


Name:			
Enrolment No:			
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, December 2023			
Course: Labour Law II Program: B. Tech. LLB Course Code: CLCC 4013		Semester: IX Time: 03 hrs. Max.Mark:100	
Instructions: Read the questions properly and answer all the questions.			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q.	Answer the questions (Q. 1 to Q. 3) in not more than 50 words		
1.	Identify who is a platform worker? Give examples.	2	CO1
2.	Will a person be entitled to disablement benefit if he goes to work and gets wages for the same? Justify your answer with relevant provision.	2	CO1
3.	How many laws have been repealed by the Code on Wages 2019? Name them.	2	CO1
4.	Can a person claim sickness benefit and maternity benefit together? (Yes/No)	2	CO1
5.	The rules prescribe ___percentage of the income of the Corporation (ESIC) which may be spent for administrative expenses by the Central Government.	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q	Answer the following questions briefly:		
6.	Summarise the applicability of Chapter IV of the Code on Social Security 2020?	5	CO2
7.	Distinguish between Minimum wages, Fair wage and Living Wages.	5	CO2
8.	Comment on deduction on account of absence from duty.	5	CO2

9.	Elucidate on the health and safety provisions to be provided by the employer in his establishment as per the Occupation, safety, health and working Conditions Code 2020.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q	Explain the following questions:		
10.	Articulate the purposes for which Employees' State Insurance Fund may be expended according to the Social Security Code.	10	CO3
11.	The Occupation, safety, health and working Conditions Code 2020 enumerates responsibility of the Occupier. Elucidate on the importance of identifying a person as the occupier.	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q	Analyse the facts mentioned and then answer the questions:		
12.	<p style="text-align: center;"><u>Read the below mentioned facts and answer the questions:</u></p> <p>India, a place where 'Cricket' is treated as a religion, is all thrilled for the upcoming 2022 Women's T20 World Cup Tournament. Ayushi Khanna, Shrija Chauhan and Yukta Jain are the lead performers of the best 11 to be picked for the tournament. The whole nation has great hopes from the team, especially the lead performers.</p> <p>Ayushi Khanna, a senior player of the team, started her cricketing career in 2012. She got married to a famous Bollywood actor Mr. Ayush Rao in 2015 and the couple was graced with a child in 2017 for which Ayushi took break from cricket for a few months on the grounds of 'Maternity'. The couple is expecting to become parents again by the month of March 2021 and this has turned out to be a controversial news for the whole nation since the IWCA (Indian Women Cricket Association), in its terms of engagement has a clause of mandatory retirement of cricketer on the ground of her <i>second pregnancy</i>. Anticipating Ayushi not playing the 2022, World Cup has invited a huge uproar in the nation and upset many cricket fans.</p> <p>Ms. Ayushi has challenged the Engagement Rules claiming them to be violative of the norms of equality under Art.14. Article 15 of the Indian Constitution and seeking to be allowed to play the 2022 World Cup subject to her fitness.</p>	25 (10+15)	CO4

	Determine the issue at hand as the Judge of the Apex Court, with the help of various legal provisions and case-laws applicable. Also analyse, if Ayushi succeeds in the matter, what all maternity benefits she would be entitled highlighting the key features of the law on maternity.		
13.	<p><u>Read the below mentioned facts and answer the questions:</u></p> <p>Gopal, a 35 years old bus driver associated with a transport corporation, while on duty was assaulted by some persons who were involved in a riot. He suffered from multiple injuries, which resulted into permanent partial disablement. Thereby he claimed compensation from his employer. The employer repudiated the claim. Aggrieved by such repudiation of claim the matter was reached to industrial tribunal.</p> <p>Decide whether Gopal can Claim any compensation from the employer? Justify your answer as per chapter VII of the Code on Social Security 2020 and relevant judgements.</p> <p>If yes, then what would be the quantum of compensation paid to him.</p>	25	CO4