



‘समानो मन्त्रः समितिः समानी’

**UNIVERSITY OF NORTH BENGAL**

LL.B. (3 yr.) 4th Semester Examination, 2022

**LABOUR AND INDUSTRIAL LAW-II**

**PAPER CODE: CC16**

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. 20 marks- not more than 2000 words / 15 marks- not more than 1500 words / 10 marks- not more than 1000 words / 5 marks- not more than 500 words*

**Answer Question No. 7 and any four questions from the rest**

**GROUP-A**

1. (a) Comment on the constitutionality of the Minimum Wages Act, 1948. 5
- (b) Write a note on the procedure of fixation of minimum rate of wages under the said Act alongwith the structure of wage. 10
- (c) Whether an employee can get overtime allowance if he is receiving higher wages than the minimum wage fixed under the Minimum Wages Act, 1948? Why? 5
2. (a) Explain the provisions relating to contribution under the Employees' State Insurance Act, 1948. 10
- (b) Does educational institutions (public or private) come under the ambit of Employees' State Insurance Act, 1948? 6
- (c) Comment on the constitution and powers of the standing committee. 4
3. (a) Explicate upon the legal provisions relating to the regulation of the child labour in India. Also highlight the role of judiciary in protecting the child rights in India. 15
- (b) Write a short note on the Child and Adolescent Labour Rehabilitation Fund. 5
4. Discuss the following provisions:
  - (a) Fixation of hours of a normal working day under the Minimum Wages Act, 1948. 5
  - (b) Protection against attachment of assets of employer with the government under the Minimum Wages Act, 1948. 5
  - (c) Benefits under the Employees' State Insurance Act, 1948. 10

5. (a) Explain the process for registration of Trade union under the Trade Union Act, 1926. 10
- (b) Do the minors have any right to become the member of Trade Union? Comment. 4
- (c) Explain the legal provisions relating to recognition of Trade Union and with relevant case laws. 6
6. (a) Write an explanatory note on Employees' Provident Fund Scheme. 8
- (b) Is special allowance a part of the basic wage that can be considered for calculating the contribution to the Provident Fund Scheme? 4
- (c) What are the components of Basic wages under the Employees' Provident Fund Scheme? 4
- (d) Explain the provisions relating to the Employees' Provident Fund Appellate Tribunal. 4

**GROUP-B**

7. Write short notes on any *four* of the following: 5×4 = 20
- (a) Regulation of Adolescent labour in India
- (b) Rights of the Registered trade union
- (c) Medical Benefit Council
- (d) History of Trade unionism in India
- (e) Employees' State Insurance Corporation
- (f) Employees' Pension Scheme.

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