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Total number of printed pages-7

6 SEM LLB I & II I (N)

2017

(June)

LAW

Paper : 6.1

**(Labour and Industrial Law-II)**

**(New Course)**

Full Marks : 80

Time : Three hours

**The figures in the margin indicate full marks for the questions.**

1. Define Plantation Labour. Describe procedure for registration of plantations.

4+8=12

**Or**

Elaborate health and safety provisions under Plantations Labour Act, 1951. 6+6=12

Contd.

2. Define Industry. Elucidate regulations of scheduled industries under Industrial (D. & R.) Act, 1951. 4+8=12

Or

2.2 Describe power and function of the central advisory councils, under Industrial (D. & R.) Act, 1951. 12

3. Who is a contract labour ? Explain procedure for licensing of contractors under the Contract Labour (Regulation & Abolition) Act, 1970. 4+8=12

Or

Describe object, nature and scope of the Payment of Bonus Act, 1965. 12

4. Define Mines. Describe mining operations and management of mines. 4+8=12

Or

Describe various powers and functions of inspector under the Mines Act, 1952. 12

5. What is gratuity ? Elaborate procedure for determination of the amount of gratuity. 4+8=12

Or

Describe constitution and functions of Employees' Provident Fund Appellate Authority under the Employees' Provident Funds Act, 1952. 6+6=12

6. Explain the following terms : 2x5=10

- (a) Leave with wages
- (b) Development Council
- (c) Health of Contract Labour
- (d) Certifying Surgeons
- (e) Provident Fund.

7. Answer the following questions :

1 × 10 = 10

(a) Under Plantation Labour Act, 1951 a welfare officer is required to be appointed where the no. of workers is

- (a) 100
- (b) 300
- (c) 500
- (d) 1000

(b) Under Plantation Labour Act, creche is to be set up where \_\_\_\_\_ women workers are employed or the 'no. of children of women worker exceeds

- (a) 50 & 20
- (b) 30 & 20
- (c) 50 & 30
- (d) 30 & 5

(c) Provision relating to licencing or new industrial undertaking has been mentioned under section \_\_\_\_\_ of the Industrial (D. & R.) Act, 1951

- (a) 10
- (b) 11
- (c) 11(A)
- (d) None of the above

(d) Define 'current assets' as per Industrial (D. & R.) Act, 1951.

(e) Identify the major actors of industrial relations from the following :

- (a) Employers
- (b) Unions
- (c) Government
- (d) All of the above

(f) Contract Labour (Regulation & Abolitions Act) 1970 can be classified into the category of

- (a) Social Security Act
- (b) Industrial Relations Act
- (c) Welfare Act
- (d) Commercial Act

(g) Under Mines Act which section defines chief inspector

- (a) 2(a)
- (b) 2(d)
- (c) 2(e)
- (d) 2(c)

(h) The scheme defined under 2(i-b) of the PF Act, 1952 is —

- (a) Pension Scheme
- (b) Provident Fund Scheme
- (c) Family Pension Scheme
- (d) Insurance Scheme

(i) An employee whose salary does not exceed \_\_\_\_\_ is eligible for Bonus under the Payment of Bonus Act.

- (a) Rs. 3500
- (b) Rs. 2500
- (c) Rs. 6500
- (d) Rs. 10000

(j) Employees' Provident Fund Appellate Tribunal is at

- (a) New Delhi
- (b) Bengaluru
- (c) Mumbai
- (d) None of the above.

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**6 SEM LLB (N) I & II 1**

**2018**

(June)

**LAW**

Paper : 6.1

**(Labour and Industrial Law-II)**

**(New Course)**

Full Marks : 80

Time : Three hours

**The figures in the margin indicate full marks for the questions.**

1. Answer the following questions : 1×10=10
  - (a) Define Plantation.
  - (b) What do you mean by spread over ?
  - (c) Define Industrial Undertaking.
  - (d) Define current assets.
  - (e) Who can take cognizance of offence under Contract Labour (Regulation and Abolition) Act ?

Contd.

- (f) Define bonus.
- (g) What is opencast working ?
- (h) What is Calendar Year ?
- (i) Define family under Payment of Gratuity Act, 1972.
- (j) Who is eligible to become a member of Provident Fund ?

2. Explain the following terms :

- (a) Accidents under the Plantations Labour Act, 1951. 2×5=10
- (b) Central Advisory Council.
- (c) Disqualification for bonus.
- (d) Medical Appliances under the Mines Act, 1952.
- (e) Provident Fund.

Answer the following questions :

- 3. Who is a Welfare Officer ? Elaborate the welfare provisions under the Plantations Labour Act, 1957. 2+10=12

**OR**

Elaborate the hours and limitation of employment under the Plantations Labour Act, 1957. 12

- 4. Define existing industrial undertaking. Elucidate the provision relating to registration of existing industrial undertaking. 4+8=12

**OR**

Write a note on direct management of Industrial Undertakings by Central Govt. in certain cases as provided under Industrial (Development and Regulation) Act, 1951. 12

- 5. State the area to which the Contract Labour (Regulation and Abolition) Act, 1970 shall apply. Elaborate the provisions relating to registration of establishments employing contract labour. 4+8=12

**OR**

Describe the object and salient features of the Payment of Bonus Act, 1965. 12

6. Explain the provision relating hours and limitation of employment under the Mines Act, 1952. 12

OR

Elaborate the provisions relating to health and safety under the Mines Act, 1952. 12

7. Define continuous service. State the provision relating to payment of gratuity. How can gratuity be recovered? 12

3+7+2=12

OR

Elaborate the provisions relating to appeal and procedure of Tribunal. 12

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6 SEM LLB (N) L & II 1

2019

(June)

LAW

Paper : 6-1

**(Labour and Industrial Law-II)**

**(New Course)**

Full Marks : 80

Time : Three hours

*The figures in the margin indicate full marks for the questions.*

1. Answer the following questions : 1×10=10
  - (a) What is "available surplus" under the Payment of Bonus Act?
  - (b) Define Gratuity.
  - (c) What is Open-cast Mining?
  - (d) Who is eligible for Bonus?
  - (e) What is the procedure for Computation of Gratuity?

Contd.



(f) Who may be a Licensing Officer under Contract Labour (Regulation and Abolition) Act, 1970?

(g) What do you mean by Safety Provision under the Plantation Labour Act, 1951?

(h) What is the Importance of Development Council under Industrial (Development and Regulation) Act, 1951?

(i) What do you mean by Contract Labour?

(j) Define Contractors under Contract Labour (Regulation and Abolition) Act, 1970.

2. Write briefly on the following: 2×5=10

(a) Time-limit for Payment of Bonus.

(b) Scheduled Industries.

(c) Limitations of Employment under Plantations Labour Act, 1951.

(d) Provident Fund Scheme.

(e) Development Council.

3. Describe nature, scope and object of the Plantations Labour Act, 1951. Examine its applicability in the State of Assam. 8+4=12

Or

(a) State the Health and Safety Provisions in the Plantation Labour Act. 6

(b) Discuss in brief about the importance of Registration of Plantations under Plantations Labour Act, 1951. 6

4. Elaborate the Procedure for Liquidation of Companies with the help of Case laws. 12

Or

In which conditions, Central Government may take care of Industrial Undertaking? Analyse with relevant provisions and justify with your own opinion. 12

5. Define Contract Labour. Elaborate the provisions relating to welfare and health of contract labour under the Contract Labour (Regulation and Abolition) Act, 1970. 2+10=12

Or

What is the time-limit for Payment of bonus? Discuss the procedure for recovery of bonus due from an Employer. 4+8=12

6. Elaborate the provisions relating to leave with wages under the Mines Act, 1952. 12

**Or**

Elaborate the provisions relating to health and safety under the Mines Act, 1952. 12

7. State the provisions relating to the determination of the amount of gratuity. How can gratuity be recovered? 8+4=12

**Or**

(a) Write a note on Employees' Provident Fund Scheme.

(b) State the provisions relating to Employees' Provident Fund Appellate Authority. 6+6=12

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**6 SEM LLB I & II 1**

**2020**

**LAW**

Paper : 6-1

**( Labour and Industrial Law - II )**

Full Marks : 80

Time : Three hours

*The figures in the margin indicate full marks for the questions.*

1. Answer the following : 1×10=10
  - (a) Define plantation.
  - (b) When does a plantation need to provide educational facilities under the Plantation Labour Act, 1951 ?
  - (c) What do you mean by Scheduled Industry ?

Contd.

- (d) What do you mean by Development Council?
- (e) What is the liability of a principal employer under the Contract Labour (Regulation and Abolition) Act?
- (f) When can an employee be disqualified from receiving bonus?
- (g) What do you mean by reportable injury?
- (h) What is the hours of work for an adult employed below ground in a mine?
- (i) What is gratuity?
- (j) Who is eligible to become member of a Provident Fund?
2. Explain the following terms :  $2 \times 5 = 10$
- (a) Objectives of Plantation Labour Act
- (b) Central Advisory Council
- (c) Maximum Bonus and Minimum Bonus
- (d) Managers under the Mines Act, 1952
- (e) Provident Fund

3. What is the function of a welfare officer? Elaborate the welfare provisions under the Plantation Labour Act, 1951.  $2+10=12$
- OR**
- Elaborate the hours and limitations of employment under the Plantation Labour Act, 1951. 12
4. Elucidate the provisions relating to regulations of Scheduled Industries under Industries (Development and Regulation) Act, 1951. 12

**OR**

- Write a note on direct management of Industrial Undertakings by Central Government in certain cases as provided under Industries (Development and Regulation) Act, 1951. 12
5. Who is a contract labour? Explain the procedure for licensing of contractors under the Contract Labour (Regulation and Abolition) Act, 1970.  $4+8=12$

**OR**

What do you mean by bonus? Who is eligible to claim bonus? What are the grounds which bar an employee to receive bonus under the Payment of Bonus Act, 1965?

4+4+4=12

6. Explain the provisions relating to hours and limitation of employment under the Mines Act, 1952.

12

**OR**

Describe various powers and functions of inspectors under the Mines Act, 1952.

12

7. State the provisions relating to payment of gratuity. How can gratuity be recovered?

8+4=12

**OR**

Describe the constitution and functions of Employees' Provident Fund Appellate Authority under the Employees' Provident Funds Act, 1952.

6+6=12

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Total No. of pages: 2

6 SEM LLB LIL-II 6.1

2021  
(September)  
LAW  
Paper: 6.1  
(Labour and Industrial Law-II)  
Full Marks- 40  
Time: 1 ½ Hrs

*(The figures in the margin indicate the full marks for the questions)*

1. Answer any two from the following questions 13×2= 26
- a. Is it necessary to get the plantations registered under the Plantation Labour Act, 1951? If so briefly state the procedure? 13
- b. In which conditions, Central Government may take care of Industrial Undertaking? Analyse with relevant provisions and justify with your own opinion. 13
- c. Is there any time limit for payment of bonus? If so, state the provision. Discuss the procedure for recovery of bonus due from an employer under the Payment of Bonus, Act 1965. 3+10=13
- d. Discuss the provisions relating to Mining Operations and Management of mines under the Mines Act, 1952. 13
- e. Discuss the salient features of The Payment of Gratuity Act, 1972. 13
2. Answer any one from the following questions. 14×1=14
- a. State the applicability of the Plantation Labour Act, 1951? What provisions are provided regarding housing accommodations under the said Act? 4+10=14
- b. State the provisions regarding establishment, constitution and functions of the authorities to advise the Central Government on matters concerning the development and regulation of Scheduled Industries under the Industries (Development and Regulation) Act, 1951? 14

- c. Who has got the liability to provide amenities conferred under the Contract Labour (Regulation and Abolition) Act, 1970 to the workers if the contractor fails to provide the same? State the welfare and health facilities under the said act. 4+10=14
- d. Is there any limitation for employment of women under the Mines, Act 1952. Explain the provision relating to hours and limitation of employment under the Mines Act, 1952. 4+10=14
- e. Elaborate the provisions relating to appeal and procedure of Tribunal under the Provident Funds and Miscellaneous Provisions Act, 1952. Employees  
14

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6 SEM LLB L & II 6.1

2023

(June)

LAW

Paper : 6.1

(Labour and Industrial Law-II)

Full Marks : 80

Pass Marks : 32

Time : Three hours

*The figures in the margin indicate full marks for the questions.*

1. Answer the following questions : 1×10=10

(a) Under the Plantation Labour Act, 1951 canteen is to be set up where the number of workers employed therein exceeds

- |           |          |
|-----------|----------|
| (i) 150   | (ii) 200 |
| (iii) 250 | (iv) 300 |

Contd.



- 1551
- (b) An application for payment of compensation under S.16A of the Plantation Labour Act, 1951, shall be made within a period of
- (i) three months
  - (ii) six months
  - (iii) four months
  - (iv) two months
- (c) Under which provision of the Industries (Development and Regulation) Act, 1951, the Central Government can make an investigation into scheduled industries or industrial undertakings?
- (i) S. 14
  - (ii) S. 15
  - (iii) S. 15A
  - (iv) S. 16
- (d) The central government can assume management or control of an industrial undertaking under S. 18A of the Industries (Development and Regulation) Act, 1951, if
- (i) industrial undertaking has failed to comply with the directions issued under S. 16
  - (ii) industrial undertaking in respect of which an investigation has been made under S. 15 (whether or not any directions issued under S.16), is managed in a manner highly detrimental to the scheduled industry concerned or to public interest

- (iii) Either (i) or (ii)
- (iv) None of the above
- (e) Other facilities under S. 18 of the Contract Labour (Regulation and Abolition) Act, 1970 includes
- (i) drinking water
  - (ii) latrines and urinals
  - (iii) washing facilities
  - (iv) All of the above
- (f) Under the Payment of Bonus Act, 1965, which of the following items has/have been provided as prior charges?
- (i) Depreciation admissible under the S. 32(1) of Income Tax Act or Agricultural Income Tax
  - (ii) Development rebate or investment allowance or development allowance
  - (iii) Direct tax payable for accounting year
  - (iv) All of the above

(g) The Mines Act, 1952 came into force on

- (i) 1st April, 1952
- (ii) 27th May, 1952
- (iii) 1st July, 1952
- (iv) 31st December, 1953

(h) Under the Mines Act, 1952, every mine shall provide and maintain a first-aid room wherein the number of persons employed is \_\_\_\_\_ or more.

- (i) 100 (ii) 150
- (iii) 200 (iv) 250

(i) The Presiding officer of the Employees' Provident Funds Appellate Tribunal should be

- (i) a Judge of a High Court
- (ii) a District Judge
- (iii) Either (i) or (ii)
- (iv) None of the above

(j) The employer shall arrange the payment of gratuity within \_\_\_\_\_ days from the date it becomes payable.

- (i) 30 (ii) 45
- (iii) 60 (iv) 90

2. Write briefly on the following : 2x5=10

- (a) Registration of Plantation
- (b) Central Advisory Council
- (c) Restrooms
- (d) Difference between Reportable Injury and Serious Bodily Injury
- (e) Objectives of the Payment of Gratuity Act, 1972

3. Elaborate the welfare provisions under the Plantation Labour Act, 1951. When does a plantation need to appoint welfare officers in the plantations? 10+2=12

Or

Elaborate the provisions relating to hours and limitations of employment under the Plantation Labour Act, 1951. 12

4. Write a note on direct management of industrial undertakings by Central Government in certain cases under the Industries (Development and Regulation) Act, 1951. 12

**Or**  
State the provisions for control of supply, distribution, price etc., of certain articles under the Industries (Development and Regulation) Act, 1951.

5. Describe the constitution and powers of the Advisory Boards constituted under the Contract Labour (Regulation and Abolition) Act, 1970. 12

**Or**  
Describe the object and salient features of the Payment of Bonus Act, 1965.

6. Discuss the provisions relating to mining operations and management of mines under the Mines Act, 1952. 12

**Or**  
State the provisions regarding constitution, powers and functions of the committees constituted under the Mines Act, 1952. Who shall bear the expenses for conducting an inquiry by these committees under the Act? State the provision in relation to it. 10+2=12

7. What is gratuity? Discuss the provision relating to payment of gratuity under the Payment of Gratuity Act, 1972. 2+10=12

**Or**  
(a) Write a note on Employees' Provident Fund Scheme. 6  
(b) State the provisions relating to Employees' Provident Fund Appellate Authority. 6