

<b>Name:</b>	 <b>UPES</b> UNIVERSITY WITH A PURPOSE
<b>Enrolment No:</b>	

**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**Online End Semester Examination, May 2021**

**Course: Labour Law-I**  
**Program: BA. LLB (EL)/BA.LLB (CNTL)/BA.LLB (CRL)/**  
**B.COM.LLB (TL)/B.SC. LLB, BBA.LLB Corporate Law,**  
**BBA.LLB BFIT/ITIL.**  
**Course Code: CLCC3027**

**Semester: VI**

**Time 03 hrs.**  
**Max. Marks: 100**

**SECTION A**

- 1. Each Question carries 5 Marks**
- 2. Instruction: Complete the statement / Write answer in 50-100 words.**

S. No.	Question	CO
Q 1	Briefly differentiate between Lay-off & Closure as per IR Code, 2020.	<b>CO1</b>
Q2	<b>Write true/false:</b> a. If workers are resorting to illegal strikes for around 1 month, that period shall be included in Continuous service. b. Authorized leaves taken by a worker will be taken into account to count the one year of continuous service.	<b>CO2</b>
Q3	What are the matters that are decided by a bench consisting of both Judicial and administrative member of an Industrial tribunal under the IR Code, 2020.	<b>CO1</b>
Q4	Write when does an award becomes enforceable as per the IR Code, 2020?	<b>CO1</b>
Q5	<b>Write true/false:</b> 1. The worker <u>who</u> is doing any supervisory work the wage limit given under the definition of workers under IR Code, 2020 has been increased to Rs.18000 p/m. 2. A teacher falls under the definition of worker under the IR Code.	<b>CO 2</b>
Q6	What are the principles of Natural Justice which should be followed in the Domestic Inquiry in cases of misconduct?	<b>CO3</b>

**SECTION B**

- 1. Each question carries 10 marks**
- 2. Instruction: Write short / brief notes**

Q 7	<p>Explain the role of Collective Bargaining methods for resolving the Industrial disputes as per IR Code, 2020?</p> <p style="text-align: center;">Or</p> <p>Discuss whether the Collective Bargaining objectives will be fulfilled as per the provisions of the Industrial Relations Code. Give reasons for your answer.</p>	<b>CO2</b>
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Q 8	<p>Future Group, a factory employed 450 workers. Due to Covid-19 pandemic, it suffered huge financial loss. Around 20 workers took voluntarily retirement. Later on, the employer of the factory decided to retrench 30 employees.</p> <p>Can the 20 workers claim retrenchment compensation? Give reasons. Also, Discuss the conditions of retrenchment provisions applicable in the above given case as per the IR, Code.</p>	CO2
Q 9	<p>Discuss the concept of Industry in the backdrop of Bangalore water supply case. Are the principles laid down in the Bangalore water supply case followed in defining Industry under the IR Code? Give reasons.</p>	CO3
Q 10	<p>Discuss the procedure of domestic enquiry in cases of punishment for misconduct.</p>	CO4
Q 11	<p>Explain Role of the Certifying Officer and the procedure for certification of Standing Orders under the provisions of the Industrial Relations Code, 2020</p>	CO3
<p><b>Section C</b></p> <p><b>1. Each Question carries 20 Marks.</b></p> <p><b>2. Instruction: Write long answer.</b></p>		
Q12	<p>Employees of PNB, went on two-day strike against the government's policy of privatization on 15<sup>th</sup> March, 2021. While the matter was pending before conciliation officer, the employees resorted to strike hastily, which affected the business activities.</p> <ol style="list-style-type: none"> <li>1. Discuss the principles of law applied in finding out the legality of a strike and justification thereof as per IR Code, 2020?</li> <li>2. Can an employer dismiss worker and deduct wages if the worker resort to an illegal strike? Refer the relevant case laws.</li> </ol> <p style="text-align: center;">OR</p> <p>There is newly formed Central Public Sector Undertaking registered under the provisions of The Companies Act, 2013 and one of its Industrial Establishments is located in Bangalore, Karnataka State employing 350 workers (including 50 on Fixed Term Employment) there. You have been appointed as Law Officer of the Company for its Bangalore Plant. The Director of the Company has sought your legal advice on the following 2 Issues:</p> <ol style="list-style-type: none"> <li>1. Which is the Appropriate Government under the provisions of the Industrial Relations Code, 2020 for the purpose of Certification of Standing Orders?</li> <li>2. What matters are to be included in the Draft Standing Orders and do we have to consult anyone before Certification of Standing Orders?</li> </ol>	<p>CO4</p> <p>CO4</p>