

**MANAGEMENT PROGRAMME**

**Term-End Examination**

**June, 2016**

**MS-28 : LABOUR LAWS**

*Time : 3 hours*

*Maximum Marks : 100*

*(Weightage 70%)*

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- Note :** (i) *There are two Sections A and B.*  
(ii) *Attempt any three questions from Section-A.*  
*All questions carry 20 marks each.*  
(iii) *Section-B is compulsory and carries 40 marks.*
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**SECTION - A**

1. Outline the sources of industrial jurisprudence. Briefly explain the concept of Contract of Employment.
2. Discuss the various provisions governing working hours of adults and employment of young persons in factories envisaged in the Factories Act, 1948.
3. Explain the different steps involved in a disciplinary proceeding.
4. What are authorised deductions under the Payment of Wages Act, 1936 ? Mention the authorised deductions under this Act.

5. Write short notes on **any three** of the following :
- (a) Natural Justice
  - (b) Obligations of the contractor to provide amenities under the Contract Labour (Regulation and Abolition) Act, 1970.
  - (c) Certification of Standing Orders.
  - (d) Annual Leave with wages under the Factories Act, 1948.

### SECTION - B

6. Read the following case and answer the questions given at the end.

The Standard Textile Printing Works conduct business in high quality printing of superior textiles . It has a good reputation in the market. The Company employs about 500 workers and works in three shifts a day. There is no union in the plant. The chief executive of the works is the General Manager who is assisted by three Shift Managers, six Supervisors and twelve Assistant Supervisors.

For the past few months, the General Manager had been receiving frequent complaints from Shift Managers that a large number of pieces of customer 's cloth were missing from the plant and they could not account for the losses. The General Manager took a serious view of the losses because it meant not only payment of damages to the customers but also the company's reputation in the market. He therefore, ordered a close search of workers at the time of their leaving the work-place for home. As a result of these searches, a couple of workers were caught with pieces of cloth hidden inside their dresses. They were chargesheeted for theft and subsequently dismissed after the domestic enquiry.

Some day's back, during lunch interval, Vinayak, a worker in the folding department saw an Assistant Supervisor taking a piece of cloth and putting it in his brief case. Vinayak immediately reported the matter to the Shift Manager who came to the department and found the said piece of cloth in the briefcase of the Assistant Supervisor. Without any discussion, he asked the Assistant Supervisor to see him in his office. A week passed, and the concerned Assistant Supervisor continued to attend to his work.

During this period, the Assistant Supervisor threatened Vinayak that the latter's days here were numbered. This upset Vinayak. He approached the Shift Manager and enquired of him as to what action was taken against the Assistant Supervisor. The Shift Manager politely replied, "I am thankful to you for whatever you did; it is none of your business to know what action we are taking against him. Remember that, after all, he is your officer." Vinayak felt irritated, but left the Shift Manager's office without a word.

On the same day, when the watchman was about to search Vinayak while he was leaving the plant, Vinayak shouted at the watchman saying "I will not allow myself to be searched unless the officers are also searched. They are the real thieves." The watchman detained Vinayak at the gate and reported the matter to the General Manager, who called Vinayak to his office. On being questioned by the General Manager, Vinayak told him all about the piece of cloth in the Assistant Supervisor's briefcase and subsequent events and repeated what he had said to the watchman. The General Manager thereupon asked him angrily, "Do you mean to say that we are thieves?" Vinayak replied, "You can take it that way, if you like." The General

Manager recorded the incident alongwith Vinayak's reply to his question and took Vinayak's signature on it.

Next day Vinayak was served with a suspension order for his "Act of insubordination and indecent behaviour." Thereafter, the General Manager referred the case to the Personnel Manager.

**Questions :**

- (1) How far is the action of General Manager justified ?
  - (2) As the Personnel Manager how would you deal with this case ?
  - (3) Give reasons for the way you would handle this case.
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