

USN

--	--	--	--	--	--	--	--	--	--

08MBAHR342

**Third Semester MBA Degree Examination, December 2010**  
**Legal Environment and Industrial Legislations**

Time: 3 hrs.

Max. Marks:100

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

- 1 a. Explain the term industrial relations. (03 Marks)  
b. Describe the various approaches to industrial relations. (07 Marks)  
c. Discuss the changing role of the government in industrial relations. (10 Marks)
- 2 a. Define collective bargaining. (03 Marks)  
b. Explain the essential conditions for the success of collective bargaining. (07 Marks)  
c. Describe the functions and objectives of trade unions. (10 Marks)
- 3 a. Explain the term grievance. (03 Marks)  
b. Describe the various techniques used in negotiation as part of collective bargaining. (07 Marks)  
c. Discuss the main problems of trade unions in India. (10 Marks)
- 4 a. Mention the objectives of Factories Act 1948. (03 Marks)  
b. Describe the grievance settlement process with a 'model grievance procedure'. (07 Marks)  
c. Explain in detail, the approaches to manage the discipline in industry. (10 Marks)
- 5 a. What is Industrial Disputes Act 1947? (03 Marks)  
b. Explain briefly the benefits under the ESI Act. (07 Marks)  
c. Describe the health and safety provisions under the Factories Act 1948. (10 Marks)
- 6 a. What is Payment of Gratuity Act 1972? (03 Marks)  
b. Explain the duties and liabilities of a registered trade union as per the Trade Union Act 1926. (07 Marks)  
c. Define wages under the Payment of Wages Act. What are the authorized deductions, that could be made from the wages under the Act? (10 Marks)
- 7 a. Explain ILO. (03 Marks)  
b. Under what circumstances, the gratuity is payable to an employee, under the Payment of Gratuity Act 1972? (07 Marks)  
c. Describe briefly, the prevention and the settlement of industrial disputes or conflicts. (10 Marks)
- 8 **CASE STUDY** : (Compulsory)

Bharat Steel Structures Ltd was a large public sector undertaking having 40,000 employees. Its fabrication shop fabricated, structures and repaired various equipments. The shop was headed by the Deputy works Manager (Mechanical), who reported to the Works Manager (Mechanical), who in turn reported to the General Manger (Works).

Sharma joined the company in 2000 as a fabricator, grade II, which was a skilled job. His job was to fabricate and repair different equipments, under his supervisor's guidance.

Initially Sharma was sincere, well behaved and dedicated. Soon he became one of the best workers in the shop. After sometime, however, Sharma started loosing interest in his job and gradually became indifferent. Frequently he picked up quarrels with his fellow workers, on trivial issues. Mahto, Supervisor of Sharma's shift, reported against him to the Deputy Works Manager, Mahto complained that, most of the time Sharma was not available at his work place and even when he was available, he was found gossiping with other workers. The Deputy works Manger orally warned Sharma and told him to improve his performance ; otherwise suitable action would be taken against him.

On June 18, Sharma and Mahto were in the morning shift (6 am to 2 pm). At 12.30pm, Mahto left the shop and went to the administration building, which was outside the plant premises, to enquire about a file. Mahto informed the Deputy works Manger before leaving the shop. At 12.40pm. Mahto was assaulted and manhandled on the road just outside the main gate. Mahto was taken to the hospital by some workers. Mahto lodged a complaint that Sharma had assaulted him.

Sharma was subsequently charge – sheeted by the Deputy works Manager for misconduct and was asked to replay within seven days. The charge – sheet said :

- i) "On June 18 at 12.45pm, you assaulted Mahto on the road outside the main gate while he was going out of the plant. During the previous week he had reported about your lack of interest in work and frequent absence from work place without permission. Instead of improving your performance, you assaulted him, apparently because he had complained against you".
- ii) "You were absent form duty without permission between 12.30 pm and 1.40pm on June 18".

In his reply of June 29 (within seven days as required), Sharma alleged that the Deputy Works Manager had certain malice against him as he had not obliged him by manufacturing and supplying a cupboard for his household use. The Manager had concocted the case to victimize him. Moreover, he claimed that he and Mahto were present on their duty upto 1.45 pm. Hence, the question of his assaulting Mahto did not arise. He further stated that he was on good terms with Mahto.

The works manager did not find the reply to be satisfactory and constituted an enquiry committee consisting of the Senior Manger (Training) and the Senior Personnel Officer.

Sharma fully participated in the enquiry and was assisted by a co-worker. The committee hold Sharma guilty of the misconducts mentioned in the charge – sheet.

The Works Manger was thinking about the action to be taken against Sharma and how to avoid such situations in future.

**Questions :**

- a. Identify the problem in the case. (05 Marks)
- b. How do you see the act of Sharma? Critically evaluate, with reference to his reply to the enquiry committee. (05 Marks)
- c. How would you tackle the problem of indiscipline, inorder to avoid recurrence of such incidents, if you were the Works Manger? (05 Marks)
- d. Do you see any role of organizational climate as a factor, in causing undisciplined behavoiur of the workers? Comment. (05 Marks)

\*\*\*\*\*