

S.D.E

TAPI: APRIL / MAY 2010

SUBJECT: LEGISLATION AFFECTING CONDITIONS OF WORK

Day : Monday
Date : 31-05-2010

Time : 2.30 P.M. To 5.30 P.M.
Max. Marks : 100

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 12 marks each.

- Q.1 Write short notes on ANY FOUR of the following:
- a) Definition of factory under the Factories Act, 1948
 - b) Penalties under the Plantations Labour Act, 1951
 - c) Cargo under the Dock Workers Act, 1948
 - d) Definition of mine under the Mines Act, 1952
 - e) Definition of Contractor under the Contract Labour (Regulation and abolition) Act, 1970
 - f) List of the Process which Child Labour is prohibited
- Q.2 Enumerate the provisions of the Factories Act, 1948 ensuring health and safety of the workers in a factory.
- Q.3 Discuss the welfare facilities required by the Plantation Labour Act, 1951.
- Q.4 State briefly about the establishment and constitution of the first-Advisory committee and Dock Labour Board and their functions under the Dock Workers (Regulation of employment) Act, 1948.
- Q.5 Examine the functions and powers of Inspector under the Mines Act, 1952
- Q.6 Discuss the procedures for registration of an establishment, employing contract labour and state the effect of its non registration.
- Q.7 Explain the important features of the Bombay Shops and Establishment Act, 1948.
- Q.8 Discuss the constitutional validity of Beedi and Cigar Workers Act, 1966.
- Q.9 Evaluate in detail the powers and duties of the Inspector under the Motor Transport Workers Act, 1961
- Q.10 Explain in brief the provisions under Child Labour (Prohibition and Regulation) Act, 1986.
- a) Hours and period of work
 - b) Child Labour Tribunal Advisory committee

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- a) Hours and period of work
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Day *Saturday*
Date: *29-05-2010*

Time: *2.30 P.M. To 5.30 P.M.*
Max. Marks: 100

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

- a) Living wages under the Minimum Wages Act 1948
- b) Define employees under the Minimum Wages Act 1948
- c) Power of Inspector under the Payment of Wages Act 1936
- d) Deduction for absence from duty under Payment of Wages Act 1936
- e) Accounting year under the Payment of Bonus Act 1965
- f) Allocable surplus under the Payment of Bonus Act 1965

Q.2 Elucidate the salient features of Minimum Wages Act 1948.

Q.3 State the provisions of the Minimum Wages Act, 1948 relating to the fixation of Minimum rates of wages.

Q.4 Critically examine the Provisions relating to claims under the Minimum Wages Act 1948.

Q.5 Explain definition of wages and the time of Payment of Wages under the Payment of wages Act 1936.

Q.6 Discuss the authorized deductions from the wages of an employed person under the Payment of Wages Act 1936.

Q.7 State the object and scope of the Payment of Wages Act and describe the categories of persons to whom the Act applies?

Q.8 Who is entitled to receive bonus under the Payment of Bonus Act 1965? Under what circumstances an employee is disqualified to receive bonus?

Q.9 'Inspector has power to examine records and not to judge the accuracy thereof' Discuss the above statement with reference to the provisions of the Payment of Bonus Act 1956 regarding accuracy, audit and maintenance of records.

Q.10 Discuss the provision of the Payment of Bonus Act 1965 with regard to determination and distribution of Bonus?

Day *Friday*
Date: *28-05-2010*

Time: *2.30 P.M. To 5.30 P.M*
Max. Marks: 100

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 **16** marks.

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- Q.1** Write short notes **ANY FOUR** of the following:
- a) Total and partial disablement under the Workmen's Compensation Act, 1923
 - b) 'Exempted employee under the Employees Provident Fund Act 1952
 - c) define immediate employer under the Employees State Insurance Act 1948
 - d) Wages under the Maternity Benefit Act 1961
 - e) Employee under the Bombay Labour Welfare Fund Act 1953
 - f) Continuous service under the payment of Gratuity Act 1972
- Q.2** Examine the various aspects of Employer's liability for compensation for personal injury caused to a workman by accident arising out of and in the course of employment and for any occupational disease peculiar to his employment.
- Q.3** What is contracting out? What are the defences available to the employer for non payment of compensation under the Workmen's Compensation Act 1923?
- Q.4** How the central board and State Board under the employers Provident Fund Act, 1952 are constituted? What are their functions and duties?
- Q.5** What are the Provisions of the Employees Provident Fund Act 1952 by which the appropriate Government may recover damages from the defaulting employer?
- Q.6** Elucidate the aim and objective of the employee's state Insurance Act 1948.
- Q.7** Examine the powers of the employees state Insurance Court and state whether the jurisdiction of the civil courts can be ousted under the Employee's State Insurance Act 1948.
- Q.8** Discuss the various benefits available under the Maternity Benefits Act.
- Q.9** Explain the powers of state Government under Bombay Labour Welfare Fund Act 1953.
- Q.10** Write a note on:
- a) Compulsory insurance of employer for payment of Gratuity under the Payment of Gratuity Act 1972.
 - b) Method of determination of the amount of Gratuity Under the Payment of Gratuity Act 1972.

Day *Thursday*
Date: *27-05-2010*

Time: *2:30 P.M. To 5:30 P.M.*
Max. Marks: 100

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 **16** marks.

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

- a) Definition of continuous service under Industrial Dispute Act 1947
- b) Trade Disputes
- c) Duties of certifying officer under Industrial Employment (standing orders) Act 1946.
- d) Lay off
- e) Powers and duties and labour officer under the Bombay Industrial Relations Act 1946
- f) Kinds of Strike

Q.2 Define and distinguish 'strike' and lock-out. Discuss the provisions of the Industrial Dispute Act 1947 relating to illegal strikes and lock - outs.

Q.3 Elucidate the powers and duties of the different authorities constituted under the Industrial Dispute Act 1947.

Q.4 Examine the privileges relating to lay off and retrenchment under the Industrial Dispute Act 1947.

Q.5 Discuss the principles of a registered trade union under the Trade Unions Act 1926.

Q.6 Define a trade union. How does it differ from the welfare association of workers?

Q.7 Explain the power and duties of labour officer under the Bombay Industrial Relations Act 1946.

Q.8 State the constitutions of joint committees under the Bombay Industrial Relations Act 1946 and their function.

Q.9 What are the offences under the Industrial Employment (standing orders) Act? What are the corresponding penalties?

Q.10 Define 'unfair' labour practices' and Discuss the various unfair labour practices on the part of employers under the Maharashtra recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971.