept his demand". Comment the above statement with the help of case laws.
- Q.5** Describe the procedure for the registration of a trade union and explain the privileges of registered trade union under the Trade Union Act, 1926.
- Q.6** State the provisions of the trade Union Act, 1926 for the cancellation of registration and amalgamation of Trade Unions.
- Q.7** Discuss the provision relating to Registration of Trade Union under the Bombay Industrial Relation Act, 1946.
- Q.8** What are the offences under the Industrial employment (standing orders) Act? What are the corresponding penalties?
- Q.9** Discuss the salient features of Bombay Industrial Relation Act, 1946.
- Q.10** State the provisions relating to recognition of union under the Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practices Act, 1991.

Subject : Social Security Legislation

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- 1) Attempt **ANY SIX** questions in all including **Q.No.1** is **COMPULSORY**.
- 2) **Q.No.1** carries **20** marks and all other questions carry **16** marks each.

- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Medical Bonus under Maternity Benefit Act, 1961
 - b) Continuous service under Payment of Gratuity Act, 1972
 - c) Contracting and contracting out under Employee's Compensation Act, 2010
 - d) Functions of Employee's State Insurance Court
 - e) Recovery of Gratuity
 - f) Utilization of Labour Welfare Fund under the Bombay Labour Welfare Fund Act 1953
- Q.2** Critically examine the scope of the expression accident arising out of and in the course of employment in relation to the employer's liability to pay compensation to his employee under the Employee's Compensation Act, 2010.
- Q.3** "The Employee's Compensation Act, 2010 is based on the principle of liability without fault". Explain the above statement with the help of relevant case laws.
- Q.4** "The Employees Provident Fund and Miscellaneous Provisions Act, 1952 is considered to be social security legislation for the workers". Elaborate the benefits provided under the Said Act, 1952.
- Q.5** Evaluate the general provisions of the Corporation Standing Committee and Medical Benefit Councils under the Employees State Insurance Act, 1948.
- Q.6** What are the powers and duties of Inspectors appointed under the Maternity Benefit Act, 1961?
- Q.7** Elaborate the concept of employee and state the provisions relating to contributions under Bombay Labour Welfare Fund Act, 1953.
- Q.8** Explain the rate of gratuity payable to an employee under the Payment of Gratuity Act, 1972. What is the maximum gratuity payable under the Act?
- Q.9** Discuss the provisions relating to contributions to the insurance fund and state the circumstances under which the employee is not entitled to recover benefits under the Employee State Insurance Act, 1948.
- Q.10** Write a detail note on following with reference to Payment of Gratuity Act, 1972:
- a) Eligibility and disqualification for bonus
 - b) Eligibility for payment of minimum and maximum bonus

Subject : Law of Wages and Principles of Wage Fixation

Day : Wednesday

Date : 18/05/2016

S.D.E.



Time : 10.00 AM TO 01.00 PM

Max Marks : 100 Total Pages : 1

N.B.:

- 1) Attempt **ANY SIX** questions in all including **Q.No.1** which is **COMPULSORY**.
- 2) **Q.No.1** carries **20** marks and all other questions carry **16** marks each.

- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Responsibility of payment of wages under the Payment of Wages Act, 1948
 - b) Industrial establishment under the Payment of Wages Act, 1936
 - c) Wages in kind under the Minimum Wages Act, 1948
 - d) Penalties under the Minimum Wages Act
 - e) Minimum bonus under the Payment of Bonus Act, 1965
 - f) Time limit for payment of bonus
- Q.2** Define 'Wages' and discuss the object and scope of the Payment of Wages Act, 1936.
- Q.3** Can 'fine' be deducted from wages of the workmen under the Payment of Wages Act, 1936? If so, subject to what conditions?
- Q.4** Discuss 'wage period' and 'time and mode of payment of wages' under the Payment of Wages Act, 1936.
- Q.5** What is living wages? Discuss the objects of fixing 'minimum wages' under the Minimum Wages Act, 1948.
- Q.6** What remedy is available to a worker who has been paid less than the minimum rates of wages?
- Q.7** Define 'Employer' and discuss the procedure for fixing and devising the minimum rates of wages under the Minimum Wages Act, 1948.
- Q.8** Discuss the eligibility and disqualification for bonus under the Payment of Bonus Act, 1965.
- Q.9** Elaborate the provision relating to set on and set off of allocable surplus under the Payment of Bonus Act, 1965.
- Q.10** State the objects of Equal Remuneration Act, 1976.

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Q.1 Write short notes on any **FOUR** of the following:

- a) Living wages
- b) 'Employer' under the Minimum Wages Act
- c) Deduction on account of fines
- d) Obligations of employer under Payment of Wages Act, 1936
- e) Disqualification for bonus
- f) Minimum Bonus.

Q.2 Define 'wages' and industrial establishment under the Payment of Wages Act, 1936.

Q.3 State the provisions of the Payment of Wages Act, 1936 regarding deduction from wages for absence from duty.

Q.4 On whom does the responsibility for payment of wages lie under the Payment of Wages Act, 1936? State the rules regarding fixation of wage period.

Q.5 Who is authorized to fix minimum wages and in what manner?

Q.6 What registers and records are required to be maintained under the Minimum Wages Act, 1948?

Q.7 What remedy is available to a worker who has been paid less than the minimum rates of wages?

Q.8 Explain the object, scope and applicability of the Payment of Bonus Act, 1965.

Q.9 Explain the concept of 'available surplus' and 'allocable surplus' under the Payment of Bonus Act, 1965.

Q.10 'Bonus is a dynamic concept'. Discuss.

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