c. Discuss the provisions of the Industrial Disputes Act, 1947, relating to declaration of

strikes and lockouts.

7

a. What is the object of the Minimum Wages Act, 1948?

b. Specify the rules regarding the time of payment of wages.

Clarify the salient provisions of the payment of Bonus Act, 1965?

(10 Marks)

(03 Marks)

(07 Marks)

(10 Maris)

8 Is the employer liable to pay compensation in the longing cases? Attempt the problems, giving reasons:

a. A railway company provided a hostel for its workman in a certain place where the engine drivers who lived somewhere else could take rest while off duty on payment of a small charge. They could utilize their time in any way they liked. An engine driver while on the premises was injured in an accident.

(05 Marks)

b. A workman goes to attend to his work riding on a bicycle and is involved in an accident in the course of the journey.

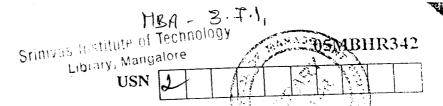
(05 Marks)

A worker lost his mental balance as a result of an injury by accident while working in the factory and committed suicide. (05 Marks)

d. A workman suffered an injury by an accident arising out of and in the course of employment and was permanently disabled. But the accident had been caused by his willful, disobedience to an order issued for the purpose of securing the safety of workman.

(05 Marks)

Srinives Library, Mangalore



NEW SCHEME

Third Semester MBA Degree Examination, July 2007 **Business Administration**

Legal Environment and Industrial Legislations

Time: 3 hrs.]

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[Max. Marks:100

(03 Marks)

Note: 1. Answer any FOUR questions from Q-1 to Q-7 choosing atleast TWO questions from Section A and Section B each. 2. Q-8 is compulsory.

Section - A

		Section 12	(03 Marks)
1		TVII St Also objectives of 11. U/	
1	a.	What are the objectives of the prior movement	(07 Marks)
	b.	Explain the changing role of trade union movement.	(10 Marks)
	c.	What are the main features of collective bargaining?	
		Who are the main participants in industrial relations?	(03 Marks)
2	a.	Who are the main participants in industrial relating to labour.	(07 Marks)
	b.	Describe the provisions of Indian constitution relating to labour.	(10 Marks)
	c.	Describe the characteristics of trade union movement in India.	
			(03 Marks)
3	a.	What are the causes for industrial unrest?	(07 Marks)
	b.	Explain the model grievance procedure and grievance settlement process. What is the importance of domestic enquiry? Explain the procedure for	a domestic
	c.	What is the importance of domestic enquiry? Explain the procedure to	(10 Marks)
	٠.	enquiry.	(10 marks)
			•

Section -B

4		What is an industrial conflict? Explain provisions of Factories Act regarding safety. Explain the methods for solving industrial disputes under Industrial	(07 Marks) Disputes Act. (10 Marks)
5	a. b. c.	Give the meaning of minimum wages. Explain 'set-off' and 'set-in' under Bonus Act. Explain liability of employer under Workmens Compensation Act.	(03 Marks) (07 Marks) (10 Marks) (03 Marks)
'6		What are standing orders? Explain the features of Maternity Benefit Act. What are the salient features of Employees Provident Fund Act?	(05 Marks) (07 Marks) (10 Marks) (03 Marks)
7	a. b c	with the smile deductions under navment of wages act:	(05 Marks) (07 Marks) (10 Marks)

Case Study: 8

In a factory employing 200 workers, there is an unregistered trade union A, which has membership of 120 workers and a registered trade union B which has membership of 40 workers and trade union B has political support. There are 40 workers who do not belong to any union.

Questions:

- a. Should employer recognize trade union A? If so, why?
- b. Should employer recognize trade union B?
- c. Suggest a procedure for your management to have recognized employees (20 Marks) representatives for a workable labour relations.

USN

05MBAHR342

Third Semester MBA Degree Examination, Dec 08 / Jan 09 Legal Environment and Industrial Legislations

Time: 3 hrs. Max. Marks:100

Note: Answer any TWO questions from Part A and TWO full questions from Part B, and Part C is Compulsory.

PART - A

		<u>PARI - A</u>	(02.34 1.)
1	a.	Define Industrial Conflicts.	(03 Marks)
	b.	Discuss the changing Role of Trade Union Movement.	(07 Marks)
	c.	List the disciplinary procedure in Indian Industries.	(10 Marks)
2	a	What are the causes of Industrial unrest?	(03 Marks)
**	b.	Briefly discuss model grievance procedure.	(07 Marks)
	c.	Discuss prevention of Industrial conflicts.	(10 Marks)
3	a.	Define collective bargaining.	(03 Marks)
5	b.	Explain objective of ILO and its influence on legal enactment in India.	(07 Marks)
	c.	Discuss Industrial relations in the post Independence period.	(10 Marks)
	٠.	PART - B	
4	a.	Define wages under payment of wages Act 1936.	(03 Marks)
	b.	Discuss payment provisions relating to eligibility and disqualification for Bonus.	(07 Marks)
	о. с.	What are the benefits under E.S.I. Act? Explain in detail.	(10 Marks)
~		Define "Commercial Establishment".	(03 Marks)
5	a.	Explain 'Set off' and 'Set on' under Bonus Act.	(07 Marks)
	b.	State the conditions for the payment of Maternity Benefit Act 1961.	(10 Marks)
	c.		
6	a.	What are the powers of Inspectors under Minimum Wages Act, 1948?	(03 Marks)
	b.	Discuss the provisions relating to standing orders.	(07 Marks)
	c.	What is contract labour? List out main provisions.	(10 Marks)
7	a.	Write a note on Employee's Provident Funds (and Miscellaneous) Provisions Ac	t 1952.
,	u.	r J	(03 Marks)
	b.	Explain provisions of Factories Act regarding safety.	(07 Marks)
	c.	Explain the various machineries for settlement of Industrial disputes.	(10 Marks)
		4	

PART - C

8 CASE STUDY: (Compulsory)

Ramesh worked in a public sector. He was briefed regarding operation of machine from northern side, but he tried to operate the machine from southern side, where gear exists and was injured. Besides, the safeguard was also fitted with bolt to the machine and workers were instructed not to remove the safety guard. According to Management, Ramesh disobeyed instructions and removed safety guard. It was clearly displayed on the Notice Board that before the machine is started, the workers should satisfy, guards are affixed and if there are no safeguards the worker should get it affixed and then start work. In this case, Ramesh met with an accident, while performing duty. Later his two fingers were injured.

Ouestions:

٧٠	Questions:			
a.	Is the act of Ramesh amounts to willful disobedience?	(05 Marks)		
۵.	Describe a stantian the act is only madigance not dischedience	D		
•	A December 1 and 1	LIO VOII AUTEE /		

b. As per Ramesh contention the act is only negligence, not disobedience. Do you agree?

(05 Marks)

c. "Mere negligence cannot be regarded as willful disobedience" – is it true? (05 Marks)

d. Is Ramesh entitled to any type of compensation? (05 Marks)

USN

08MBAHR342

Third Semester MBA Degree Examination, Dec.09-Jan.10 **Legal Environment and Industrial Legislations**

Time: 3 hrs.

Max. Marks:100

Note: 1. Answer any FIVE full questions, selecting atleast TWO questions from Part A and TWO from Part B. 2. Part C - Case study is compulsory.

PART - A

1	b.	What is meant by grievance in the organization? Briefly explain the forms of worker' participation in management. Explain the types of trade unions.	(03 Marks) (07 Marks) (10 Marks)
2	b.	Define trade union. Explain the steps of a disciplinary procedure. Explain the main approaches to industrial relations.	(03 Marks) (07 Marks) (10 Marks)
3	b.	Define collective bargaining. What are the functions of trade unions in India? Explain the types of strikes.	(03 Marks) (07 Marks) (10 Marks)
4	b.	Define the term 'industrial relations'. Briefly explain, the steps in a model grievance procedure. Explain the collective bargaining process.	(03 Marks) (07 Marks) (10 Marks)

PART - B

b.	What is the penalty for obstructing inspectors under factories act, 1948? What are the duties and liabilities of a registered trade union? Explain the various methods and machinery to settle disputes under the Infact, 1947.	(03 Marks) (07 Marks) dustrial Disputes
	Act, 1947.	(10 Marks)

- 6 What are the benefits under the ESI act, 1948? (03 Marks) Write a note on Employee's Provident Fund (and miscellaneous) Provisions Act, 1952.
 - (07 Marks) c. What are the deductions, which may be made from the wages of employed persons under
- the payment of wages act, 1936? (10 Marks)
- 7 a. When gratuity can be forfeited? (03 Marks) b. Explain the rule of "set on" and "set off" of allocable surplus under the payment of bonus
 - act, 1965. (07 Marks) c. Briefly explain, the provisions of the Factories Act, 1948, relating to the health of workers.

PART-C

8 CASE STUDY (Compulsory):

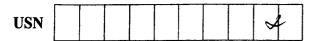
SUPER SPINNING MILLS

Super Spinning Mills Limited was established in 1920 in Coimbatore for manufacturing yarn and supplying it to the cotton mills in and around the city. The company was initially founded with limited capacity and over a period of one decade, it grew to become one of the largest yarn mills in Coimbatore. The founder of the company, Shri Murali Iyengas, was a follower of Gandhian philosophy and believed in a paternalistic approach towards the employees, because of which there was little scope for grievance. But after sometime, owing to the influence of politicians and freedom fighters, the trade union movement picked up in Coimbatore. Due to pressure form the workers of other units, two trade unions were formed in Super spinning mills, one with the support of the communists and the other with the support of the Indian National Congress. The leaders of these unions were very keen to increase the membership. To do so, they began to rouse the anger of the employees against the 'injustice' being done to them.

Shri Iyer, inspite of his best efforts, could not convince the unions to maintain harmonious industrial relations. The union leaders, to meet their own selfish ends, started to create industrial unrest on the most minor issues, leading to loss of production. There were strikes lasting from five days to one month over a span of two years. On each of these occasions, the management took the help of leading freedom fighters for conciliation and arbitration, and was able to reduce industrial unrest.

Questions:

- a. Critically analyse the above case and identify the problems faced by the management.
- b. Do you think the management was right in redressing the grievances of the employees?
- c. What could have been the best approach of the management towards proactively addressing the industrial unrest?
- d. Do you suggest any other approaches for resolving the problems? (05 Marks)
 (05 Marks)



Sanivas institute of Technology

Third Semester MBA Degree Examination, May/June 2010 Legal Environment and Industrial Legislations

Time: 3 hrs.

Max. Marks:100

(10 Marks)

Note: 1. Answer any FOUR full questions from Q.No.1 to Q.No.7. 2. Question No. 8 is compulsory.

1	a.	List out the objects of industrial relations.	(04 Marks)
	b.	What are the different approaches to industrial relations?	(06 Marks)
	c.	Explain the process of collective bargaining.	(10 Marks)
2	a.	Define wages under the payment wages Act of 1936.	(03 Marks)
	b.	What are the essentials of a good disciplinary system?	(07 Marks)
	c.	What are the different approaches to discipline in India?	(10 Marks)
3	a.	Define worker's participation in management.	(0.2 M/s1)
J	b.	What are the objectives of trade unions?	(03 Marks)
	c.	What are the different forms and causes of grievances?	(07 Marks)
	U.	what are the different forms and causes of grievances?	(10 Marks)
4	a.	Define industrial conflicts.	(02 M1-)
•	b.	Explain the different techniques of negotiation.	(03 Marks)
	c.	What are the different types of benefits for employees, under the Employees State	(07 Marks)
		Act of 948?	(10 Marks)
			(10 Marks)
5	a.	Define "manufacturing process" under the factories Act of 1948.	(03 Marks)
	b.	What are the powers of inspectors under the payment of wages Act of 1936?	(07 Marks)
	c.	Explain the different kinds of deductions from wages under the payment of wa	ges Act of
		1936.	(10 Marks)
6	a.	What is the chiest of amployans provident found and misselless and in the chiese state of amployans provident found and misselless are stated as a second state of amployans provident found and misselless are stated as a second stated as a se	
U	а.	What is the object of employees provident fund and miscellaneous provisions Ac	
	b.	What is the minimum and maximum bonus payable and the registers and returns	(03 Marks)
		1 1 - 4 - 1 - 1 - 4 - 4 - 4 - 61 - 4 - 64 6 6 6 6	(07 Marks)
	c.	3371 4 41 111 41 114 114 114 114 114 114 1	(07 Marks) (10 Marks)
		2	(AV IVIAINS)
7	a.	What are the objectives of industrial disputes Act of 1947?	(04 Marks)
	b.	What is gratuity? What is the mode of payment and time – limit for the payment of	of gratuity
		under payment of gratuity Act of 1972?	(06 Marks)
	c.	Write a note on employees pension scheme and employees deposit linked insurance	ce scheme
		under the EDE and miscellaneous provision Act of 10522	

under the EPF and miscellaneous provision Act of 1952?

(05 Marks)

CASE STUDY : (Compulsory)

8

A large south based fast moving consumer goods company wanted its employees to have highly specialized, focused sales training – so that the firm could achieve faster sales growth, utilizing such skills. To this end, they had hired the services of a premier sales training agency and asked 9 of its executives (mostly engineers and commerce graduates) to undergo training for a period of 15 months. The company supported the programme by meeting all the expenses charged by the agency, in addition to a special allowance for buying books, study material, stationary etc. The training was offered in the company's own premises in Chennai. The programme went on smoothing and concluded only recently. As per the recommendations of the training agency and the newly trained executives, the company is about to launch new brands into the market.

Rahul, a bright and aspiring young graduate, full of energy and ideas – for whom management had high hopes, resigned exactly after 4 months of the sales training programme. Rahul found that the training, the invaluable 6 year work experience and the newly acquired certificate presented a fairly lucrative portfolio of credentials, which he took to a large MNC. The offer from MNC seemed irrestible and Rahul had no hesitation in quitting the company that had spent nearly Rs.50,000 on his training. Rahul, on his part, had expressed a desire to stay, but he was told by the management that there were no anticipated openings at management level and he might have to wait for his turn patiently.

Rahul's manager Vikram is caught in a dilemma now. Loss of Rahul meant a ten-month set-back for the project Rahul was working on. He also felt that the extensive training Rahul had received at the company's expense was little utilized, compared to what Rahul would have contributed, had he remained with the company. Another pressing problem started Vikram in the face-many others may be waiting in the queue. Rahul had shown the other trainers that, if the firm would not recognize and reward his capabilities, other employment could be easily found.

- a. As Rahul's manager, what would you do to retain him?
- b. What changes would you recommend in the company's employee development programmes? (05 Marks)
- c. Does it make sense to develop employees at company's expense, only to lose them afterwards? What policy guidelines would you advance to as to benefit trainees as well as the company? (10 Marks)

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