

**TAPI: OCT-NOV-2012**

**SUBJECT; LAW OF WAGES AND PRINCIPLES OF WAGE FIXATION**

Day: **Saturday**  
Date: **29-12-2012**

Time : **10:00AM To 1:00 P.M.**  
Max marks: 100

**N.B.**

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

- Q.1** Write short notes on Any **FOUR** of the following:
- a) Time limit for payment of bonus
  - b) 'Set on and Set off'
  - c) Wages in kind and overtime under the Minimum Wages Act, 1948
  - d) Powers of Inspector under the Payment of Wages Act, 1936.
  - e) Living wages.
  - f) Object and purpose of the Payment of Wages Act, 1936
- Q.2** Discuss the general scheme of Payment of Wages Act, 1936 and explain the powers of the Inspector under the Act
- Q.3** What is the object of fixing minimum wages? State the procedure for fixing and revising wages under the Minimum Wages Act, 1948.
- Q.4** State the rules relating to 'minimum bonus and maximum bonus' under the Payment of Bonus Act, 1965.
- Q.5** What are the provisions for dealing with disputes between employees, and employers for recovery of bonus under the Payment of Bonus Act, 1965?
- Q.6** What are the checks against evasion of payment of minimum wages to the employee in schedule employment in which minimum rules of wages have been fixed by the employer?
- Q.7** Describe the Scope and object of Payment of Bonus Act, 1965. Whether an employer is liable to pay bonus even if he does not earn profits? Explain.
- Q.8** "The wages of an employed person shall be paid to him without deductions of any kind except those authorized by or under the Payment of Wages Act 1936. Comment.
- Q.9** Critically examine the provisions relating to 'Claims' under the Minimum Wages Act, 1948.
- Q.10** What are the offences under the Payment of Wages Act, 1936 and what is the penalty prescribed for them? Describe the procedure to be followed in the trial of such offences.

TAPI: OCT-NOV-2012

SUBJECT: LAW RELATING TO INDUSTRIAL RELATIONS AND ADJUDICATION

Day: Monday

Time: 10:00AM-11:00 PM.

Date: 24-12-2012

Max. Marks: 100

N.B.:

- 1) Attempt **ANY SIX** questions out of which question 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) Public Utility Services
- b) Trade Dispute
- c) Powers and Duties of Labour Officers
- d) 'Industrial Establishment' under the Industrial Employment (Standing Orders) Act, 1946.
- e) Rights of Recognized Union
- f) Lay off and Retrenchment

**Q.2** Define strikes and lockouts under the Industrial Dispute Act, 1947. Examine the circumstances as to when a strike or lockout becomes illegal under the Act.

**Q.3** Define the term 'Trade Union'. State the rights and privileges of the registered trade union under the Trade Union Act, 1926.

**Q.4** Discuss the provisions relating to the registration of trade unions under the Bombay Industrial Relations Act, 1946.

**Q.5** Explain the procedure for certification of standing orders framed by an Industrial Establishment under the Industrial Employment (Standing orders) Act, 1946.

**Q.6** Discuss the Authorities constituted under the Maharashtra Recognition of Trade Unions and prevention of Unfair Labour Practices Act, 1971 and state their duties and powers.

**Q.7** What are the various Authorities constituted to investigate and settle the Industrial Dispute under the Industrial Disputes Act, 1947?

**Q.8** Discuss the duties of Industrial Court under the Bombay Industrial Relations Act, 1946.

**Q.9** State the purposes for which General Fund and Political Fund of registered trade union may be spent.

**Q.10** Discuss the procedure for the modification of standing orders under the Employment (Standing orders) Act, 1946. who can apply for modification?

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Day : Thursday  
Date : 20-12-2012

Time : 10.00 A.M. To 1.00 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.

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

- a) Certifying Surgeon under Factories Act, 1948.
- b) 'Cargo' under the Dock workers Act, 1948.
- c) 'Mines' under the mines Act, 1952.
- d) Hours and period of work under the Child Labour.(Prohibition and Regulation) Act, 1986.
- e) Principal Employer under the Contract Labour. (Regulation and Abolition) Act, 1970.
- f) Hazardous process under Factories Act, 1948.

**Q.2** Define the term worker and discuss the provisions relating to the safety of workers under the Factories Act, 1948.

**Q.3** State the provisions relating to welfare under the Plantations Labour Act, 1951.

**Q.4** State briefly about the establishment, constitution and functions of the Advisory Committee and Dock Labour Board.

**Q.5** State the provisions of the Mines Act with regard to Health and Safety.

**Q.6** Describe the procedure for registration of an establishment employing contract labour and state the effect of its non-registration.

Explain the provisions relating to time and conditions for payment of wages under the Bombay shops and Establishment Act, 1948.

Discuss in brief with reference to Child Labour (Prohibition and Regulation) Act, 1986.

- a) Child Labour Technical Advisory Committee.
- b) Maintenance of Register and display of Notice.

State the object, scope and application of the Motor Transport Workers Act, 1988.

State the features of the Beedi and Cigar workers. (Conditions of Employment) Act, 1966.

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TAPI - Oct-Nov-2012  
**SUBJECT: LAW OF WAGES AND PRINCIPLES OF WAGE FIXATION**

Day: Wednesday  
Date: 19-12-2012

Time: 10:00 A.M. TO 1:00 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) Set on and set off
  - b) Available surplus
  - c) Wage period under the Payment of Wages Act, 1936
  - d) Deductions for absence from duty under the Payment of Wages Act
  - e) Cost of living index number
  - f) Maintenance of registers and records under the Minimum Wages Act 1948
- Q.2** "The Payment of Wages Act provides that the wages are to be paid in particular form, at regular intervals and without unauthorized deductions". Explain.
- Q.3** Define the term 'Wages' and discuss the provisions relating to 'Fines' under the Payment of Wages Act, 1936.
- Q.4** Explain the powers and functions of Inspectors appointed under 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** Critically examine the provisions relating to 'claims' under the Minimum Wages Act, 1948.
- Q.7** Explain with reference to Minimum Wages Act, 1948.
- A Living Wages
  - b) Fixation of minimum rates of wages
- Q.8** Explain the employer's obligation to pay minimum bonus. What is meant by maximum bonus?
- Q.9** Write in detail the 'bonus formula' given in the Payment of Bonus Act, 1965.
- Q.10** What are the rules for determination and distribution of bonus? How can bonus be recovered by the employee?



- 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.

Attempt any **FOUR** of the following:

- a) Pen down strike
- b) Lay-off
- c) Public Utility Service
- d) Primary Union
- e) Closure
- f) Jurisdiction of Labour Court under I.D. Act.

Explain 'Industrial Dispute' under the Industrial Dispute Act, 1947 when does an individual dispute becomes an Industrial Dispute? Discuss.

Define the term 'Retrenchment' and state the conditions precedent as well as the procedure for retrenchment of the workman under Industrial Dispute Act, 1947.

What is arbitration? Can the parties themselves refer an Industrial Dispute for arbitration to the Industrial Court? If so, when? Discuss.

Discuss constitution, duties and powers of the various authorities under The Bombay Industrial Relations Act, 1946.

Evaluate the concept of 'Trade Union' and discuss the provisions relating to 'Registration of Trade Union' under the Trade Union Act, 1926.

What are the immunities provided to a Registered Trade Union? Can a registered trade union spend any part of its general funds for political purpose?

Write a note on the following under the Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practices Act, 1971.

Powers of Industrial Court

Obligations of a Recognised Union

Outline the provisions relating to 'Rights and Obligation of Recognised Union under Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practice Act, 1971

What are 'Standing Orders'? Discuss the procedure for the modification of standing orders under the Industrial Employment (Standing Order) Act, 1946?

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