



'समानो मन्त्रः समितिः समानी'

UNIVERSITY OF NORTH BENGAL

LL.B. (3 yr.) 3rd Semester Examination, 2021

LABOUR AND INDUSTRIAL LAW-I

PAPER CODE: CC11

Time Allotted: 3 Hours

Full Marks: 100

The figures in the margin indicate full marks.

*The students are advised to follow the word limit mentioned below strictly while answering questions.
The marks will be deducted if answers exceed word limit.*

16-20 marks- 400 words / 10-15 marks- 300 words / 6-9 marks- 200 words / 2-5 marks- 100 words

Answer Question No. 7 and any four from the rest

1. Define "industrial dispute" with the help of relevant legal provisions. When does an individual dispute become an industrial dispute? Explain with the help of case laws.
2. Enumerate and explain the provisions of the Factories Act, 1948 that deal with the health and safety of the workers.
3. When does an employee become eligible to receive compensation under the Employee's Compensation Act, 1923? Explain the circumstances under which the employer is not liable to compensate an employee for an injury that arose out of an accident in and out of the course of employment.
4. Critically analyze the definition of industry given by the apex court in Bangalore Water Supply and Ors. V. A. Rajappa AIR 1978 SC 548.
5. What are the benefits under the Maternity Benefit Act, 1961? Are the same applicable to contractual employees? Analyze with the help of a case law.
6. Neha is the divorced wife of Akash, a deceased workman. Examine with the help of relevant legal provisions, whether she is entitled to claim the compensation due to Akash, if Akash died during the course of employment.

7. Write short notes on any **four** of the following:

5×4 = 20

- (a) Employment of Young Persons in a Factory
- (b) Doctrine of Added Peril
- (c) Occupational Disease
- (d) Voluntary Reference of Industrial Disputes
- (e) Leaves under Maternity Benefit Act, 1961
- (f) Total Disablement.

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