

28849

TAPI (2015 COURSE): SUMMER – 2016
SUBJECT : LEGISLATION AFFECTING CONDITIONS OF WORK

Day : **Thursday**
Date : **19-05-2016**

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 remaining questions carry **16** marks.

- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Safety provisions under Factories Act, 1948
 - b) Powers of Inspector under the Dock Workers (Regulation of Employment) Act, 1946
 - c) Object and scope of Mines Act, 1952
 - d) Functions of Central and State Advisory Board under Child Labour (Prohibition and Regulation) Act, 1986
 - e) Application of Bombay Shops and Establishments Act, 1948
 - f) Annual leave with wages under Factories Act, 1948
- Q.2** Describe the provisions relating to 'Working hours of Adults' and employment of young persons under Factories Act, 1948.
- Q.3** Discuss the provisions under the Bombay Shops and Establishment Act, 1948 regarding hours of work, opening and closing hours and spread over in the shops and commercial establishments.
- Q.4** Define 'Mine'. State the provisions of Mines Act, 1952 with regard to 'Health and Safety'.
- Q.5** Elucidate the salient features of the Motor Transport Workers Act, 1988.
- Q.6** What are the weekly and daily hours for which an adult worker may be required to work in a plantation under the Plantations Labour Act, 1951?
- Q.7** Enumerate provisions relating to establishment and constitution of first Advisory Committee and Dock Labour Board under the Dock Workers (Regulation of Employment) Act, 1948.
- Q.8** Examine the provisions relating to the restriction on the grant of prospecting licences under the Mines and Minerals (Regulation and Development) Act, 1957.
- Q.9** Explain the provisions relating to "penalties and prosecution" under the Contract Labour (Regulation and Abolition) Act, 1970.
- Q.10** Elaborate the provisions relating to prohibition of employment of children in certain occupations and processes under the Child Labour (Prohibition and Regulation) Act, 1986.

28846

TAPI (2015 COURSE): SUMMER – 2016
SUBJECT : LAW RELATING TO INDUSTRIAL RELATIONS & ADJUDICATION

Day : Monday
Date : 16.05.2016

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 **16** marks each.

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- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Rights of retrenched workmen
 - b) Notice of change under Industrial Dispute Act, 1947
 - c) Unfair Labour Practices
 - d) Lay off under Industrial Disputes Act, 1947
 - e) Penalties under Bombay Industrial Relations Act, 1946
 - f) Factors affecting collective bargaining
- Q.2** Define and distinguish 'strike' and 'lock-out'. Explain the provisions of the Industrial Disputes Act, 1947 relating to illegal strike and lock-outs.
- Q.3** State and explain the powers and duties of the different Authorities constituted under Industrial Disputes Act, 1947.
- Q.4** Discuss the mode of registration of a trade union. What are the main provisions contained in the rules of a trade union?
- Q.5** Explain the rights and liabilities of a registered trade union. Why is a separate fund for political purposes constituted by a registered trade union?
- Q.6** Discuss the power and duties of labour officer under the Bombay Industrial Relation Act, 1946.
- Q.7** State the constitution of joint committees under the Bombay Industrial Relations Act, 1946 and explain their function.
- Q.8** Outline the process for submitting draft standing order for certification under Industrial Employment (Standing Orders), 1946.
- Q.9** Write note on provisions for appeal under Industrial Employment (Standing Orders), 1946.
- Q.10** Discuss the constituents of Authorities and their power under the Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practice Act, 1971.

TAPI (2015 COURSE): SUMMER – 2016
SUBJECT : LAW OF WAGES & PRINCIPLES OF WAGE FIXATION

Day : **Wednesday**
Date : **18.05.2016**

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 **16** marks each.

- Q.1** Write short notes on **ANY FOUR** of the following:
- a) 'Wages in kind' under the Minimum Wages Act, 1948
 - b) 'Employer' under the Minimum Wages Act, 1948
 - c) 'Time of Payment' under the Payment of Wages Act, 1936
 - d) Deductions for absent from duty under the Payment of Wages Act, 1936
 - e) Concept of bonus
 - f) Recovery of bonus due from an employer
- Q.2** What is the object of fixing minimum wages? State the procedure laid down under the Minimum Wages Act, 1948 for fixing and revising minimum wages.
- Q.3** What is meant by 'Minimum Wage'? What remedy is available to a worker who has been paid less than the Minimum Rate of Wages?
- Q.4** Explain the provisions of the Minimum Wages Act, 1948 relating to fixing hours for a normal working day.
- Q.5** "The scheme of Payment of Wages Act, 1936 is to ensure payment of wages without any deductions". Explain, when can various deductions be made under the Act?
- Q.6** Explain the powers and functions of Inspectors appointed under the Payment of Wages Act, 1936.
- Q.7** Can 'fine' be deducted from wages of the workman under the Payment of Wages Act, 1936? If so, subject to what conditions?
- Q.8** Discuss the provisions relating to 'advisory committee' under the Equal Remuneration Act, 1976.
- Q.9** Who is entitled to receive bonus under the Payment of Bonus Act, 1965? When an employee is disqualified to receive bonus?
- Q.10** Explain the salient features of the Payment of Bonus Act, 1965.

TAPI (2015 COURSE): SUMMER – 2016
SUBJECT : SOCIAL SECURITY LEGISLATION

Day : Tuesday
Date : 17-05-2016

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 remaining questions carry **16** marks.

- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Object of Maternity Benefit Act, 1961
 - b) Types of disablement under Employee's Compensation Act, 2010
 - c) Contributions under Employee's State Insurance Act, 1948
 - d) Powers of Inspector under Payment of Gratuity Act, 1972
 - e) Deposit linked insurance scheme under the Employee's Provident Funds and Miscellaneous Provisions Act, 1952
 - f) Unpaid accumulations and claim there to under Bombay Labour Welfare Fund Act, 1953
- Q.2** What are the circumstances in which an employer is and is not liable to pay compensation under Employee's Compensation Act, 2010?
- Q.3** Discuss the powers and functions of the Commissioner appointed under the Employee's Compensation Act 2010.
- Q.4** State and explain the various benefits available to insured person under Employee's State Insurance Act, 1948.
- Q.5** Define 'Employment Injury' and state the powers and functions of Employee's State Insurance Corporation and the Standing Committee under Employee's State Insurance Act, 1948.
- Q.6** Discuss the provisions relating to the Employee's Provident Fund Scheme and the authorities to administer it, under the Employee's Provident Fund and Miscellaneous Provisions Act, 1952.
- Q.7** Examine the provisions relating to constitution of Labour Welfare Fund and utilization of the fund under Bombay Labour Welfare Fund Act, 1953.
- Q.8** Enumerate the powers and duties of Inspector appointed under Maternity Benefit Act, 1961 with the help of appropriate provisions of the Act.
- Q.9** What is Gratuity? What are the events on which gratuity becomes payable under the Payment of Gratuity Act, 1972?
- Q.10** "Employee's Provident Fund and Miscellaneous Provisions Act, 1952 is considered to be social security legislation". Comment.

Subject : Social Security Legislations

Day : Tuesday

Date : 17/05/2016



Time : 02.30 PM TO 05.30 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) Notional Extension under Workmen's Compensation Act, 1923
 - b) Partial Disablement under the Employees' State Insurance Act, 1948
 - c) Principal employer under Employees state Insurance Act
 - d) Seasonal Factory under Employees' State Insurance Act, 1948.
 - e) Medical bonus under Maternity Benefit Act, 1961
 - f) Unpaid accumulation under the Bombay Labour Welfare Fund Act, 1953
- Q. 2** Discuss the various aspects 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** Explain the powers and functions of the Commissioners under The Workmen's Compensation Act, 1923
- Q. 4** Elaborate the provisions relating to determination and recovery of money due from and by employer's with reference to Employee's Provident Fund Act, 1952.
- Q. 5** Discuss Employee's Family Pension Scheme or Employee's Deposit Linked Insurance Scheme with reference to Employee's Provident Fund Act, 1952.
- Q. 6** Describe the Provisions relating to contribution to the Employee's State Insurance Fund with reference to the Employee's State Insurance Act, 1948.
- Q. 7** Enumerate the various benefits assured to the injured persons under the Employee's State Insurance Act, 1948.
- Q. 8** What are the conditions for Payment of Maternity Benefits under the Maternity Benefit Act, 1961? When is the benefit forfeited?
- Q. 9** Explain the powers of State Government under 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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Subject : Law Relating to Industrial Relations and Adjudication

Day : Monday

Date : 16/05/2016



Time : 02.30 PM TO 05.30 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) Strike
 - b) Industry
 - c) Collective bargaining
 - d) Cancellation of registration of trade union
 - e) Pen-down strike under Maharashtra Recognition of Trade unions and Prevention of Unfair Labour Practices Act, 1971
 - f) Payment of subsistence allowance of Qualified Union under Bombay Industrial Relations Act, 1946
- Q.2** "Industrial Dispute means any dispute or difference between employer and employer or between employer and employees and which is connected with any industrial matter". Explain briefly the functions of various authorities under the Industrial Disputes Act, 1974 which help to settle the Industrial Dispute.
- Q.3** Define and distinguish lock-out and lay-off under the Industrial Disputes Act, 1947.
- Q.4** Define Trade Union. State and explain the provisions relating to Registration of Trade Union under the Trade Union Act, 1926.
- Q.5** Elucidate the rights, liabilities and privileges which are enjoyed by a registered trade union under the Trade Union Act, 1926.
- Q.6** What is submission? What are the provisions under the Bombay Industrial Relations Act, 1946 regarding arbitration proceedings?
- Q.7** Explain the following with reference to the Bombay Industrial Relation Act, 1946:
- a) Illegal strikes and lock-outs
 - b) Wages
- Q.8** What is the procedure for "Certified of Standing Orders" framed by an industrial establishment under the Industrial Employment (Standing Orders) Act, 1946.
- Q.9** Define 'unfair labour practices' and enumerate 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.
- Q.10** Write a note on the following under Maharashtra Recognition of Trade unions and Prevention of Unfair Labour Practices Act, 1971:
- a) Powers of Investigating Officers
 - b) Rights of recognized union

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Subject : Law of Wages and Principles of Wage Fixation

Day : Wednesday

Date : 18/05/2016



Time : 02.30 PM TO 05.30 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.
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Q.1 Write short notes on any **FOUR** of the following:

- a) Register and records under the Minimum Wages Act, 1948
- b) 'Employer' under Minimum Wages Act, 1948
- c) Living wages
- d) Obligation of employer under Payment of Wages Act, 1936
- e) Deductions for absence from duty under Payment of Wages Act, 1936
- f) Admissible deductions from bonus.

Q.2 Discuss the object and purpose of the Payment of Wages Act, 1936 and enumerate the various deductions.

Q.3 Define the term 'Wages' and discuss the provisions relating to 'fines' under the Payment of Wages Act, 1936.

Q.4 What is wage period? By what time, the wages should be paid under the Payment of Wages Act?

Q.5 What is meant by 'Minimum Wage'? Who is authorized to fix minimum wages and in what manner?

Q.6 Critically examine the provisions relating to 'claims' under the Minimum Wages Act, 1948.

Q.7 What are the checks against evasion of Payment of Minimum Wages to the Employee in Scheduled employment in which minimum rates of wages have been fixed by the employer?

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

Q.9 State the rules relating to payment of minimum bonus and maximum bonus under the Payment of Bonus Act, 1965.

Q.10 Who is entitled to receive bonus under the Payment of Bonus Act, 1965? Under what circumstances an employee is disqualified to receive bonus?

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Subject : Legislation Affecting Conditions of Work

Day : Thursday

Date : 19/05/2016



Time : 02.30 PM TO 05.30 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) Certifying surgeon under Factories Act, 1948
 - b) Definition of 'Contractor' under The Contract Labour (Regulation and Abolition) Act, 1970
 - c) Child Labour Technical Advisory Committee
 - d) Dock Labour Board
 - e) Powers of Inspector under Motor Transport Workers Act, 1988
 - f) Powers and Functions of Inspector under the Plantation Labour Act, 1948
- Q.2** Define 'Factory'. Discuss the object and scope of the Factories Act, 1948.
- Q.3** State briefly the provisions regarding Health and Welfare of the workers under the Plantation Labour Act, 1951.
- Q.4** Discuss the salient features of the Dock Worker (Regulation of Employment) Act, 1948.
- Q.5** Enumerate briefly the provisions of Mines Act regarding hours of work and leave with pay.
- Q.6** Discuss the procedure for registration of establishment under the Bombay Shop and Establishment Act, 1948.
- Q.7** Evaluate the salient features of Beedi and Cigar Workers (Condition of Employment) Act, 1966.
- Q.8** Is it necessary for an establishment covered under the Contract Labour (Regulation and Abolition) Act, 1970 to get itself registered under the Act? State the effects of its non registration.
- Q.9** "There is a problem of employment of children in certain occupations and processes under the Child Labour (Prohibition and Regulation) under the Child Labour (Prohibition and Regulation) Act, 1986". State the occupations and processes.
- Q.10** State the salient features and explain the important provisions of the Motor Transport Workers Act, 1988.
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