

Sub Code...LL.B 302

Roll No.....

**SEMESTER EXAMINATION 2022-2023**

**Year, Programme – LLB 2<sup>nd</sup> Year III<sup>rd</sup> Sem**

**LABOUR LAW-II**

**Duration: 3 hrs**

**Max Marks: 70**

**Note: Attempt all questions. All questions carry equal marks. In case of any ambiguity or missing data, the same may be assumed and state the assumption made in the answer.**

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| Q 1. | <b>Answer any four parts of the following within 100 to 125 words</b><br>a) Explain the meaning & ambit of Partial Disablement under Workmen Compensation Act, 1923.<br>b) Elucidate the Manufacturing Process under Factory Act, 1948.<br>c) Comment on the meaning & scope of Dependant under the Workmen Compensation Act, 1923.<br>d) Decipher the meaning of Wages under the Payment of Wages Act, 1936.<br>e) Briefly enumerate the meaning of Compensation under Workmen Compensation Act, 1923.<br>f) Elaborate the meaning of Minimum Wage? Distinguish it from Fair Wage.  | 4x3.5=14 |
| Q 2. | <b>Answer any four parts of the following within 100 to 125 words</b><br>a) Describe the procedure for the fixation & revision of Minimum wages under the Minimum Wages Act, 1948.<br>b) What is a Wage Period & who is responsible for the Payment of Wages?<br>c) While working on a machine, a worker accidentally drops a valuable testing appliance which is broken. The employer deducts the value of the appliance from the wages of the worker. Is the deduction justified?<br>d) Elaborate on additional provisions regulating the employment of Women in factories under the Factories Act, 1948.<br>e) Describe the scope & ambit of the Maternity Benefit Act, 1961.<br>f) Elaborate the Powers & duties of Inspectors as enumerated under Maternity Benefits Act, 1961. | 4x3.5=14 |
| Q 3. | <b>Answer any two parts of the following within 200 to 250 words</b><br>a) 'A', a driver in the DSRTC, was found responsible for causing an accident and was directed to pay Rs. 5000/- as damages to the employer Corporation and the same was directed to be deducted in monthly instalments of Rs. 25/- from his salary for causing an accident and was directed to pay Rs. 3,700/- as damages to the employer Corporation and the same was directed to be deducted in monthly instalments of Rs. 25/- from his salary. Decide the issue.<br>b) Delineate the distinction between Partial & Total disablements under Workmen's Compensation Act, 1923.<br>c) Explain the measures enumerated under the Factories Act, 1948 relating to safety of workers.                         | 2x7=14   |

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| Q 4. | <p><b>Answer any two parts of the following within 200 to 250 words</b></p> <p>a) The Workmen's Compensation Act. 1923 provides compensation to injured persons. Discuss the conditions which are required to be fulfilled for claiming said compensation. Support your answer with decided cases.</p> <p>b) Elaborate the procedure for fixing &amp; revising the Minimum Wages under the Minimum Wages Act, 1948.</p> <p>c) Elucidate the Doctrine of Notional Extension of Employment through relevant Case laws.</p>  | 2x7=14 |
| Q 5. | <p><b>Answer any two parts of the following within 200 to 250 words</b></p> <p>a) Discuss the Constitutional Validity of Minimum Wages Act, 1948.</p> <p>b) “The Contents of expression ‘living Wage’, ‘fair wage’ &amp; ‘minimum wage’ expand &amp; vary in ever expanding economy. These expressions are not static &amp; would keep on changing with the circumstances &amp; growth of industry &amp; economy”. Elaborate the statement.</p> <p>c) Mr Ram was employed as a fisherman in a seafood industry located in Surat, Gujarat. As usual, after the muster rolls, he was heading towards the seashore to catch fish. Before he could reach the actual place of his work and while he was at a distance of 10 metres therefrom, 'A' was swept away by the killer Tsunami waves. He died there. His unmarried daughter, the sole survivor in the family, claimed compensation under Sec. 3 of the Workmen's Compensation Act. Decide the issue.</p> | 2x7=14 |

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