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MS-28

MANAGEMENT PROGRAMME (MP)

Term-End Examination

June, 2024

MS-28 : LABOUR LAWS

Time : 3 Hours

Maximum Marks : 100

(Weightage : 70%)

Note : (i) Attempt any **three** questions from Section A. All questions carry 20 marks each.

(ii) Section B is compulsory and carries 40 marks.

Section—A

1. Briefly explain the following terms :
 - (a) Natural Justice
 - (b) Equity
 - (c) Res judicata
2. What are the various benefits payable under the Workmen's Compensation Act, 1923 ? Explain the provisions relating to distribution of compensation under this Act.

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3. Explain any *two* principles of Industrial Jurisprudence.
4. What is the meaning of the term 'factory' under the Factories Act, 1948 ? Explain the provisions relating to hazardous processes under the Act.
5. Explain the process of domestic enquiry. Briefly describe the role of enquiry officer in it.

Section—B

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

Lakshmi Manufacturing Company is a registered factory employing 600 people. It produces spare parts for cars and scooters. Its security staff at the gate are very rigid in checking people/vehicles going out of the works to prevent any theft of the company's material.

On June 20, 1995, Ramesh, material chaser, services department, went to the stores department to draw 10 new GEC electric switches (15 amps each) for some urgent breakdown job. Ramesh drew the material at about 11 A.M. and kept the same in his hand

bag and put it on the cycle handle. Thereafter, he came to the Cooperative Credit Society office to enquire about his loan application. He suddenly remembered at 11.30 A.M. his urgent work at the post office (which is situated just outside the works gate), so that he could write the post an urgent letter and thereafter go to his department which is situated at a distance of about one km from the stores department. The distance between the stores department and the works gate is about 50 metres. Ramesh works in general shift, i.e. from 7 A.M. to 11.30 A.M. and 12.30 P.M. to 4 P.M. The lunch-break is from 11.30 A.M. to 12.30 P.M. and during this period, workers are allowed to go out of the works. Ramesh, like many others, arranged with a person to get his tiffin-carrier from home to his department every day at 11-45 A.M. on payment of a nominal amount every month. On June 20 also, his tiffin-carrier had come with his lunch as usual.

At 11.35 A.M., there was telephone call to Mahesh Kumar, Manager Service Department from the security inspector Ramanand that Ramesh, T. No. 321 has been caught red-

handed at the works gate while trying to go out of the works with 10 new GEC electric switches belonging to the company. The two security staff who detected the attempted theft were Ramadhin and Trilochan. The materials were kept in a bag hanging from the cycle handle of Ramesh.

After the incident, a preliminary enquiry was held, when Ramesh confessed in writing that by mistake he was carrying the switches as he intended to come back to his department after his urgent work at the post office. As per procedure for drawing materials in the services department, on the basis of a written instruction in the Log Book from the supervisor, material chaser is supposed to prepare the material requisition after entering the details himself in the Materials Requisition Register. After getting the Requisition signed by the supervisor and the departmental head, he is supposed to go to the stores department to draw the material. If the materials are heavy, he has to arrange for a transport. For small items like switch, fuse, etc. Ramesh himself carried the same to the department. Thereafter,

he is supposed to hand over the material to the supervisor and obtain his signature in the Materials Requisition Register.

On checking up the entries in the Log Book as well as in the Materials Requisition Register after the incident, it was found that Ramesh had correctly entered ten pieces GEC electric switches (15 amps each).

As per Standing Order No. 17 (iii) of the Company's Certified Standing Orders, "Theft, fraud or dishonesty in connection with company's business or property" is a misconduct warranting dismissal as per Standing Order No. 18. The rules also provide that the manager can issue a charge-sheet and also punish with dismissal any employee of his department who is alleged to have committed an act of misconduct.

Questions :

- (a) Identify the issues in the case.
- (b) How can they be resolved ?