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10MBAHR342

Third Semester MBA. Degree Examination, December 2011
Legal Environment and Industrial Legislation

Time: 3 hrs.

Max. Marks:100

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

- 1
 - a. Define industrial relations. (03 Marks)
 - b. Discuss the objectives of industrial relations. (07 Marks)
 - c. Explain the approach to industrial relations. (10 Marks)
- 2
 - a. Define trade union. (03 Marks)
 - b. Discuss the functions of trade union in India. (07 Marks)
 - c. Explain the main problem of trade union in India. (10 Marks)
- 3
 - a. What is collective bargaining? (03 Marks)
 - b. What are the pre – requisites of successful collective bargaining? (07 Marks)
 - c. Discuss the measures to strengthen the trade union movement in India. (10 Marks)
- 4
 - a. What is a grievance? (03 Marks)
 - b. Explain the model grievance procedure suggested by the national commission of labour. (07 Marks)
 - c. Discuss the approaches to manage discipline in industry. (10 Marks)
- 5
 - a. Define a factory. (03 Marks)
 - b. Describe the events when gratuity becomes payable. When it can be forfeited? (07 Marks)
 - c. Enumerate the authorities appointed under the Industrial Disputes Act, to solve industrial disputes. (10 Marks)
- 6
 - a. Explain i) permanent total disablement ii) permanent partial disablement. (03 Marks)
 - b. Can a trade union create a separate fund for political purpose? If so, state the purpose for which it can create such a fund. (07 Marks)
 - c. Explain the authorized deductions to be made from the wages of employees under the Payment of Wages Act 1936. (10 Marks)
- 7
 - a. Explain who is eligible for bonus. (03 Marks)
 - b. Explain the various welfare facilities provided to the workers under Factories Act 1948. (07 Marks)
 - c. Explain the new pension scheme 1995, under the Employees Provident Fund and Miscellaneous Provisions Act 1952. (10 Marks)
- 8 **CASE STUDY : (Compulsory)**

1. In Singareni Collieries Ltd. v/s Their mining Sirdars, the management refused to give work to a single workman. The union alleged that this is lock – out and employees should be given lock – out benefits.

Question : Analyse the facts in the above said case referring to the definition of lock – out and state whether it is lock out or not. (04 Marks)

2. A was the owner of a ginning factory. Certain men were engaged in putting the ginned cotton into what are called bojhas and they were engaged for that work not by A but by the merchants who owned cotton. A did not show their names in the attendance register of the factory. Are the labour employed by the merchants workers, under the meaning of the Factories Act 1948? (04 Marks)
3. A fine is imposed on an employed person on 1st January 2001. The employer seeks to recover the fine on 7th March 2001. Can he recover? State reasons for your answer. (02 Marks)
4. Mr. Sukhesh was working in a cement factory for 20 years. He retired on completion of 20 years, pleading that his health does not permit him to work. But the management of the cement factory found that he has already joined the rival cement factory in the same vicinity and was promoted in the new company as senior marketing executive. Hence the company was not making any arrangements to pay gratuity to him. Sukhesh is worried. Guide him.

Questions :

- a. What does Gratuity Act 1972 says with regard to the payment of gratuity?
- b. Is Sukesh entitled to gratuity? If so calculate the gratuity payable to Mr. Sukesh.

Note : Last pay drawn by Mr. Sukesh was Rs 15,000/- p.m.

(10 Marks)
