FELLOWSHIP EXAMINATION
LEGAL ASPECTS OF
INDUSTRIAL RELATIONS

[ Time : 3 Hours ]
[ Total Marks : 100 ]

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

Q.1. Define and bring out the meaning of the following under various Acts:
   a) Family (Payment of Gratuity Act, 1972).
   b) Wages (Workmens Compensation Act, 1923).
   c) Spread over (Shop and Establishment Act).

Q.2. a) Is University an ‘Industry’? Explain your answer in the light of supreme court decision in University of Delhi v/s. Ramnath.
   b) Who Constitutes National Tribunal? What are the functions of National Tribunal?
   c) The scope of section 36-A of Industrial Disputes Act is limited to the question of interpretation of any provision of an ‘Award or settlement’. Examine this statement in detail.
   d) What is the test to be applied to determine if an individual dispute is an Industrial Dispute?

Q.3. a) What does section 10-A of I.D. Act refer to? Is there any provision to appeal against the Award of an Industrial Court? If so, where does the appeal lie?
   b) Define an Award. On whom Award or settlement are binding?

Q.4. a) Can an employer retrench the workmen at his will? What was the ratio laid down by the supreme court in the case of S. K. Varma v/s. Industrial Tribunal, Delhi?
   b) Define ‘Lay Off’. Briefly explain the difference between Lay off and Lock out.

Q.5. Explain in detail the object of section 9A of Industrial Disputes Act. Can an employer unilaterally change the conditions of service?

Q.6. What does section 33-A of the I.D. Act stipulate? What is the legal provision for recovery of money due from an employer?

Q.7. a) Differentiate between ‘Partial Disablement’ and ‘Total Disablement’.
   b) When does an employer liable for compensation under Workmen’s Compensation Act, 1923?

Q.8. Briefly explain the provisions in the payment of gratuity Act in regard to payment of gratuity.

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