|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Roll No. |  |  |  |  |  |  |  |  |  |  |  |  |



**PRESIDENCY UNIVERSITY**

**Bengaluru**

|  |
| --- |
| **End - Term Examinations – January 2025** |
| **Date: 02-01-2025 Time: 09:30AM- 12:30 PM** |

|  |  |  |
| --- | --- | --- |
| **School: School of Law** | **Program: BALLB (Hons)/BBALLB(Hons)/BCOMLLB(Hons)** | |
| **Course Code: LAW2030** | **Course Name: Labour and Industrial Laws II** | |
| **Semester**: **VII** | **Max Marks**: 100 | **Weightage**: 50 % |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **CO - Levels** | **CO1** | **CO2** | **CO3** | **CO4** | **CO5** |
| **Marks** | **10** | **10** | **30** | **30** | **20** |

**Instructions:**

1. *Read all questions carefully and answer accordingly.*
2. *Do not write anything on the question paper other than roll number.*

**Part A**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Answer ALL the Questions. Each question carries 2marks. 10 x 2Marks=20Marks** | | | | |
| **1** | Discuss the factors considered while determining a 'living wage.' | **2 Marks** | **L1** | **CO1** |
| **2** | Briefly discuss methods for the determination of wage under the Minimum Wages Act, 1948 | **2 Marks** | **L3** | **CO2** |
| **3** | Explain the concept of 'floor wage.' | **2 Marks** | **L3** | **CO3** |
| **4** | Define 'wage' under the Payment of Wages Act, 1936. | **2 Marks** | **L4** | **CO4** |
| **5** | Discuss the objectives of the Maternity Benefit Act, 1961. | **2 Marks** | **L5** | **CO5** |
| **6** | Outline the powers of inspectors under the Maternity Benefit Act, 1961. | **2 Marks** | **L3** | **CO3** |
| **7** | Discuss any two prohibitions under the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986. | **2 Marks** | **L5** | **CO4** |
| **8** | Briefly discuss the disabilities covered under the Employees’ Compensation Act, 1923. | **2 Marks** | **L2** | **CO3** |
| **9** | Define 'dependent' under the Employees’ Compensation Act, 1923. | **2 Marks** | **L2** | **CO3** |
| **10** | State the purpose of the Employees’ Provident Fund Scheme. | **2 Marks** | **L2** | **CO2** |

**Part B**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Answer the Questions Total 80 Marks** | | | | | | | | | |
| **11.** | Illustrate the differences between minimum wage, fair wage, and living wage. | | **10**  **Marks** | | **L4** | | **CO3** | |
| **Or** | | | | | | | | | |
| **12.** | Describe the time limits and procedures for payment of wages under the Payment of Wages Act, 1936. | | **4+6**  **Marks** | | **L4** | | **CO4** | |
|  |  |  | |  | |  | |  | |
| **13.** | The constitution guaranteed the right to life and dignity. In the light of this statement, analyze the significance of the Maternity Benefit Act, 1961, in protecting working women. | | **10**  **Marks** | | **L5** | | **CO4** | |
| **Or** | | | | | | | | | |
| **14.** | Discuss the powers and functions of Commissioners under the Employees’ Compensation Act, 1923. | | **5+5**  **Marks** | | **L5** | | **CO5** | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **15.** | Illustrate the provisions related to the eligibility criteria for receiving bonuses under the Payment of Bonus Act, 1965. | **10**  **Marks** | **L3** | **CO3** |
| **Or** | | | | | |
| **16.** | Explain the scope of the Employees’ Provident Funds Act, 1952 and discuss different types of benefits to the employees under the Act. | **5+5**  **Marks** | **L4** | **CO4** |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **17.** | Analyze the duties of contractors in ensuring welfare measures for inter-state migrant workers and discuss the provisions for licensing of contractors. | **15**  **Marks** | **L4** | **CO4** |
| **Or** | | | | | |
| **18.** | Critically discuss the welfare provisions under the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 | **15**  **Marks** | **L5** | **CO5** |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **19.** | Evaluate the calculation process partial and total disablement under the Employees’ Compensation Act, 1923 | **15**  **Marks** | **L4** | **CO3** |
| **Or** | | | | | |
| **20.** | Sunita works as a machine operator in a factory earning a gross monthly salary of ₹18,000. The factory is covered under the **Employees’ State Insurance (ESI) Act, 1948**. One day, Sunita suffers a severe hand injury, and also lost one finger while operating a machine and requires hospitalization for two weeks. During this period, she is unable to work.   1. Is Sunita eligible for ESI benefits? Justify your answer based on her salary and the provisions of the Act. 2. Identify the types of benefits Sunita can claim under the Act. 3. Calculate the employee's and employer's monthly contributions to the ESI fund, assuming the statutory rates are **0.75%** and **3.25%**, respectively. | **5+5+5**  **Marks** | **L5** | **CO4** |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **21.** | Analyze the interplay between the Equal Remuneration Act, 1976, and gender equality in the workplace. | **20**  **Marks** | **L5** | **CO4** |
| **Or** | | | | | |
| **22.** | Priya, a sales executive earning ₹20,000 per month, has been employed for 1.5 years in a private firm. Upon informing her employer about her pregnancy, she requested maternity leave as per the **Maternity Benefit Act, 1961**. However, her employer denied her request for 26 weeks of paid leave, claiming her role involves frequent travel and is not covered under the Act. Further, the employer insisted that Priya resign if she could not return to work immediately after childbirth. Priya is unsure about her rights regarding maternity leave, health benefits, and job security under the Act.  **Based on the situation above, answer the following questions**   1. Assess Priya's eligibility for maternity leave and benefits under the Act. 2. Explain the employer's obligations under the Act, including paid leave, health benefits, and job security. 3. Discuss the protections offered by the Act against termination or forced resignation during pregnancy or maternity leave. 4. Propose legal actions Priya can take if the employer continues to deny her rights. | **5+5+5+5**  **Marks** | **L4** | **CO4** |

**\*\*\*\*\* BEST WISHES \*\*\*\*\***