

“QUESTION PAPER MUST BE ATTACHED ALONGWITH THE ANSWER BOOK.”

November, 2012

**FELLOWSHIP EXAMINATION
LEGAL ASPECTS OF
INDUSTRIAL RELATIONS**

FC-97

Reg. No.

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[Time : 3 Hours]

[Total Marks : 100]

Answer ANY FIVE questions only. All question carry 20 marks each.

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| Q.1 Bring out the meaning of the following terms : | 5 each |
| a) Moral turpitude | |
| b) Immunity to Trade Unions | |
| c) Rest Interval | |
| d) Public Utility Service | |
| Q.2 a) Who constitutes works committee? Explain in detail the purpose of constituting the works committee. | 5 each |
| b) The scope of section 36 A of I.D.Act is very limited. Who avails of this section and when? | |
| c) How National Tribunal is constituted? What are the issues adjudicated upon by the National Tribunal? | |
| d) What is the scope of Section 11A of Industrial Disputes Act? What was hold by the supreme court in the case of workman of Firestone Tyre and Rubber Co. v/s. The Management (AIR 1973 Sc 1227)? | |
| Q.3 What are the duties of the following Authorities : | 10 each |
| a) Commissioners under the Workmen Compensation Act, | |
| b) Registrar of Trade Unions. | |
| Q.4 a) What are the legal provisions with regard to recovery of money due to a workman from his employer under a Settlement of Award? | 10 each |
| b) Does termination as a result of disciplinary action amount to retrechment? Describe the conditions precedent to retrechment. | |
| Q.5 Is Section 9-A mandatory on the Employer! What are the issues for which notice of change is required to be given? | 20 |
| Q.6 Explain with examples the concept of ‘accident arising out of and in the cause of employment’, Does wilful misconduct on the part of a workman make employer liable for compensation? | 20 |
| Q.7 Define “Wages” under the Payment of Wages Act, 1936. What are the authorised deductions from the wages under the Act? | 20 |
| Q.8 Who is entitled for Gratuity? How gratuity is computed? What are the legal provisions with regard to forfeiture of gratuity? | 20 |

END

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