| Roll No. | | | | | | | | | | | | |
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# PRESIDENCY UNIVERSITY

## BENGALURU

**End - Term Examinations – December 2025**

**Date: 19 / 12/ 2025** **Time: 01:00pm – 04:00pm**

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| **School:** SOL | **Program:** BA/BBA/BCom LLB (Hons.) | |
| **Course Code :** LAW2028 | **Course Name:** Labour and Industrial Law | |
| **Semester**: **V** | **Max Marks**: 100 | **Weightage**: 50% |

| **CO - Levels** | **CO1** | **CO2** | **CO3** | **CO4** | **CO5** |
|---|---|---|---|---|---|
| **Marks** | **27** | **22** | **12** | **16** | **23** |

**Instructions:**

*(i) Read all questions carefully and answer accordingly.*

*(ii) Do not write anything on the question paper other than roll number.*

## Part A

**Answer ALL the Questions. Each question carries 2marks.** **10Q x 2M=20M**

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| **1.** | Explain the significance of the labour commission of 1969 in the development of Indian Labour policy? | **2 Marks** | **L1** | **CO1** |
| **2.** | Define the term "social justice" in the context of labour legislation. | **2 Marks** | **L2** | **CO2** |
| **3.** | Discuss the main features of the Trade Union (Amendment) Act, 2001. | **2 Marks** | **L2** | **CO3** |
| **4.** | Define the term "appropriate government" under the industrial disputes act, 1947. | **2 Marks** | **L1** | **CO4** |
| **5.** | Briefly explain "voluntary arbitration"? | **2 Marks** | **L2** | **CO4** |
| **6.** | Mention any two circumstances in which a conciliation officer can submit a failure report. | **2 Marks** | **L2** | **CO5** |
| **7.** | Explain the duties of an occupier under Factories Act, 1948? | **2 Marks** | **L1** | **CO5** |
| **8.** | State any two conditions relating to the employment of young persons in factories. | **2 Marks** | **L1** | **CO5** |
| **9.** | Elucidate upon the objective of the Code on Wages, 2019? | **2 Marks** | **L2** | **CO4** |
| **10.** | Suggest one reform that could enhance the effectiveness of labour adjudication in India. | **2 Marks** | **L6** | **CO5** |

## Part B

**Answer the Questions.** **Total Marks 80M**

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| **11.** | **a.** | Explain the concept of "protective discrimination" in labour legislation. | **5 Marks** | **L2** | **CO1** |
| | **b.** | Discuss the objectives and scope of labour welfare legislation in India and its relevance in achieving social justice. | **5 Marks** | **L3** | **CO1** |
| | | **Or** | | | |
| **12.** | **a.** | Discuss the influence of International Labour Organization conventions on the evolution of Indian labour laws. | **5 Marks** | **L2** | **CO1** |
| | **b.** | Evaluate how labour legislation reflects the balance between economic development and workers' protection in India. | **5 Marks** | **L3** | **CO1** |

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| **13.** | **a.** | Critically evaluate the concept of "retrenchment" in light of the supreme court's ruling in workmen of Dimakuchi Tea Estate v. Management**.** Explain how the court interpreted the definition of "workman" and its impact on industrial dispute adjudication. | **10 Marks** | **L4** | **CO3** |
| | | **Or** | | | |
| **14.** | **a.** | In nova textiles ltd., a group of workers was dismissed for alleged misconduct after participating in a demonstration outside the factory gate. the management claimed that the demonstration disrupted production and harmed the company's reputation. The workers contended that they were exercising their legitimate right to protest and that the dismissal amounted to victimization. Discuss whether the dismissal of the workers amounts to an unfair labour practice under the industrial disputes act, 1947. Refer to relevant provisions and judicial precedents. | **10 Marks** | **L4** | **CO3** |

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| **15.** | **a.** | Analyse the balance maintained by the Trade Union Act, 1926 between protecting the collective rights of workers and preventing abuse of trade union privileges. | **5 Marks** | **L2** | **CO4** |
| | **b.** | Discuss the immunities available to trade unions and whether these protections remain justified in the present industrial context. | **5 Marks** | **L3** | **CO4** |
| | | **Or** | | | |
| **16.** | **a.** | Analyse the process of registration and cancellation of trade unions under the trade union act, 1926. | **5 Marks** | **L2** | **CO4** |

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| | **b.** | Explain how the registrar's powers have been interpreted by the judiciary in maintaining accountability while preserving trade union independence. | **5 Marks** | **L3** | **CO4** |

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| **17.** | **a.** | Discuss the judicial interpretation of the term "industry" with special reference to the decision in Bangalore Water Supply and Sewerage Board v. A. Rajappa case. | **8 Marks** | **L3** | **CO1** |
| | **b.** | Also, explain how this judgment influenced the scope and application of Indian labour legislation. | **7 Marks** | **L4** | **CO1** ` |
| | | **Or** | | | |
| **18.** | **a.** | Analyse how the Indian judiciary has interpreted and reinforced these reforms through landmark cases such as Bandhua Mukti Morcha v. Union of India and People's Union for Democratic Rights v. Union of India. | **8 Marks** | **L3** | **CO1** |
| | **b.** | Discuss how these judgments contributed to the recognition of labour rights as an integral part of the right to life under Article 21 of the Constitution. | **7 Marks** | **L4** | **CO1** |

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| **19.** | **a.** | "Swiftmove," an app-based delivery platform, classifies its delivery partners as "independent contractors." After an accident, a rider claimed compensation, arguing that he was an employee under labour law. The company denied liability. Analyse whether gig workers can be considered "employees" under existing labour laws. | **8 Marks** | **L4** | **CO5** |
| | **b.** | Discuss the relevance of judicial trends and international standards in extending protection to such workers. | **7 Marks** | **L3** | **CO5** |
| | | **Or** | | | |
| **20.** | **a.** | A factory employs 60 women in the night shift. complaints were made regarding unsafe transport and lack of restrooms. An inspection revealed that the management had violated safety provisions under the Factories Act, 1948. The occupier claimed that night-shift safety for women was not mandatory. Identify and explain the provisions relating to the employment of women under the Factories Act, 1948. | **8 Marks** | **L4** | **CO5** |
| | **b.** | Analyse the duties of the Labour Inspector in ensuring compliance with these provisions. | **7 Marks** | **L3** | **CO5** |

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| **21.** | **a.** | The workers of sunrise shipping company formed a trade union and applied for registration. the registrar refused the application, stating that the union's rules did not clearly specify how funds would be used. The Union challenged the decision. Evaluate the remedies available to the union in case of wrongful refusal by the registrar. | **10 Marks** | **L5** | **CO2** |
| | **b.** | Examine the legal status and rights of trade unions with reference to All India Bank Employees Association v. National Industrial Tribunal case. Analyze the extent to which trade unions are protected under the Indian constitution and other law. | **10 Marks** | **L4** | **CO2** |
| | | **Or** | | | |
| **22.** | **a.** | In Lotus Engineering Ltd., workers formed a new trade union to negotiate for better working conditions. the management refused to recognize the union, claiming that another registered union already existed. the new union alleged that the employer was interfering with their right to organize. Analyse whether the management's refusal amounts to an unfair labour practice. Support your answer with relevant case laws. | **10 Marks** | **L5** | **CO2** |
| | **b.** | Discuss the rights and immunities available to registered trade unions under the Act, with relevant case law. | **10 Marks** | **L5** | **CO2** |