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MS-028

MANAGEMENT PROGRAMME

Term-End Examination, 2019

MS-028 : LABOUR LAWS

Time : 3 Hours]

[Maximum Marks : 100

(Weightage 70%)

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

SECTION-A

1. Briefly explain the services of Industrial jurisprudence in India. Discuss briefly the genesis of Labour legislation in India.
2. Explain the scope, coverage and enforcement of the Mines Act, 1952.
3. Explain the concept and nature of standing orders. Discuss the process of certification, its operation and binding effect.

4. Discuss the powers which the government can exercise under the Minimum Wages Act, 1948 for fixation and revision of minimum wages.
5. Write short notes on **any three** of the following :
 - (a) Natural justice
 - (b) Res judicata
 - (c) Registration of establishments under The Shops and Establishment law
 - (d) Contract of apprenticeship
 - (e) Rules for payment of gratuity

SECTION-B

6. Read the case given below and answer the questions given at the end of the case.

On March 25, 1996 at about 6.45 PM, the Duty Officer (Security), Kumar, at the Works gate informed Rathod, Electrical Engineer on telephone that one Narayan, supervisor of his department has been caught red-handed at the Works gate while attempting to steal one small electric motor and certain other spare parts used

in the Electrical Dept. Rathod was requested to come to the Security Control Room, where a preliminary enquiry was to be held.

During the preliminary enquiry, it came to light that Narayan, Personnel No. 5824. Foreman, came to the Works gate at 6.15 PM on his Suvega autocyple bearing registration no. BRX 1421 (the number was not clearly visible). The works guard on duty, Krishna Bahadur asked Narayan to stop and open the tool-box that was hanging on the right side of the rear wheel. When it was opened, only one empty tiffin-box was found. Since the driver's seat appeared to be thicker and of unusual size, the works guard enquired about the same from Narayan, and not being satisfied with the reply, gave it a jerk. It was found that Narayan had constructed one box under the seat where a 0.50 hp motor and eight 5 amps switches belonging to the company were concealed.

On being asked, Narayan replied that he had attended a break-down after 5 PM in the Mill and replaced one 0.50 hp motor. The motor that was recovered was the defective one, but he could not return it as the store-issuer had already left for home after his duty which ended at 5 PM. He thought he would return the motor

next day, as he had done many times in the past. He, however, could not explain why he was carrying the 5 amps switches. Nor did he give any satisfactory reason for not keeping the materials in the tool-box that was visible from outside, rather than where these were kept. On checking up at the Security Control Room, it was found in the presence of Narayan, that the electric motor recovered was in working condition.

As per the Company's Certified Standing Order No. 23 (iii), 'theft, fraud or dishonesty in connection with company's business or property' is a misconduct.

Questions :

- (a) Discuss the main issues of the case.
- (b) What kind of explanations are given by Narayan and discuss their merit ?
- (c) What will be your suggestions for this case ?

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