

SUBJECT : LEGISLATION AFFECTING CONDITIONS OF WORK

Day : Wednesday
Date : 16/05/2007

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) Question No. 1 carries 20 marks and all other question carry 16 marks each.
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Q.1 Write short notes on any **FOUR** of the following :

- a) Manufacturing Process under Factories Act, 1948.
- b) Registration of Plantations.
- c) Dock Labour Board.
- d) Central Advisory Board under the Contract Labour Act, 1970.
- e) Certifying Surgeon under Mines Act, 1952.
- f) General Duties of the Occupier under Factories Act, 1948.

Q.2 Define the term 'Factory' and discuss the provisions relating to "Health and welfare of the workers" under the Factories Act, 1948.

Q.3 State briefly the provisions of the Plantations Labour Act, 1951 regarding hours of work and leave with pay.

Q.4 What is the Dock Worker Scheme? What are the purposes for which the scheme can be formulated?

Q.5 What are the functions and powers of chief Inspector and Inspector under the Mines Act, 1952?

Q.6 Define the following under the Contract Labour (Regulation and Abolition) Act, 1970.

- a) Principal Employer.
- b) Contractor.

Q.7 What are the provisions regarding 'Health and Safety' under Child Labour (Prohibition and Regulation) Act, 1986?

Q.8 Describe the Procedure for Registration of shops and other commercial establishment under. Bombay Shop and Establishment Act, 1948.

Q.9 State the conditions of work under the Beedi and Cigar Workers (Conditions of Employment), Act 1966.

Q.10 Describe the salient features of the Motor Transport Workers Act 1988.

SUBJECT: LAW OF WAGES AND PRINCIPLES OF WAGE FIXATION

Day: Monday
Date: 14/05/2007

Time: 2.30 p. m. to 5.30 p.m.
Max. Marks: 100

N.B.:

- 1) Attempt any **SIX** questions out of which questions 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) Deduction for absence from duty under Payment Wages Act, 1936
- b) Time limit for payment of bonus
- c) Allocable surplus
- d) Time of payment of wages under Payment of Wages Act
- e) Offences and penalties under Minimum Wages Act 1948
- f) 'Employee' according to Minimum Wages Act, 1948

Q.2 The scheme of Payment of Wages Act, 1936 is to ensure payment of wages without any deduction". Explain, when can various deductions be made under the Act.

Q.3 Define "Wages" and "Industrial Establishment" under the Payment of Wages Act, 1936.

Q.4 Discuss the provisions of Payment of Wages Act, 1936 relating to imposition of fines on employed person.

Q.5 Discuss the procedure for fixation or revision of 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 rate of wages?

Q.7 What are the checks against evasion of payment of minimum wages to the employee in the scheduled employment in which minimum rates of wages have been fixed?

Q.8 State the rules relating to payment of minimum bonus and maximum bonus under the Act.

Q.9 Who is entitled to receive bonus and explain under what circumstances an employee is disqualified to receive bonus.

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

TAPI : APRIL/ MAY 2007
SUBJECT : SOCIAL SECURITY LEGISLATION

Day : Friday	Time : 2.30 PM TO 5.30 PM
Date : 11/05/2007	Max. Marks : 100.

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 carry 16 marks each.
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- Q.1** Write short notes on any **FOUR** of the following:
- a) Dependant under the Workmen's Compensation Act, 1923
 - b) Medical benefit council under the E.S.I. Act, 1948
 - c) Medical bonus under Maternity Benefit Act, 1961
 - d) Labour Welfare Board under the Bombay Welfare Act, 1953
 - e) Eligibility for gratuity
 - f) Occupational disease
- Q.2** Examine the scope of the expression 'accident arising out of and in the course of employment' with regard to employer's liability to pay compensation to his workmen under the Workmen's Compensation Act, 1923.
- Q.3** What are the conditions for payment of maternity benefit under the Maternity Benefits Act, 1961? When is the benefit forfeited?
- Q.4** Enumerate the various benefits assured to the insured persons under the Employees State Insurance Act, 1948.
- Q.5** "The Employees Provident Fund Act, 1952 is considered to be social security legislation for the workers". Comment.
- Q.6** Define the term an 'Employee' and state the provisions relating to payment of gratuity under the Payment of Gratuity Act 1972.
- Q.7** State the salient features of Bombay Labour Welfare Fund Act, 1953.
- Q.8** Discuss the following with reference to the Workmen's Compensation Act, 1923.
- a) Contracting and contracting out.
 - b) Amount of compensation.
- Q.9** Explain briefly the provisions relating to determination and recovery of money due from and by employers.
- Q.10** Explain the following under the Employee's State Insurance Act, 1948.
- a) Contributions.
 - b) Purposes for which the fund may be spent.

SUBJECT: LAW RELATING TO INDUSTRIAL RELATIONS AND ADJUDICATION

Day: Wednesday
Date: 09/05/2007

Time: 2.30 p. m. to 5.30 p.m.
Max. Marks: 100

N.B.:

- 1) Attempt any **SIX** questions out of which questions 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) 'Certifying Officer' under Industrial Employment (Standing Orders) Act-1946.
- b) Qualified Union under Bombay Industrial Relations Act, 1946.
- c) 'Closure' under Industrial Dispute Act, 1947.
- d) Definition of 'Trade Dispute' under Trade Union Act, 1926.
- e) 'Award' under Industrial Dispute Act, 1947.
- f) Kinds of strikes.

Q.2 Explain the functions, powers, and duties of conciliation officer under the Industrial Dispute Act, 1947.

Q.3 Define and distinguish "Lay-off" and 'Retrenchment'. Also state the rights of a workman in each case.

Q.4 Define "Trade Union" and state the provisions relating to registration of trade union under the Trade Union Act, 1926.

Q.5 State the purposes for which general fund and political fund of a registered trade union may be spent.

Q.6 Discuss the procedure for the modification of standing orders under the Industrial Employment (Standing Orders) Act, 1946.

Q.7 Discuss the power and duties of Labour Officer under the Bombay Industrial Relations Act, 1946.

Q.8 What are the qualifications of an Approved Union? Explain the rights of officers of Approved Union, Under Bombay Industrial Relation Act, 1946.

Q.9 Discuss the provisions relating to 'Rights and obligations of Recognised Union' under the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971.

Q.10 Define 'Unfair Labour Practices' and enumerate the various unfair labour practices on the part of employers under MRTU and PULP Act, 1971.

TAPI-I (2001 COURSE) : APRIL/MAY 2006
SUBJECT : PAPER-II : SOCIAL SECURITY LEGISLATION

Day : Thursday Time : 2.30 P.M. TO 5.30 P.M.
Date : 11/05/2006 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) Powers of the 'Commissioner. Under the Workmen's Compensation Act.
 - b) Medical Benefit council under the Employees State Insurance fund.
 - c) Contractor under the Contract Labour Act, 1970.
 - d) 'Continuous service' under the Payment of Gratuity Act, 1972.
 - e) Illness arising out of pregnancy.
 - f) 'Employee' under the Bombay Labour Welfare Act, 1953.
- Q. 2 "The employer is liable to pay compensation under the Workmen's Compensation Act, 1923, if personal injury workmen's is caused to a workman by accident arising out of and in the course of employment". Comment in the light of leading cases.
- Q.3 Explain the following terms with relevant case laws:
- a) Fatal accident
 - b) Contracting and contracting out.
- Q. 4 Explain the various benefits under the Employees State Insurance Act, 1948.
- Q. 5 State briefly the constitution of Employees State Insurance co-operation. What is the duration of the term of office of its members? Is an outgoing member eligible for re-nominated or re-election.
- Q. 6 Describe the procedure for licensing of contractors under The Contract Labour (Regulation and Abolition) Act, 1970. When may a licensing issued to a contractor to revoked or suspended? What is the remedy available to a person aggrieved by such revocation and suspension?
- Q. 7 State briefly the provision relating to the 'Welfare and Health' under The Contract Labour (Regulation and Abolition) Act, 1970.
- Q. 8 Explain the provision of The Payment of Gratuity Act, 1972 relating to nomination by an employee.
- Q. 9 What are the conditions for payment of maternity benefits under The Maternity Benefit Act, 1961? When is the forfeited?
- Q. 10 Discuss in detail "Unpaid Accumulations" under Bombay Labour Welfare Act, 1953.

TAPI-I (2001 COURSE) : APRIL/MAY 2006
SUBJECT : PAPER-III : LAW OF WAGES AND PRINCIPLES OF
WAGE FIXATION

Day : Saturday
Date : 13/05/2006

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) Powers of inspectors under the Payment of Wages Act, 1936.
 - b) Maintenance of registers and records under the Payment of Wages Act, 1936.
 - c) Living wages under the Minimum Wages Act, 1946.
 - d) Offences and Penalties under the Minimum Wages Act, 1946.
 - e) Set-on and Set-off.
 - f) Eligibility of Bonus.
- Q. 2 State the rules relating to the 'Wage period' and 'Time and mode of payment of wages' under the Payment of Wages Act, 1936.
- Q.3 What are the deductions which an employer is authorized to make from the wages of a worker under the Payment of Wages Act, 1936?
- Q. 4 What is the procedure for adjudication of claims and appeals as prescribed under the Payment of Wages Act, 1936?
- Q. 5 What is meant by 'Minimum wage'? Who is authorized to fix minimum wages and in what manner?
- Q. 6 Discuss 'Claims' under the Minimum Wages Act, 1948.
- Q. 7 Discuss the objectives of the Minimum Wages Act, 1948.
- Q. 8 What are the provisions of the Payment of Bonus Act, 1965 with regard to determination and distribution of Bonus? Explain.
- Q. 9 Explain the concept of 'available surplus' and 'allocable surplus' under the Payment of Bonus Act, 1965.
- Q. 10 Discuss the following with reference to Payment of Bonus Act, 1965.
- a) Payment of Minimum and Maximum Bonus.
 - b) Computation of number of working days.

TAPI - I (2001 Course) : APRIL/MAY 2006
SUBJECT : LAW RELATING TO INDUSTRIAL RELATIONS
& ADJUDICATION

Day : Tuesday
Date : 09/05/2006

Time : 2:30 p.m. to 5:30 p.m.
Max. Marks : 100

N.B.

- 1) Attempt any **SIX** questions including question 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) Illegal strike under B.I.R. Act, 1946.
- b) Objectives of the M.R.T.U. and P.U.L.P. Act, 1971
- c) Works committee
- d) Trade disputes under The Trade Union Act, 1926
- e) 'Certifying officer' under The Industrial Employment (standing officers) Act, 1946
- f) Payment of subsistence allowance

Q.2 Analyse the provisions relating to lay-off. Discuss the right of workman for lay-off compensation.

Q.3 Define 'Strike' and state the provisions relating to the prohibition of strikes and lockouts under the Industrial Disputes Act, 1947.

Q.4 Define the 'Trade Union' and examine the rights and privileges of registered trade union under the Trade Union Act, 1926.

Q.5 When may the registration of a trade union be cancelled under the Trade Union Act, 1926? What is the remedy open to a person aggrieved by such cancellation?

Q.6 What is the procedure for certification of standing orders framed by an industrial establishment under the Industrial Employment (Standing Orders) Act, 1946?

Q.7 What are the matters to be provided for in the standing orders as per the Industrial Employment (standing orders) Act, 1946.

Q.8 State provisions relating to 'Recognition of Unions' under the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practice Act, 1971

Q.9 Discuss the constitution and powers of Labour Court and Industrial Court under the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971.

Q.10 What is an approved union? What condition should be fulfilled to be considered so? Explain with reference to Bombay Industrial Relations Act, 1946.

TAPI-I(2001 COURSE) : APRIL/ MAY 2006
SUBJECT : PAPER-IV LEGISLATION AFFECTING CONDITIONS OF WORK

Day	: Monday	Time : 2.30 P.M. TO 5.30 P.M.
Date	: 15/05/2006	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) Duties of certifying surgeon under the Factories Act, 1948
 - b) Powers of Inspector under the Dock Workers (Regulation of Employment) Act, 1948.
 - c) Contractor under the Contract Labour (Regulation and Abolition) Act, 1970.
 - d) Extra wages for overtime work under the Plantation Labour Act, 1951.
 - e) Manufacturing process under the Factories Act, 1948.
 - f) Definition of workers under the Beedi and Cigar Workers (Conditions of Employment) Act, 1966.
- Q. 2 "The Factories Act, 1948 is an act of social welfare legislation". Comment with the special reference to the provisions relating to health of workers.
- Q. 3 Discuss the object and scope of the Factories Act, 1948.
- Q. 4 State the circumstances under which the employer can escape liability from the offence under the Plantation Labour Act, 1951.
- Q. 5 Briefly summarize the different provisions of the Mines Act for the welfare of the workers in a mine.
- Q. 6 Explain the composition and functions of the advisory board constituted under the Contract Labour (Regulation and Abolition) Act, 1970.
- Q. 7 State the salient features of Bombay Shops and Establishment Act, 1948.
- Q. 8 Define term establishment under the Bombay Shops and Establishment Act, 1948 and state the provisions regarding opening and closing hours of the Shops and Establishment.
- Q. 9 What is dock worker scheme? What are the purposes for which the scheme can be formulated under the Dock Worker Act, 1948?
- Q. 10 Discuss the provisions of the Beedi and Cigar Workers Act, 1966 relating to the Health of the Worker.

TAPI-I (2001 COURSE) : Oct/NOV-2006
SUBJECT : PAPER-III : LAW OF WAGES AND PRINCIPLES OF
WAGE FIXATION

Day : *Friday*
Date : *10-11-2006*

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) Deduction for absence from duty under Payment of Wages Act 1936.
- b) Industrial establishment under Payment of wages Act, 1936.
- c) 'Wages' under the Minimum Wages Act, 1948.
- d) Register and records under Minimum Wages Act, 1948
- e) Maximum Bonus

Q. 2 "The Payment of Wages Act, 1936 provides that the wages are to be paid in a particular form at regular intervals and without any unauthorized deduction". Explain.

Q.3 Explain the power and functions of Inspectors under Payment of Wages Act, 1936.

Q. 4 Define the term 'Wages' and discuss the provisions relating to 'Fines' under the Payment of Wages Act, 1936.

Q. 5 What is the object of fixing 'Minimum Wages'? State the procedure under the Minimum Wages Act, 1948 for fixing and revising minimum wages.

Q. 6 What 'Claims' are entertained under the Minimum Wages Act. and who are authorized to adjudicate upon them? Discuss.

Q. 7 What are the checks against evasion of payment of minimum wages to the employee in a scheduled employment in which minimum rates of wages have been fixed by the employee? Elaborate them.

Q. 8 'Bonus is a dynamic concept' – Discuss.

Q. 9 Write a detailed note on the 'bonus formula' given in the Payment of Bonus Act, 1965.

Q. 10 Who is entitled to receive bonus under the Payment of Bonus Act, 1905? Under what circumstances an employee is disqualified to receive bonus?

TAPI-I (2001 COURSE) : Oct/NOV-2006
SUBJECT : PAPER-II : SOCIAL SECURITY LEGISLATION

Day : **Thursday**
Date : **09-11-2006**

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) 'Dependant' under Workmen's Compensation Act.
 - b) Contribution and contribution period.
 - c) Principal Employer under The Contract Labour Act, 1970.
 - d) 'Eligibility for payment of Gratuity' under The Payment of Gratuity Act, 1972.
 - e) 'Medical Bonus' under Maternity Benefit Act.
 - f) Unpaid accumulations, under the Bombay Labour Welfare
- Q. 2 'An Employer is not always liable to pay compensation under The Workmen's Compensation Act.' Comment.
- Q. 3 Define the term 'Disablement'? Distinguish between 'Partial disablement' and 'total disablement' under The Employees State Insurance Act, 1948.
- Q. 4 Briefly explain the provision relating to amount of compensation under The Workmen's Compensation Act.
- Q. 5 State briefly with your comment on the establishment and constitution of Standing Committee and the Medical Benefit Councils and their power as provided for in the Employees State Insurance Act.
- Q. 6 Explain the provisions of the Contract Labour (Regulation and Abolition) Act, 1970 relating to welfare and health of contract labour.
- Q. 7 What amenities are to be provided by contractors to other workmen in term of Contract Labour (Regulation and Abolition) Act, 1970? What are the liabilities of the principal employer if the contractor fails to provide the above amenities?
- Q. 8 Explain the salient features of Payment of Gratuity Act, 1972.
- Q. 9 During which periods of time maternity benefit are payable? Discuss with suitable case laws.
- Q. 10 Discuss the powers of state Government under Bombay Labour Welfare fund Act, 1953.

TAPI - I (2001 Course) : Oct/Nov-2006
SUBJECT : LAW RELATING TO INDUSTRIAL RELATIONS
& ADJUDICATION

Day : Wednesday
Date : 08-11-2006

Time : 2:30 p.m. to 5:30 p.m.
Max. Marks : 100

N.B.

- 1) Attempt any **SIX** questions including question 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) Powers and functions of wage board under B.I.R. Act, 1946.
- b) 'Industrial dispute' under Industrial Dispute Act, 1947
- c) Withdrawal or cancellation of Trade Union Act, 1926
- d) Object of The Industrial Employment (standing order) Act, 1946
- e) Kinds of strikes
- f) Continuous service

Q.2 Explain what is meant by Retrenchment. State when a workman can be retrenched and discuss the procedure for retrenchment. What are the rights of retrenched workmen?

Q.3 Explain the functions, powers and duties of conciliation officer under the Industrial Dispute Act, 1947.

Q.4 Define 'Trade Union' and state the provisions relating to the registration of Trade Union under the Trade Unions Act, 1926.

Q.5 Enumerate the objects for which general funds of a trade union can be spent under the Trade Union Act, 1926. Can a registered trade union spend any part of its general funds for political purposes?

Q.6 Discuss the rights and privileges of a registered trade union.

Q.7 Discuss the procedure for the modification of standing orders under the Industrial Employment (Standing orders) Act, 1946. Who can apply for modification?

Q.8 Define 'Unfair Labour Practices' and enumerate various unfair labour practices on the part of employers under the Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practices Act, 1971.

Q.9 Discuss the rights and obligation of a recognised union under the Maharashtra Recognition of Trade Unions and prevention of unfair Labour Practices Act, 1971.

Q.10 Enumerate the various kinds of unions which can be registered under the Bombay Industrial Relation Act, 1946 and discuss the procedure of registration of union.

Day : Saturday
Date : 11-11-2006

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) Question 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) Cargo under the Dock Workers (Regulation of Employment) Act 1948.
 - b) Define minerals under the Mines Act 1952.
 - c) Principal Employer under the Contract Labour (Regulation & abolition) Act 1970.
 - d) Young person under the Plantations Labour Act 1951.
 - e) Meaning of factory under the Factories Act 1948.
 - f) Powers of Inspector under the Dock Workers (Regulation of employment) Act 1948
- Q.2** Briefly enumerate of the factories Act ensuring health of the worker in a factory.
- Q.3** State the provisions of the factories Act , 1948 relating to approval , registrations and licensing of factories.
- Q.4** Enumerate the provisions of welfare facilities under the Plantations Labour Act 1951.
- Q.5** Define the term certifying surgeons under the Mines Act 1952. What are their duties?
- Q.6** State the procedure for prohibiting contract labour in any establishment under the contract labour (Regulation & abolition) Act 1970.
- Q.7** Describe the procedure for the registration of shops and other commercial establishment under Bombay Shops & Establishment Act 1948.
- Q.8** Discuss in detail the procedure of issuing licence to the industrial premises under the Beedi and Cigar workers (condition of Employment) Act 1948.
- Q.9** Discuss the provisions of the Motor Transport Workers Act 1961 relating to welfare and health.
- Q.10** Explain in detail the salient feature of the Employment of children Act, 1938

TAPI (REVISED 2001 COURSE) : APRIL/MAY 2005
SUBJECT: PAPER-I LAW RELATING TO INDUSTRIAL
RELATIONS AND ADJUDICATION

Day: *Monday*
Date: *9-5-2005*

Time: 2:30 p.m. to 5:30 p.m.
Maximum Marks: 100

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- N.B.:** 1) Attempt any six questions including Q.No.1 which is compulsory.
2) Question 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" under the Industrial Dispute Act, 1947.
 - b) "Continuous Service" under the Industrial Dispute Act, 1947.
 - c) Political Fund of a Registered Trade Union.
 - d) "Illegal Strike" under Maharashtra Recognition Trade Union and Prevention of Unfair Labour Practices Act, 1971.
 - e) "Primary Union" under Bombay Industrial Relations Act, 1946.
 - f) Disqualification's of office-bearers of a Trade Union.
- Q.2** Define and distinguish "Lay – off" and "Retrenchment" and discuss the rights of workman for lay-off compensation.
- Q.3** Define the term Strike, explain the circumstances under which a strike will be illegal under the Industrial Dispute Act, 1947.
- Q.4** Describe the procedure of registration of a Trade Union under the Trade Union's Act, 1926.
- Q.5** Explain the privileges of a registered trade union under the Trade Union's Act, 1926.
- Q.6** Explain the matters to be provided in Standing Orders under the Industrial Employment (Standing Orders) Act, 1946.
- Q.7** Discuss the procedure for the modification of Standing Orders under the Industrial Employment (Standing Orders) Act, 1946.
- Q.8** Discuss the procedure of "Recognition of Union" under Maharashtra Recognition Trade Union and Prevention of Unfair Labour Practices Act, 1971.
- Q.9** Define "Approved Union" and discuss qualification of approved union under Bombay Industrial Relations Act, 1946.
- Q.10** Examine the duties and powers of Industrial Courts under Bombay Industrial Relations Act, 1946.

TAPI - (2001 COURSE) : APRIL/MAY- 2005
SUBJECT: SOCIAL SECURITY LEGISLATION

Day : Wednesday
Date : 11/05/2005

Time: 2:30 p. m. to 5:30 p.m.
Max. Marks: 100

N.B.

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

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

- 1) "Principal Employer" under the Employees state Insurance Act 1948.
- 2) "Continuos Service" under the Payment of Gratuity Act ,1972.
- 3) Powers and duties of Inspector under the Maternity Benefit Act 1961.
- 4) Unpaid Accumulations under Bombay labour welfare Act ,1953.
- 5) Theory of notional Extension.
- 6) "Factory" under the Employee's State Insurance Act, 1948.

Q.2 Discuss the various aspects of Employee's liability for compensation for personal injury caused to a workman's by accident arising out of and in the course of employment.

Q.3 Explain the terms 'Partial disablement and total disablement' Under the Workmen's Compensation Act, 1923.

Q.4 Explain the various benefits under the Employees State Insurance Act, 1948.

Q.5 Explain the following with reference to the Employees State Insurance Act, 1948.

- a) Purpose for which the employee's state Insurance Funds may be expended.
- b) Powers of the standing committee.

Q.6 What provision have been made in the payment of Gratuity Act 1972 With regard to determination of amount of gratuity and its payment as well as its recovery in case of non-payment by the employer?

Q.7 Examine the main provisions of the payment of Gratuity Act, 1972.

Q.8 What is gratuity? What are the events on which gratuity becomes payable under the payment of gratuity Act 1972? Can gratuity be forfeited?

Q.9 What are the benefits available under maternity Benefit Act?

Q.10 Explain the concept of 'Employee' and state the provisions relating to contribution under Bombay Labour Welfare Fund Act 1953.

TAPI (REVISED 2001 COURSE): APRIL/MAY-2005
SUBJECT: LAW OF WAGES AND PRINCIPLES OF WAGE FIXATION

Day: Friday
Date: 13-5-2005

Time: 2:30 p.m. to 5:30 p.m.
Maximum Marks: 100

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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.
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- Q.1** Write short-notes on **ANY FOUR** of the following:
- a) "Wages" under the Payment of Wages Act, 1936.
 - b) Offences and penalties under the Minimum Wages Act, 1948.
 - c) "Allocable surplus " under the Payment of Bonus Act, 1965.
 - d) 'Time of Payment' under the Payment of Wages Act, 1936.
 - e) "Claims" under the Minimum Wages Act, 1948.
 - f) 'Disqualification for Bonus ' under the Payment Bonus Act, 1965.
- Q.2** " In an economy where even minimum wages were not paid to the workers, the need to protect the wages was felt in the early years of twentieth century". Evaluate the object scope and application of the Payment of Wages Act, 1936.
- Q.3** "Deduction from wage of an employed person shall be made only in accordance with provisions of the Payment of Wages Act, 1936" Discuss authorized deductions under the Act.
- Q.4** Evaluate the following with reference to Payment of Wages Act, 1936:
- a) Powers of Inspector
 - b) Responsibility for payment of wages
- Q.5** Discuss the object and importance of Minimum Wages Act, 1948.
- Q.6** State the procedure laid down under the Minimum Wages Act, 1948 for fixing and revising the minimum wages.
- Q.7** Write notes on the following with reference to Minimum Wages Act, 1948.
- a) Living wages
 - b) Procedure for deciding claims
- Q.8** Explain the provisions regarding "set- on" and "set-off" of allocable surplus under the Payment of Bonus Act, 1965.
- Q.9** ' Bonus is a dynamic concept.' Comment.
- Q.10** Analyze the following with reference to the Payment of Bonus Act, 1965:
- a) Eligibility for bonus
 - b) Time limit for payment of bonus

TAPI -I (2001 COURSE) : APRIL/MAY 2005
SUBJECT : LEGISLATION AFFECTING CONDITIONS OF WORK

Day : Monday
Date : 16/05/2005

Time : 2:30 p.m. to 5:30 p.m.
Max. Mark : 100

N.B.

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

- Q.1** Write short notes on any **FOUR** of the following:
- a) Compensatory holiday
 - b) Creches
 - c) Cargo
 - d) Definition of mines
 - e) Employment of child and women under Mines Act
 - f) 'Licences' under Beedi and Cigar Workers
- Q.2** "The keystone of the Factories Act is safety first and safety last".
Comment.
- Q.3** Discuss the amenities which are provided by the contractor to the workmen in terms of Contract Labour (Regulation and Amenities) Act, 1970? If the contractor failed to provide it who will held responsible for it? Discuss.
- Q.4** Explain the provisions of weekly and daily hours for which an adult worker may be required to work in a plantation under The Plantation Labour Act, 1951.
- Q.5** Discuss in brief the provisions under Employment of Children Act, 1986
- a) Child Labour Tribunal Advisory Committee.
 - b) Weekly holiday
 - c) Hours and period of work
 - d) Maintenance of register and display of notice.
- Q.6** State briefly about the establishment and constitution of the First Advisory Committee and Dock Labour Board and their functions under The Dock Workers Act, 1948 .
- Q.7** Define the term 'Certifying Surgeon' and discuss his powers and duties.
- Q.8** "The Factories Act, 1948 is an Act of Social Welfare Legislation".
Comment with special reference to the provisions relating to welfare of worker.
- Q.9** Discuss the various provisions relating to the welfare of the workers in beedi and cigar establishment.
- Q.10** Outline the provisions relating to registration of motor transport undertaking under the Motor Transport Workers Act, 1961.

TAPI (REVISED 2001 COURSE): Oct/NOV-2005
SUBJECT: LEGISLATION AFFECTING CONDITIONS OF WORK

Day: *Wednesday*
Date: *05.10.2005*

Time: 2:30 p.m. to 5:30 p.m.
Maximum Marks: 100

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- 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 each.
-

- Q.1** Write short notes on any **FOUR** of the following.
- a) Certifying surgeon under the Factories Act 1948.
 - b) 'Young persons' under the Plantation Labour Act 1951.
 - c) Cargo under the Dock Workers (regulation of employment) Act 1948.
 - d) Functions of Inspector under the Mines Act, 1952.
 - e) Principal employer under the Contract Labour (Regulation and Abolition) Act 1970.
 - f) 'Mine' under the Mines Act 1952.
- Q.2** 'The Factories Act 1948 is an act of social welfare legislation'. Comment with reference to the provisions relating to safety of workers.
- Q.3** State briefly the provisions of the Plantation Labour Act 1951 regarding hours of work and leave with pay.
- Q.4** Explain briefly the provisions regarding establishment and constitution of the first advisory committee and dock labour board and their functions under Dock Workers (regulation of employment) Act 1948.
- Q.5** State the provisions of Mines Act with regard to health and safety.
- Q.6** Describe the procedures for registration of an establishment employing contract labour and state the effects of its non-registration.
- Q.7** Explain the object and salient features of the Employment of Children Act 1986.
- Q.8** Define the term establishment under the Bombay Shops and Establishment Act 1948 and state the provision regarding opening and closing hours of the shops and establishment.
- Q.9** Explain the basic objects and purpose of Beedi and Cigar Workers (Conditions of employment) Act, 1966.
- Q.10** What are the powers of the Inspectors under the Motor Transport Workers Act, 1988?

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TAPI - I(2001 COURSE) : Oct/NOV-2005
SUBJECT : LAW RELATING TO INDUSTRIAL RELATIONS & ADJUDICATION

Day : **Saturday**
Date : **01.10.2005**

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) Question No.1 carry **20** marks and all other questions carries **16** marks each.

-
- Q.1** Attempt any **FOUR** of the following:
- a) Continuous service
 - b) General Prohibition of strike
 - c) Retrenchment
 - d) Qualified Union
 - e) General Fund
 - f) Office bearers of a Trade Union.
- Q.2** Examine the provisions relating to 'Lay-off' and 'Retrenchment' Compensation under the Industrial Dispute Act, 1947.
- Q.3** State and explain the powers and duties of the different authorities constituted under Industrial Dispute Act.
- Q.4** What is submission? What are the provisions under the Bombay Industrial Relations Act, 1946 regarding arbitration proceedings? Discuss.
- Q.5** What is an 'Approved Union'? What conditions should it fulfill to be considered so? Explain with reference to the Bombay Industrial Relation Act, 1946.
- Q.6** 'Immunity is enjoyed by a registered trade union and its members from any criminal and civil proceedings' - Comment.
- Q.7** Write note on:
- a) Cancellation of registration of a Trade Union
 - b) Definition of Trade Union.
- Q.8** State the provisions relating to 'Illegal Strikes and Lock-outs' under the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971.
- Q.9** Define 'Unfair Labour Practice' and enumerate the various unfair practices on the part of employers under the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practice Act, 1971.
- Q.10** Outline the procedure for submitting draft of Standing Orders for certification under the Industrial Employment (standing orders) Act, 1946..

Day: *Monday*

Time: 2.30 to 5.30 p.m

Date: *03.10.2005*

Maximum Marks: 100

N.B.: 1) Attempt any **six** questions including Q.1 which is **compulsory**.

2) Q.1 carries **20** marks and all other questions carry **16** marks each.

Q.1 Write Short Notes on **any four** of the following:-

- a) Employers liability for compensation
- b) Duties of Medical Benefit Council
- c) Family Pension Scheme
- d) 'Continuous Services' under Payment of Gratuity Act, 1972
- e) Maternity Benefit
- f) Funeral Benefit under ESI Act

Q.2 Explain the following under the Bombay Labour Welfare Fund Act, 1953.

- a) Contributions
- b) Labour Welfare Fund

Q.3 "Workmen's Compensation Act, 1923 is based upon the principle of liability without 'fault'. Examine the validity of this statement.

Q.4 What are the various benefits available under Employees State Insurance Act, 1948? Discuss.

Q.5 Explain the important provisions of Maternity Benefit Act, 1961. What are the powers and duties of Inspectors? Discuss.

Q.6 Discuss the object, scope and application of Employees Provident Fund Act, 1952.

Q.7 What is Gratuity? Explain and discuss what are the events on which gratuity becomes payable under the Payment of Gratuity Act, 1972. Can gratuity be forfeited?

Q.8 Explain in detail the Doctrine of Notional Extension of Employment under Workmen's Compensation Act, 1923.

Q.9 Discuss in brief the concept of "Basic Wage" and mention various schemes available under Employees Provident Fund Act, 1952.

Q.10 Discuss the following Employees State Insurance Act, 1948.

- a) ESI corporation
- b) Standing Committee

TAPI-I (2001 COURSE) : Oct/Nov-2005
SUBJECT: LAWS OF WAGES AND PRINCIPLES OF WAGE FIXATION

Day: Tuesday
Date: 04.10.2005

Time: 2:30 p.m. to 5:30 p.m.
Maximum Marks: 100

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- N.B.:** 1) Attempt **ANY SIX** questions of the following in which Q. No. 1 is **COMPULSORY**.
2) Q. No. 1 carry 20 marks and the other carries 16 marks each.
-

- Q.1** Write short notes on **ANY FOUR** of the following.
- a) Time of Payment of Wages
 - b) Unpaid group
 - c) Fixing hours of work
 - d) Set on & set off
 - e) Wages under Payment of Wages Act
 - f) Maximum bonus
- Q.2** Can deduction be made from the wages of an employed person for absence from duty under the Payment of Wages Act, 1936? Explain.
- Q.3** Explain the power & functions of Inspectors appointed under Payment of Wages Act, 1936.
- Q.4** Describe the various offences and penalty under Payment of Wages Act, 1936. Describe the procedure followed in the trial of such offences?
- Q.5** Critically examine the provisions relating to 'Claims' under the Minimum Wages Act, 1948.
- Q.6** Describe the various checks against evasion of payment of minimum rates of wages and describe the role of Inspector in this regard.
- Q.7** Discuss and explain under the provisions Minimum Wages Act, 1948, the following
- a) Workers who works less than normal working day.
 - b) Cost of living index number.
- Q.8** 'Allocable surplus' is different from 'Available surplus' - Discuss.
- Q.9** What are the provisions of Payment of Bonus Act, 1965 with regard to determination & distribution of Bonus?
- Q.10** Describe the scope & object of the payment of Bonus Act, 1965. With special comment on the type of employee for whom this act is not applicable.

TAPI - (REVISED 2001 COURSE) : APRIL/MAY -2004
SUBJECT: III -LAW OF WAGES AND PRINCIPLES OF WAGE
FIXATION.

Day : **Thursday**
Date: **13-05-2004**

Time: 2.30 p.m. to 5.30 p.m.
Max marks: 100

N.B.

- 1) Answer any **SIX** questions out of which Q.1 is compulsory.
 - 2) Q.1 carries 20 marks and all other questions carry 16 marks each.
-

- Q.1** Write short notes on any **FOUR** of the following.
- a) 'Wage Period' under Payment of Wages Act, 1936.
 - b) Definition of 'Wages' under Payment of Wages Act, 1936.
 - c) Living wage
 - d) 'Scheduled employment' under Minimum Wages Act, 1948.
 - e) Deductions from amount of bonus
 - f) Minimum and Maximum bonus
- Q.2** Discuss with reference to payment of Wages Act, 1936.
- a) Time of payment
 - b) Responsibility of payment of wage
- Q.3** Explain the deductions which an employer is authorised to make from the wages of worker under the payment of Wages Act, 1936.
- Q.4** Who is the authority to hear claims under payment of Wages Act, 1936? Discuss the procedure for deciding claims.
- Q.5** State the provisions of the Minimum Wages Act, 1948 relating to the fixation of minimum rates of wages.
- Q.6** Discuss the remedy, which is available to a worker who has been paid less than the minimum rate of wages.
- Q.7** Discuss the powers and functions of Inspector under Minimum Wages Act, 1958.
- Q.8** Who is entitled to receive bonus under Payment of Bonus Act 1965? Under what circumstances employ is disqualified to receive bonus? Discuss.
- Q.9** 'Bonus is a dynamic concept' Discuss.
- Q.10** Explain with reference to Payment of Bonus Act, 1965.
- a) Set -on and Set-off
 - b) Allocable surplus.

TAPI (REVISED 2001 COURSE): APRIL/MAY- 2004
SUBJECT: SOCIAL SECURITY LEGISLATION

Day : Tuesday Time: 2. 30 p.m. to 5.30 p.m.
Date : 11/05/2004 Maximum 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 each.
-

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

- 1) 'Total disablement' under the Workmen's Compensation Act, 1923.
- 2) 'Employment injury' under the Employees' State Insurance Act, 1948.
- 3) 'Continuous service' under the Payment of Gratuity Act, 1972.
- 4) 'Employee' under the Employee's Provident Fund Act, 1952.
- 5) 'Medical Bonus' under the Maternity Benefit Act, 1961.
- 6) 'Unpaid Accumulations' under Bombay Labour Welfare Act, 1953.

Q.2 In *Saurashtra Salt mfg. Co. v. Bai Balu Raja* (1958) the Supreme Court of India has laid down the theory of notional extension'. Elaborate with reference to the Workmen's Compensation Act, 1923.

Q.3 Explain the various benefits available to an employee under the Employees' State Insurance Act, 1948.

Q.4 'Accident alone does not entitle a workman to claim compensation it must arise out of and in the course of employment'. Comment with reference to Workmen's Compensation Act, 1923.

Q.5 State the provisions relating to payment of gratuity under the Payment of Gratuity Act, 1972.

Q.6 The Employee's Fund Act provides for the institution of compulsory provident fund for employee's working in factory'. Analyze the object, scope and application of Employee's Provident Fund Act, 1952.

Q.7 'The Maternity Benefit Act, 1961 aims at doing social justice to women workers'. Comment with relevant case laws.

Q.8 Critically evaluate the salient features of the Bombay Labour Welfare Fund Act, 1953.

Q.9 Write the notes on the following with reference to the Employees State Insurance Act, 1948.

- 1) Contribution
- 2) Powers of the standing committee

Q.10 What are provisions for the determination of the amount of gratuity under the Payment of Gratuity Act, 1972.

TAPI (REVISED 2001 COURSE): APRIL/MAY- 2004
SUBJECT: PAPER – I LAW RELATING TO INDUSTRIAL RELATIONS AND
ADJUDICATION

Day : Saturday Time: 2. 30 p.m. to 5.30 p.m.
Date : 08/05/2004 Maximum 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 each.
-

- Q.1 Write short notes on any **four** of the following:
- a) 'Industry ' under the Industrial Dispute Act, 1947.
 - b) 'Award ' under the Industrial Dispute Act, 1947.
 - c) 'Exempted Employee' under the Bombay Industrial Relations Act, 1946.
 - d) 'Certifying officer' under the Industrial Employment (standing orders) Act, 1946.
 - e) Offences & Penalties under Trade Unions Act, 1926.
 - f) Powers of 'Industrial Court' under the Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practice Act, 1971.
- Q.2 Define and discuss the essential elements of 'strike' and 'lock -out'. When can strike and lock out be declared illegal?
- Q.3 What is meant by retrenchment? State when a workman can be retrenched and explain the rights of retrenched workman.
- Q.4 Discuss the provisions relating to the registration of Trade Unions under the Bombay Industrial Relations Act, 1946.
- Q.5 What is submission? What are provisions under the Bombay Industrial relations Act, 1946 regarding arbitration proceeding?
- Q.6 Explain the procedure for certification of standing orders under the Industrial Employment (standing orders) Act, 1946.
- Q.7 Enumerate the objects for which the general funds of a Trade Union can be spent under the Trade Union Act, 1926. Can a registered Trade Union spend any part of its general funds for political purposes?
- Q.8 Define the 'trade union' and explain the provisions relating to registration of trade unions under the Trade Unions Act, 1926.
- Q.9 Write a note on the following under the Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practice Act, 1971.
- a) Rights and obligations of recognised Union.
 - b) Consequences of non appearance of parties
- Q.10 Define 'unfair labour practices' and enumerate the various unfair labour practices on the part of employers and trade unions under the Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practice Act, 1971.

TAPI (REVISED - 2001 BATCH) : APRIL/MAY 2004
SUBJECT : LEGISLATIONS AFFECTING CONDITIONS OF WORK

Day : Saturday
Date : 15-05-2004

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 carry 16 marks each.

-
- Q. 1 Write short notes on any **FOUR** of the following:
- a) Certifying Surgeons and their duties under the Factories Act, 1948.
 - b) Provisions of the Plantation labour Act, regarding hours of work for adult workers.
 - c) Define 'Factory' under factories Act, 1948.
 - d) Notice of accident under the mines Act, 1952.
 - e) List of process in which child labour is prohibited under the employment of Children Act, 1986.
 - f) Powers and functions of Inspector under the Plantation Labour Act, 1951.
- Q. 2 What provisions have been made in the Factories Act, 1948, regarding welfare of workers ? Explain.
- Q. 3 Explain the health and welfare facilities required for the labours under the Plantation Act.
- Q. 4 What is a Dock worker scheme ? What are the purposes in which the scheme formulated under the Dock workers Act, 1948 ? Discuss.
- Q. 5 Explain the provision with reference to Motor Transport Act, 1961 –
- a) Registration of motor transport undertaking.
 - b) Employment of young persons.
- Q. 6 Briefly summarize the different provisions of the Mines Act, 1952 for the welfare of the worker in mines.
- Q. 7 Discuss the object and salient features of the Employment of Children Act, 1986.
- Q. 8 Describe the procedure for the registration of shops and other commercial establishment under the Bombay Shop and establishment Act.
- Q. 9 Explain the provisions relating to the welfare and health under the Contract Labour (Regulation and abolition) Act, 1970 ?
- Q. 10 Discuss the various facilities provided for the workers under the Beedi and Cigar Workers (Conditions of Employment) Act, 1966.

TAPI - I (REVISED BATCH 2001) : , Oct. Nov- 2004
SUBJECT: LAW RELATING TO INDUSTRIAL RELATION & ADJUDICATION

Day : *Wednesday*
Date : *06-10-2004*

Time : 2:30 p.m. to 5:30 p.m.
Max. Marks : 100

N.B.

- 1) Attempt any **SIX** questions including question No. 1 which is **COMPULSORY**.
- 2) Questions 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
- a) Appropriate Government under I.D. Act, 1947
 - b) Labour Court
 - c) Political fund of a registered trade union
 - d) Illegal strike
 - e) Certifying officer under Industrial Employment Standing orders Act 1946.
 - f) Industrial establishment under Industrial Employment Standing Orders Act, 1946.
- Q.2** What is meant by lay off? Discuss the rights of a workmen for lay off compensation. When is the compensation not payable to a workmen who has been laid off? Discuss
- Q.3** Explain the functions, powers and duties of Conciliation Officer under I.D. Act, 1947.
- Q.4** What are the rights and privileges of a registered trade Union? Discuss.
- Q.5** Briefly discuss the provisions relating to registration of trade Union under the Trade Union Act, 1926.
- Q.6** What are the responsibilities of the employer under the Industrial Employment (Standing Order) Act, 1946? Discuss.
- Q.7** 'Certified standing orders constitute statutory conditions of employment'. Comment.
- Q.8** What is meant by unfair labour practice? Explain with reference to the provisions of M.R.T.U. & P.U.L.P. Act, 1971.
- Q.9** What are the obligation of a a recognised union under M.R.T.U. & P.U.L.P. Act, 1971? Discuss.
- Q.10** Write a note on :
- a) Lockout and Closure
 - b) Collective bargaining.

TAPI (REVISED 2001 COURSE) : Oct-Nov-2004
SUBJECT : SOCIAL SECURITY LEGISLATION
(PAPER – II)

Day : Friday
Date : 8-10-2004

Time : 2:30 p.m. to 5:30 p.m.
Max. Marks : 100

N.B.

- 1) Answer in all **Six** questions including **Question No. 1** which is **Compulsory**.
- 2) Questions No. 1 carries **20** marks and all other carries **16** marks each.

-
- Q.1** Write short notes on any **FOUR** of the following:
- a) Constitution of ESI corporation
 - b) Inspector under payment of Gratuity Act.
 - c) Occupational Disease under ESI Act.
 - d) Medical hours under Maternity Benefits Act,.
 - e) Partial Disablement under Workmen's Compensation Act.
 - f) Insured person under the ESI Act.
- Q.2** When an accident is said to arise out of in the course of employment under section 3 of the Workmen's Compensation Act, 1923.
- Q.3** Explain the events on which gratuity becomes payable under the payment of Gratuity Act, 1972 and how gratuity is forfeited.
- Q.4** What are the different kinds of benefits available under the ESI Act, 1948.
- Q.5** Explain the various schemes under Employee's Provident Funds and Miscellaneous Act, 1952.
- Q.6** What are the benefits available under Maternity Benefit Act, 1961 and how are these paid.
- Q.7** Explain the powers and functions of commissioner under P.F. Act, 1952.
- Q.8** Explain provisions under Bombay Labour Welfare Fund Act, 1953:
- a) Welfare fund
 - b) Contribution.
- Q.9** Explain any two of the following under Workmen's Compensation Act, 1923:
- a) Total Disablement
 - b) Employee
 - c) Dependent
- Q.10** Discuss in brief the following under Payment of Gratuity Act, 1972.
- a) Appropriate Government
 - b) Inspector

TAPI - I (REVISED 2001 BATCH): Oct. Nov. 2004
SUBJECT: LAW OF WAGES AND PRINCIPLES OF WAGE FIXATION

Day : Monday
Date : 11-10-2004

Time : 2:30 p.m. to 5:30 p.m.
Max. Marks : 100

N.B.

- 1) Question No. 1 is **COMPULSORY** which carries 20 marks.
- 2) Attempt any **FIVE** questions from the remaining which carry 16 marks each.

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

- a) Living Wages under the Minimum Wages Act, 1948.
- b) "Employee" under the Minimum Wages Act, 1948.
- c) Eligibility for bonus under the Payment of Bonus Act, 1965.
- d) 'Set - on' and 'set -off' Payment of Bonus Act, 1965.
- e) Industrial Establishment under the Payment of Wages Act, 1936.
- f) Penalty for offences under the Payment of Wages Act, 1936.

Q.2 Explain the deduction which an employer is authorized to make from the wages of a worker under the Payment of Wages Act, 1936.

Q.3 State the object and scope of the Payment of Wages Act, 1936 and describe the categories of persons to whom the Act applies.

Q.4 Who is responsible for payment of wages under the Payment of Wages Act, 1936? Explain the provisions relating to time of payment under the Act.

Q.5 State the provisions of the Minimum Wages Act, 1948 relating to the fixation and revision of minimum rates of wages.

Q.6 What claims are entertained under the Minimum Wages Act, 1948 and who are authorised to adjudicate upon them? Discuss.

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

Q.8 Describe the scope and object of the Payment of Bonus Act, 1965. Enlist the Institution/Employers to which this Act does not apply.

Q.9 What is allocable surplus? How does it differ from available surplus? How would you arrive at available surplus? Discuss.

Q.10 "Inspector has powers to examine records and not to judge the accuracy there of". Elucidate this expression with reference to the provisions of the Payment of Bonus Act, 1965.

TAPI (REVISED 2001 COURSE) - Oct-Nov-2004
LEGISLATIONS AFFECTING CONDITION OF WORK

Day: Wednesday

Time : 2.30 pm to 5.30 pm

Date: 13-10-2004

Marks: 100

I.B. :

- 1) Attempt any SIX of all the questions out of which Q.1 is compulsory.
- 2) Q.1 carries 20 marks and all others carry 16 marks each.

- Q.1 Write short notes on any **FOUR** of the following :
- a) Young Persons under Plantations Labour Act, 1951
 - b) Certifying Surgeon under the Mines Act, 1952
 - c) Dock workers under Dock Workers (Regulation of employment) Act, 1948
 - d) Contractor under Contract Labour (Regulation and Abolition) Act, 1970
 - e) Hazardous process under Factories Act, 1948
 - f) Cargo under Dock Workers (Regulation of Employment) Act, 1948
- Q.2 'The Factories Act, 1948 is an act of Social Welfare Legislation'. Comment with special reference to the provisions relating to welfare of workers.
- Q.3 Discuss the Health Facilities required by the Plantations Labour Act, 1951.
- Q.4 State briefly about the provisions of the Mines Act regarding hours of work and leave with pay.
- Q.5 State briefly about the establishment and constitution of the first Advisory committee and Dock Labour Board and their functions.
- Q.6 Explain the following under Child Labour (Prohibition and Regulation) Act, 1986
- a) Weekly holidays
 - b) Hours and period of work
- Q.7 Define the term 'Commercial establishment' and explain the provision relating to registration thereof under the Bombay Shops and Establishment Act, 1948.
- Q.8 Explain the procedure of issuing license to the industrial premises under the Beedi and Cigar workers (Conditions of employment) Act, 1966.
- Q.9 Discuss in detail the powers and duties of the Inspectors under the Motor Transport Workers Act, 1961.
- Q.10 Describe the procedures for registration of an establishment employing contract labour and state the effect of its non-registration.

TAPI (REVISED 2001 COURSE) : APRIL/MAY 2003
SUBJECT: PAPER-I LAW RELATING TO INDUSTRIAL
RELATIONS AND ADJUDICATION

Day: Wednesday
Date: 07/05/2003

Time: 2:30 p.m. to 5:30 p.m.
Maximum Marks: 100

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- N.B.:** 1) Attempt any six questions including Q.No.1 which is compulsory.
2) Question No. 1 carries 20 marks and all other questions carry 16 marks each.
-

- Q.1** Write short notes on **ANY FOUR** of the following.
- "Award" under the Industrial Disputes Act, 1947.
 - "Industrial Dispute" under the Industrial Dispute Act, 1947.
 - Political Fund of a Registered Trade Union.
 - "Powers of Investing Officers" under Maharashtra Recognition Trade Union and Prevention of Unfair Labour Practices Act, 1971.
 - "Primary Union" under Bombay Industrial Relations Act, 1946.
 - Effect of registration of Trade Union under the Trade Unions Act, 1926.
- Q.2** Define and distinguish "Lay-off" and "Retrenchment" under the Industrial Disputes Act, 1947. Also state the rights of workman in each case.
- Q.3** What are the various authorities under the Industrial Disputes Act, 1947, which help to settle Industrial Disputes. Discuss briefly the functions of each.
- Q.4** Mention briefly the rights and liabilities of Registered Trade Unions in accordance with the Trade Union's Act, 1926.
- Q.5** Define the "Trade Union" and discuss the provisions relating to registration of trade union under the Trade Union's Act, 1926.
- Q.6** Discuss the procedure for the modification of standing order under the Industrial Employment (Standing Orders) Act, 1946? Who can apply for modification? Discuss.
- Q.7** Discuss with reference to Industrial Employment (Standing Orders) Act, 1946.
- 'Payment of substance allowance'
 - 'Model Standing Orders'
- Q.8** Discuss the provisions relating to 'Rights and Obligations' of Recognized Union under the Maharashtra Recognition Trade Union and Prevention of Unfair Labour Practices Act, 1971.
- Q.9** Define 'Unfair Labour Practices' and enumerate the various unfair labour practices on the part of employers under the Maharashtra Recognition Trade Union and Prevention of Unfair Labour Practices Act, 1971.
- Q.10** Critically examine the provisions relating to "Illegal Strikes and Lock-outs" under the Bombay Industrial Relations Act, 1946.

TAPI - (REVISED 2001 COURSE) : APRIL/MAY -2003
SUBJECT: II – SOCIAL SECURITY LEGISLATION.

Day : Friday
Date: 09/05/2003.

Time: 2.30 p.m. to 5.30 p.m.
Max marks: 100

N.B.

- 1) Answer any **SIX** questions out of which Q.1 is compulsory.
- 2) Q.1 carries 20 marks and all other questions carry 16 marks each.

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

- a) 'Partial Disablement' under the Workmen's Compensation Act 1923.
- b) 'Seasonal Factory' under ESI Act, 1948.
- c) 'Contribution' under the Employees Provident Fund & Misc. Provisions Act, 1952.
- d) 'Compulsory Insurance' under Payment of Gratuity Act, 1972.
- e) 'Principal Employer' under ESI Act, 1948.
- f) 'Forfeiture of Maternity Benefit' under Maternity Benefit Act, 1961.

Q.2 'The Workman's Compensation Act, 1923 is based upon the principle of liability without fault'. Examine the validity of this statement. When is an employer liable to pay compensation for personnel injury to a workman? Discuss.

Q.3 Discuss the following.

- a) What are the circumstances in which an employer is not liable to pay compensation under the Workmen's Compensation Act, 1923.
- b) Explain the provisions of the Workmen's Compensation Act, 1923 relating to distribution of compensation.

Q.4 Briefly summarize the benefits, which an insured employee is entitled to get under the Employee's State Insurance Act, 1948.

Q.5 Explain the following with reference to Employee's State Insurance Act, 1948.

- a) Medical benefit council
- b) Inspector, their functions and duties

Q.6 'Employee's Provident Fund Act, 1952 is considered to be a social security law for the worker'. Comment. What are the benefits under this Act?

Q.7 What are the benefits available under Maternity Benefit Act, 1961 and how are these paid?

Q.8 What is Gratuity? What are the events on which gratuity becomes payable under the Payment of Gratuity Act, 1972? Can Gratuity be forfeited? Discuss.

Q.9 Explain the following with reference to Payment of Gratuity Act, 1972.

- a) Nomination
- b) Continuous service

Q.10 Explain the following with reference to Bombay Labour Welfare Funds Act, 1953.

- a) Object of Bombay Labour Welfare Fund
- b) Unpaid Accumulation.

TAPI (REVISED 2001 COURSE) APRIL/ MAY 2003
SUBJECT: LAW OF WAGES AND PRINCIPLES OF WAGE FIXATION

Day: Monday
Date: 12/05/2003

Time: 2:30 p.m. to 5:30 p.m.
Max. Marks: 100

N.B.

- 1) Answers any **SIX** questions including question No.1 which is compulsory.
- 2) Question No. 1 carries **20** marks and remaining all other questions carry **16** marks each.

-
- Q.1** Write short notes on any **FOUR** of the following:
- a) Deduction for absence from duty under Payment of Wages Act, 1936.
 - b) Time limit for Payment of Bonus.
 - c) Wages under Payment of Wages Act, 1936.
 - d) Contracting out under Minimum Wages Act, 1948.
 - e) Set-On and Set Off under Payment of Bonus Act, 1965.
 - f) Application of Claims under Minimum Wages Act, 1948.
- Q.2** What is the procedure for adjudication of claims and appeals as prescribed under the Payment of Wages Act, 1936.
- Q.3** Elucidate the object and scope of the Minimum Wages Act, 1948.
- Q.4** Explain the rules relating to payment of minimum bonus and maximum bonus and state under what circumstances an employee is disqualified to receive bonus.
- Q.5** What are the function and powers of Inspector under Minimum Wages Act, 1948.
- Q.6** Explain the concept of Wages and Living Wages under the Minimum Wages Act, 1948.
- Q.7** What are the deductions from wages which has been authorized by the Payment of Wages Act, 1936.
- Q.8** What is the procedure for adjudication of claims and appeals as prescribed under the Payment of Wages Act, 1936.
- Q.9** Bonus is a dynamic concept- Elaborate.
- Q.10** Explain the concept of available surplus and allocable surplus under the Payment of Bonus Act, 1965.

TAPI (REVISED 2001 COURSE) : APRIL/MAY 2003
SUBJECT : IV-LEGISLATIONS AFFECTING CONDITIONS OF WORK

Day : Wednesday
Date : 14/05/2003

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 carry 16 marks each.
-

- Q. 1 Write short notes on any **FOUR** of the following:
- a) Powers of Inspector under Factor Act, 1948.
 - b) 'Mine' under the Mines Act, 1952.
 - c) 'Cargo' under the Dock workers (Regulation of Employment) Act, 1948.
 - d) Manufacturing process under Factories Act, 1948.
 - e) Advisory board under the Contract Labour (Regulation and abolition) Act, 1970.
 - f) Young person under the Plantations Labour Act, 1951.
- Q. 2 Define the term 'Factory' and discuss the object and scope of the Factories Act, 1948.
- Q. 3 Discuss the welfare facilities required by the Plantations Labour Act, 1951.
- Q. 4 State the provisions of the Mines Act, 1952 with regard to health and safety.
- Q. 5 State the powers of Inspectors under the Dock workers (Regulation of Employment) Act, 1948.
- Q. 6 What are the provisions regarding health and safety under Child Labour (Prohibition and Regulation) Act, 1986?
- Q. 7 Describe the procedure for the registration of shops and other commercial establishment under the Bombay Shops and Establishment Act, 1948.
- Q. 8 Explain in detail the procedure of issuing licence to the industrial premises under the Beedi and Cigar Workers (Conditions of Employment) Act, 1966.
- Q. 9 What are the powers of the Inspectors under the Motor Transport Workers Act, 1961? Explain.
- Q. 10 Define the following under the contract labour (Regulation and Abolition) Act, 1970.
- a) Principal employer.
 - b) Contractor.

TAPI (REVISED 2001 COURSE) : OCT/NOV 2003
SUBJECT: PAPER-I LAW RELATING TO INDUSTRIAL
RELATIONS AND ADJUDICATION

Day: Monday
Date: 6-10-2003

Time: 2:30 p.m. to 5:30 p.m.
Maximum Marks: 100

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- N.B.:** 1) Attempt any six questions including Q.No.1 which is compulsory.
2) Question 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) "Public Utility Service" under the Industrial Disputes Act, 1947.
 - b) "Industry" under the Industrial Dispute Act, 1947.
 - c) General Fund of a Registered Trade Union.
 - d) "Investigating officers" under Maharashtra Recognition Trade Union and Prevention of Unfair Labour Practices Act, 1971.
 - e) "Powers and Functions of Wage Boards" under Bombay Industrial Relations Act, 1946.
 - f) Definition of Trade Union under the Trade Unions Act, 1926.
- Q.2** "Lock out is a weapon in the hands of the employees, similar to that of strike in the armoury of workmen". Critically examine the above statement in the light of various provisions relating to strikes and lock outs under the Industrial Disputes Act, 1947.
- Q.3** Discuss the machinery provided for the settlement of industrial disputes under the provisions of the Industrial Disputes Act, 1947.
- Q.4** What are the immunities provided to a Registered Trade Union from criminal proceedings and civil suits? Discuss with reference to Trade Union's Act, 1926.
- Q.5** Enumerate the objects for which the general funds of a trade union can be spent under the Trade Union's Act, 1926. Can a registered trade union spend any part of its general funds for political purposes? Discuss.
- Q.6** Discuss the procedure for the modification of standing order under the Industrial Employment (Standing Orders) Act, 1946? Who can apply for modification? Discuss.
- Q.7** "Certified Standing Orders constitute statutory conditions of employment" Comment.
- Q.8** Describe the procedure for dealing with complaints relating to unfair labour practices under Maharashtra Recognition Trade Union and Prevention of Unfair Labour Practices Act, 1971.
- Q.9** Discuss the obligations of a recognised union? Enumerate the rights of recognised union under Maharashtra Recognition Trade Union and Prevention of Unfair Labour Practices Act, 1971.
- Q.10** Summarise the provisions of the Bombay Industrial Relations Act, 1946 relating to registration of Trade Union. When shall registrar cancel the registration of union? Discuss.

TAPI (REVISED 2001 COURSE) : OCT/NOV 2003
SUBJECT: PAPER-IV LEGISLATIONS AFFECTING CONDITIONS OF WORK

Day: *Monday*
Date: *13-10-2003*

Time: 2:30 p.m. to 5:30 p.m.
Maximum Marks: 100

- N.B.:** 1) Attempt any six questions including Q.No.1 which is compulsory.
2) Question No. 1 carries 20 marks and all other questions carry 16 marks each.

- Q.1** Write short notes on **ANY FOUR** of the following.
- 'Factory' under the Factories Act, 1948.
 - Certifying Surgeon under the Factories Act, 1948.
 - 'Dock Workers' under the Dock Workers (Regulation of Employment) Act, 1948.
 - Extra wages for overtime work under the Plantations Labour Act, 1951.
 - 'Mines' under the Mines Act, 1952.
 - Employment of children, Young Persons and Women under Bombay Shops and Establishments Act, 1948.
- Q.2** "In a country where workers are still unable to look after their own interest because of widespread illiteracy and the absence of strong trade union membership, that part of factory legislation which deals with the welfare of the workers must be of the greatest importance." Examine in the light of this statement the welfare facilities provided in the Factories Act, 1948.
- Q.3** Discuss the provisions of the Bombay Shops and Establishments Act, 1948 relating to Shops and Commercial Establishments.
- Q.4** What is a Dock Worker scheme? What are the purposes for which the scheme can be formulated? Discuss with reference to Dock Workers (Regulation of Employment) Act, 1948.
- Q.5** List the Health Facilities required by the Plantations Labour Act, 1951.
- Q.6** State briefly the provisions of Mines Act, 1952 on employment and of work in mines.
- Q.7** Explain the provisions of the Contract Labour (Regulation and Abolition) Act, 1970 relating to welfare and health of contract labour.
- Q.8** Explain with reference to the Beedi and Cigar Workers (Conditions of Employment) Act, 1966.
- Registration of establishments
 - Welfare facilities
- Q.9** Discuss the provisions of the Motor Transport Workers Act, 1961 relating to welfare and health.
- Q.10** Discuss the objects and contents of the Employment of Children Act, 1938.

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TAPI (REVISED 2001 COURSE) OCT/NOV 2003
SUBJECT LAW OF WAGES AND PRINCIPLES OF WAGE FIXATION

Day: Friday
Date: 10-10-2003

Time: 2:30 p.m. to 5:30 p.m.
Max. Marks: 100

N.B.

- 1) Answers any **SIX** questions including question No.1 which is compulsory.
- 2) Question No. 1 carries 20 marks and remaining all other questions carry 16 marks each.

-
- Q.1 Write short notes on any **FOUR** of the following:
- a) Allocable surplus under Payment of Bonus Act, 1965.
 - b) Duties of Inspector under Minimum Wages Act, 1948.
 - c) 'Set -on' and 'Set -off' under Payment of Bonus Act, 1965.
 - d) Offences under Payment of Wages Act, 1936.
 - e) Contracting out under Minimum Wages Act, 1948.
 - f) 'Wages' under Payment of wages Act, 1936.
- Q.2 Can deduction be made from the wages of an employed person for absence from duty under the payment of wages Act 1936? Explain.
- Q.3 Discuss the procedure for adjudication of claims and appeals as prescribed under the Payment of Wages Act, 1936.
- Q.4 Explain the provisions with respect to fixation of wage period and time of payment under the Payment of Wages Act, 1936.
- Q.5 Define the term 'Wages' under the minimum Wages Act, 1948. Can an employee agree to accept lesser wages than due to him? State reason.
- Q.6 Discuss in detail the remedy available to a worker who has been paid less than minimum rate of wages.
- Q.7 What is object of fixing 'Minimum Wages'? State the procedure laid down under the minimum wages Act, 1948. for fixing and revising minimum wages?
- Q.8 'Bonus is a dynamic concept'- Discuss.
- Q.9 What are the provisions of the Payment of bonus Act 1965 with regard to determination and distribution of Bonus? Discuss.
- Q.10 Write a detail note on the 'Bonus formula' as given in the Payment of Bonus Act, 1965.

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TAPI - I (REVISED BATCH 2001) : APRIL/MAY – 2002
SUBJECT: LAW RELATING TO INDUSTRIAL RELATION & ADJUDICATION

Day : Monday
Date : 06/05/2002

Time : 2:30 p.m. to 5:30 p.m.
Max. Marks : 100

N.B.

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

- Q.1** Write short notes on any four
- a) Continuous service under I.D. Act, 1947
 - b) Powers of Investigating Officers under M.R.U. and P.U.L.P. Act, 1971
 - c) Political fund of a registered trade Union
 - d) Model standing orders
 - e) Qualified Union under B.I.R. Act, 1946
 - f) Works Committee under I.D. Act, 1947
- Q.2** Define Lay off and Retrenchment and explain the rights of workers for compensation in each case under I.D. Act, 1947
- Q.3** Define Strike. Explain when a strike becomes illegal under the I.D. Act, 1947.
- Q.4** Examine the various privileges and rights of a Registered trade union and its office bearers under the Trade Unions Act, 1926.
- Q.5** Give the provisions of Trade Union Act, 1926 regarding registration and cancellation of registration.
- Q.6** What is the object of Industrial Employment (Standing Orders) Act, 1946? Discuss the matters to be provided in standing order under the Act.
- Q.7** When does a strike and lockout becomes illegal under Bombay Industrial relations Act, 1946. Discuss.
- Q.8** What are the obligations of a recognised union? Enumerate the rights of a recognised union under M.R.T.U. and P.U.L.P. Act, 1971.
- Q.9** Write a note on any two:
- a) Collective bargaining
 - b) Labour court
 - c) Closure
- Q.10** Define Industry and explain the term Industrial Dispute under I.D. Act, 1947.

TAPI (old) APRIL / MAY - 2002
SUBJECT : LAW RELATING TO INDUSTRIAL
RELATIONS AND ADJUDICATION

Day : Monday
Date : 6-5-2002

Time : 2.30 PM to 5.30 PM
Max. Marks: 80

N.B.

- 1) Attempt any **five** questions.
- 2) All questions carry equal marks.

-
- Q.1 Analyse the provisions relating to lay-off, retrenchment and closure under the Industrial Disputes Act, 1947 and bring out clearly their distinctive features.
- Q.2 "Lock out is a weapon in the hands of the employers, similar to that of strike in the armoury of workmen". Critically examine the above statement in the light of various provisions relating to strikes and lock-outs under the Industrial Dispute Act, 1947.
- Q.3 Define 'Trade Union' and state the provisions relating to 'Mode of Registration of Trade Union' under the Trade Unions Act, 1926.
- Q.4 Explain the privileges of a registered trade union under the Trade Unions Act, 1926.
- Q.5 Discuss fully the procedure for Certifying Standing Orders under the Industrial Employment (Standing Orders) Act, 1946. Can the Standing Orders be modified ? Explain.
- Q.6 Examine the duties of Industrial Court under the Bombay Industrial Relations Act, 1946.
- Q.7 Examine the various obligations and rights of a recognised union under the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971.
- Q.8 Write short notes on any **four** of the following:
- a) Political fund of a registered trade union
 - b) Unfair Labour Practices under M. R. T.U. and P.U.L.P. Act 1971
 - c) Definition of 'Industrial Dispute' under the Industrial Disputes Act, 1947
 - d) Duties of 'Certifying Officer' under the Industrial Employment (Standing Orders) Act, 1946.
 - e) Cancellation of registration of Trade Union under the Trade Unions Act, 1926
 - f) 'Approved Union' under the Bombay Industrial Relations Act, 1946

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TAPI-I (REVISED 2001): APRIL/MAY 2002

SUBJECT: SOCIAL SECURITY LEGISLATION

Day: Tuesday
Date: 07.05.2002

Time: 2.30 to 5.30 p.m
Maximum Marks: 100

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- N.B.:** 1) Attempt any **six** questions including Q.1 which is **compulsory**.
2) Q.1 carries **20** marks and all other questions carry **16** marks each.
-

- Q.1 Write Short Notes on **any four** of the following:-
- Medical Benefit Council under ESI Act.
 - Powers and duties of Inspector under Maternity Benefit Act, 1961
 - 'Dependent' under Workmen's Compensation Act, 1923.
 - 'Continuous Services' under Payment of Gratuity Act, 1972
 - Objects of the Bombay Labour Welfare Fund Act, 1953
 - Employees Provident Fund Scheme
- Q.2 Discuss in detail the characteristics and the constituents of social security legislation.
- Q.3 Discuss the liability of an employer to pay compensation to the workmen for personal injury under Workmen's Compensation Act, 1923.
- Q.4 Discuss the aims, object and scope of the Employees Provident Fund Act, 1952.
- Q.5 "The object of Employees State Insurance Act, 1948 is to provide for certain benefits to employees." Discuss the various benefits.
- Q.6 What are the conditions for payment of maternity benefit under the Maternity Benefit Act, 1961? Discuss.
- Q.7 Explain the salient features of Payment of Gratuity Act, 1972.
- Q.8 Explain and illustrate the expression 'arising out of and in the course of employment' under the Workmen's Compensation Act, 1923.
- Q.9 State briefly the constitution of Employees State Insurance Corporation. What is the duration of term of office of its member. Discuss relating to Employees State Insurance Act, 1948.
- Q.10 Discuss the provisions relating to disputes as to the amount of gratuity or the admissibility of claim under the Payment of Gratuity Act, 1972.

TAPI- (old) , APRIL / MAY - 2002
SUBJECT : LAW OF WAGES AND PRINCIPLES
OF WAGE FIXATION

Day : Wednesday
Date : 8.5.2002

Time : 2.30 p.m. to 5.30 p.m.
Max. Marks: 80

N.B.

- 1) Attempt any **five** questions.
- 2) All questions carry equal marks.

-
- Q.1 State the object and scope of the Payment of Wages Act and describe the categories of persons to whom the Act applies.
- Q.2 What are the deductions from wages, which have been authorised by the Payment of Wages Act, 1936 ? Explain
- Q.3 Explain the powers and functions of Inspector appointed under the Payment of Wages Act, 1936.
- Q.4 Write short notes on the following (with reference to Minimum Wages Act):
- a) Living Wages
 - b) Fixation of minimum rates of wages
 - c) Wages
- Q.5 What remedy is available to a worker who has been paid less than the minimum rate of wages ? Explain
- Q.6 What registers and records are required to be maintained under the Minimum Wages Act, 1948 ? Explain
- Q.7 Whether an employer is liable to pay bonus even if he does not earn profits ? Explain the obligations of employer to pay minimum bonus.
- Q.8 'Bonus is a dynamic concept'. Discuss
- Q.9 Explain the following:
- a) 'Salary or Wages' under Payment of Bonus Act, 1965
 - b) Wages under the Payment of Wages Act, 1936

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TAPI - I (REVISED 2001 BATCH) : APRIL/MAY – 2002
SUBJECT: LAW OF WAGES AND PRINCIPLES OF WAGE FIXATION

Day : Wednesday
Date : 08/05/2002

Time : 2:30 p.m. to 5:30 p.m.
Max. Marks : 100

N.B.

- 1) Question No. 1 is **COMPULSORY** which carries 20 marks.
 - 2) Attempt any **FIVE** questions from the remaining which carry 16 marks each.
-

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

- a) "Wages" according to Payment of Wages Act, 1936.
- b) Time of payment of wages under Payment of Wages Act, 1936
- c) Powers of Inspector under the Minimum Wages Act, 1948
- d) Wage structure under the Minimum Wages Act, 1948
- e) Disqualification for bonus under the Payment of Bonus Act, 1965.
- f) Eligibility for bonus under Payment of Bonus Act, 1965.

Q.2 Write short notes on deductions on accounts of fines and deduction for absence from duty under the Payment of Wages Act, 1936.

Q.3 Explain the powers and functions of Inspectors appointed under Payment of Wages Act, 1936.

Q.4 What are the offences under the Payment of Wages Act, 1948? What is the penalty prescribed for them? Discuss.

Q.5 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.6 What are the checks against evasion of payment of minimum wages to the employee in a scheduled employment in which minimum rates of wages have been fixed under the Minimum Wages Act, 1948.

Q.7 Who is an authority under the Minimum Wages Act. Who can present an application to the authority when such application shall be presented? Discuss.

Q.8 Explain the employers obligation to pay minimum bonus. What is meant by maximum bonus.

Q.9 'Bonus is a dynamic concept'. Explain.

Q.10 Write with reference to Payment of Bonus Act, 1965:

- a) 'Set – on' and 'set – off'
- b) Allocable Surplus.

TAPI - (0101) : APRIL/MAY 2002
SUBJECT : LEGISLATIONS AFFECTING CONDITIONS OF WORK

Day : Thursday
Date : 9-5-2002

Time : 2:30 P.M. TO 5:30 P.M.
Max. Marks : 80

N.B.

- 1) Attempt any **FIVE** questions.
- 2) All questions carry **EQUAL** marks.

-
- Q.1 Define the term 'factory'. Discuss the essential elements of a factory.
- Q.2 Discuss the Health and Welfare facilities required by the Plantation Labour Act, 1951.
- Q.3 Briefly summarise the different provisions of the Mines Act, 1952 for the welfare of the worker in a mine.
- Q.4 What is a Dock Worker Scheme? What are the purposes for which the scheme can be formulated? Explain with reference to the provision of the Dock Workers (Regulation of Employment) Act, 1948.
- Q.5 Define the term 'Commercial Establishment' and explain the provisions relating to the registration thereof under the Bombay Shop and Establishments Act, 1948.
- Q.6 What amenities are to be provided by contractors to other workmen in terms of the contract labour (Regulation and Abolition) Act, 1970? Discuss liabilities of the principle employer if the contractor fails to provide the above amenities.
- Q.7 Discuss the objects and contents of the Employment of children Act, 1938.
- Q.8 Discuss the provisions relating to Welfare and Health under the Motor Transport Workers Act, 1961.
- Q.9 Explain the scope and object of the Beedi and Cigar Workers (Conditions of Employment) Act, 1966.

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TAPI (REVISED - 2001 BATCH) : APRIL/MAY 2002
SUBJECT : LEGISLATIONS AFFECTING CONDITIONS OF WORK

Day : Thursday
Date : 09/05/2002

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 carry 16 marks each.
-

- Q. 1 Write short notes on any **FOUR** of the following:
- a) Definition of 'Manufacturing Process' under the factories Act 1948.
 - b) Definition of 'Worker' under the Dock Worker Act, 1948.
 - c) Provisions relating to the Prohibition of employment of children under the Employment of Children Act, 1938.
 - d) Certifying surgeons and their duties under the Mines Act, 1952.
 - e) Definition of 'Cargo' under the Dock Workers Act, 1948.
 - f) Powers of Inspector under Motor Transport Works Act, 1961.
- Q. 2 Explain the provisions of the factories Act relating to the welfare of the worker in a factory.
- Q. 3 Define the factory under Factories Act. Discuss the object and scope of the Factories Act, 1948.
- Q. 4 State briefly the provisions of the Plantation Labour Act regarding Health and Welfare of the worker.
- Q. 5 What are the weekly and daily hours of which an adult, children and women may be required to work in mine ? Discuss with reference to Mines Act, 1952.
- Q. 6 State the powers of inspector under the Dock workers (Regulation of employment) Act, 1948.
- Q. 7 Explain the provisions relating to the welfare and health under the Contract Labour (Regulation and abolition) Act, 1970.
- Q. 8 Explain with reference to Motor Transport Workers Act, 1961 -
- a) Registration of motor transport undertaking.
 - b) Employment of young persons.
- Q. 9 Define the term 'Establishment' under the Bombay shops and establishment Act 1948 and state the provisions regarding opening and closing hours of the shops and establishment.
- Q. 10 Discuss the various facilities provided for workers under the Beedi and Cigar Workers (Conditions of Employment) Act, 1966.

TAPI - I (REVISED BATCH 2001): OCT / NOV 2002
SUBJECT: LAW RELATING TO INDUSTRIAL RELATION & ADJUDICATION

Day : Monday
Date : 7-10-2002

Time : 2:30 p.m. to 5:30 p.m.
Max. Marks : 100

N.B.

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

Q.1 Write short notes on any **FOUR**:

- a) "Award" Under Industrial Disputes Act, 1947
- b) Definition of 'trade union' under Trade Unions Act 1926
- c) Payment of subsistence allowance under Industrial Employment (standing Orders) ACT 1946
- d) Qualified Union Under Industrial Relations Act, 1946
- e) Definition of 'Industry'.
- f) Labour Court

Q.2 Explain the following with reference to the Industrial Disputes Act, 1947:

- a) Lay Off
- b) Retrenchment

Q.3 Explain in detail the machinery provided for the settlement of industrial disputes under the Industrial Disputes Act, 1947.

Q.4 What are the objects for which the general fund of a registered trade union may be spent? Can a registered trade union spent any part of its general fund for political purposes? Discuss.

Q.5 Explain the rights and privileges of a registered Trade Union

Q.6 Explain the procedure for certification of standing orders framed by an Industrial establishment under the Industrial Employment (standing Orders) Act, 1946

Q.7 What is an Approved Union? What conditions should it fulfill to be considered as so. Discuss with reference to the Bombay Industrial Relations Act, 1946.

Q.8 Describe the procedure for dealing with complaints relating to Unfair Labour Practices under M.R.T.U and P.U.L.P. Act, 1971.

Q.9 Discuss the law relating to strike and lockout under Industrial Dispute Act, 1947.

Q.10 Explain the concept of collective bargaining with respect to Trade Unions Act, 1926

Day: Tuesday
Date: 8-10-2002

Time: 2.30 to 5.30 p.m
Maximum Marks: 100

- N.B:** 1) Attempt any **six** questions including Q.1 which is **compulsory**.
2) Q.1 carries **20** marks and all other questions carry **16** marks each.
-

- Q.1 Write Short Notes on **any four** of the following:-
- Aims of the Bombay Labour Welfare Fund Act, 1953
 - Employees Family Pension Scheme
 - Permanent Partial Disablement under ESI Act.
 - Employees State Insurance Court
 - Powers and duties of Inspector under Maternity Benefit Act, 1961
 - Recovery of Gratuity
- Q.2 "Social Security is a new concept and it represents society's current answer to the problem of economic insecurity." Explain.
- Q.3 Explain in detail the Doctrine of Notional Extension of Employment under Workmen's Compensation Act, 1923.
- Q.4 Explain and discuss the important provisions of Employees Provident Fund Act, 1952.
- Q.5 Discuss in detail the benefits available under the Employees State Insurance Act, 1948.
- Q.6 What are the benefits available under Maternity Benefit Act, 1961 and how are they paid?
- Q.7 Explain the provisions of the Payment of Gratuity Act, 1972 relating to the nomination by an employee and recovery of gratuity.
- Q.8 Explain in detail the terms, "arising out of and in the course of employment" with the help of relevant cases under the Workmen's Compensation Act, 1923.
- Q.9 Discuss in brief the concept of "Basic Wage" and mention various schemes available under Employees Provident Fund Act, 1952.
- Q.10 Discuss the following with reference to Employees State Insurance Act, 1948.
- ESI corporation
 - Medical Benefit Council

TAPI (REVISED - 2001 BATCH) : . OCT / NOV 2002
SUBJECT : LEGISLATIONS AFFECTING CONDITIONS OF WORK

Day : Thursday Time : 2.30 P.M. TO 5.30 P.M.
Date : 10-10-2002 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 carry 16 marks each.

- Q. 1 Write short notes on any **FOUR** of the following:
- a) List the process in which child labour is prohibited.
 - b) Miner, minerals and owner under Mines Act.
 - c) Define the term 'Cargo' under the Dock workers Act, 1948.
 - d) Certifying Surgeons and their duties under the Factories Act, 1948.
 - e) Notice by occupier under the Factories Act, 1948.
 - f) Powers of Inspector under Motor Transport Workers Act, 1961.
- Q. 2 Define the 'Factory' and discuss the object and scope of the Factories Act, 1948.
- Q. 3 Briefly enumerate provisions of the Act ensuring health of the workers in a factory under Factories Act, 1948.
- Q. 4 State briefly the provisions of the Plantation Labour Act regarding health and welfare of the worker ?
- Q. 5 Discuss the object and salient features of the Employment of Children Act 1986.
- Q. 6 Explain the functions and powers of Chief Inspector under the Mines Act, 1952.
- Q. 7 What are the weekly and daily hours of which an adult, children and women may be required to work in Mines ? Explain the rules with regard to weekly holidays in the mines with reference to Mines Act, 1952.
- Q. 8 What is a Dock workers scheme ? What are the purposes for which the scheme can be formulated under the Dock workers (regulation of employment) Act, 1948 ? Discuss.
- Q. 9 Explain the provisions relating to welfare and health under the Contract Labour (Regulation and Abolition) Act, 1970.
- Q. 10 Describe the procedure of the registration of shops and other commercial establishment under the Bombay shop and Establishment Act, 1948.

TAPI (REVISED - 2001 BATCH) : OCT/NOV 2002
SUBJECT : LAW OF WAGES AND PRINCIPLES OF WAGE FIXATION

Day : Wednesday Time : 2.30 P.M. TO 5.30 P.M.
Date : 9-10-2002 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 carry 16 marks each.

- Q. 1 Write short notes on any **FOUR** of the following:
- a) 'Wages' under the Payment of Wages Act, 1936.
 - b) The Duties of an employer under the payment of Wages Act.
 - c) Eligibility for Bonus under the Payment of Bonus Act, 1965.
 - d) Admissible deductions from Bonus.
 - e) Wages in kind under the Minimum Wages Act, 1948.
 - f) Offences and Penalties under the Minimum Wages Act, 1948.
- Q. 2 State the object and scope of the Payment of Wages Act, 1936 and describe the categories of persons to whom the Act applies.
- Q. 3 'The Employer is not permitted to make any deductions from the wages of the employee except those authorized by the Act'. Comment with reference to The Payment of Wages Act, 1936.
- Q. 4 Mention the powers and functions of Inspectors appointed under the Payment of Wages Act, 1936.
- Q. 5 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. 6 Explain the following with reference to The Minimum Wages Act, 1948.
- a) Wages in kind.
 - b) Living wages.
- Q. 7 Describe the scope and object of The Payment of Bonus Act, 1965. Enlist the Institutions or Employers to which the Act does not apply.
- Q. 8 Define and explain the concept of 'Allocable Surplus'. Explain the principle of 'Set on' and 'Set off' of allocable surplus under the Payment of Bonus Act, 1965.
- Q. 9 'Bonus is a dynamic concept'. Comment.
- Q. 10 What are the rules for the determination and the distribution of Bonus ? How can bonus be recovered by the employees under the Payment of Bonus Act, 1965 ? Discuss.