

# LABOUR & INDUSTRIAL LAW I

**AtArani Law Academy**

## **SYLLABUS**

### **Labour and Industrial Law - I**

#### **1. The Factories Act, 1948**

- Preliminary
- Inspecting Stuff
- Health
- Safety
- Welfare
- Employment of young Person.

#### **2. The Minimum Wages Act, 1948 :**

- Definitions - Minimum Wage, Fair Wage and Living Wage.
- Fixing of Minimum Wages - Procedure and Payment.
- Inspectors
- Claims
- Cognizance of Offences
- Contracting Out.

### 3. Prevention, Control and Abatement of Environment Pollution.

- For Human Beings : Pertaining to Water, Air and Noise.
- For Non-Human Being : Pertaining to Wildlife including Plants and Forests.

### 4. The Workmen's Compensation Act, 1923 :

- Definitions
- Workmen's Compensation - Employee Liability Definitions.
- Commissioners - Their Power and Functions.

### 5. The Employee's State Insurance Act, 1948 :

- E.S.I. Corporation,
- Standing Committee, and Medical Benefit Council Contribution

### 6. The Fatal Accidents Act, 1855 :

- Compensation to the Family of a person for loss occasioned to it by his death by actionable working.

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## 2023 | Labour and Industrial Laws I

*Answer any five Questions*

1. (a) What do you mean by the term "Factory" under the Factories Act, 1948? [4]  
(b) Explain the various measures regarding the protection of the Health of Workers under the Factories Act, 1948. [12]
2. (a) Define the term "Manufacturing Process". [4]  
(b) What are the general duties of "Occupier" of a factory? [12]
3. (a) Define the term "Employed" and "Wages" under the Minimum Wages Act, 1948. [8]  
(b) Discuss the procedure to be followed in fixing the minimum rate of wages in an Industry. [10]
4. (a) Explain "Fair Wages" and "Living Wages" under the Minimum Wages Act, 1948. [8]  
(b) Who will be appointed as an "Inspector" under the Minimum Wages Act, 1948? [8]
5. (a) What are the procedures for determination of period of wages and how the wages of the employee will be disbursed? [10]  
(b) What is the object behind the enactment of the Payment of Wages Act, 1936? [6]
6. Discuss the Constitution of the "Corporation" under the Employees State Insurance Act, 1948. What types of establishments come within the purview of the above Act? [12+4]
7. (a) What shall be the amount of compensation to be paid to the worker or his dependent? [8]  
(b) What is the liability of the Principal and the Contractor in respect of compensation payable under the Workmen's Compensation Act, 1923? [8]
8. Discuss briefly the main provisions of the Fatal Accidents Act, 1885. [16]
9. (a) Explain the concept "Social Security". [4]  
(b) Discuss briefly the law relating to registration, cessation, and disqualifications of the membership of the Corporation. [12]
10. Write short notes on any four of the following: [4×4]
  - (a) Insured Person.
  - (b) Standing Committee.
  - (c) Authorised Deductions.
  - (d) Objectives of Labour Laws.
  - (e) Claims.
  - (f) Need Based Minimum Wage.

Page | 3



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# 2022 | Labour and Industrial Laws I

*Answer any five Questions*

1. Discuss the provisions relating to appointment, power, and duties of Inspector under the Factories Act, 1948. [16]
2. (a) Define 'factory' under the Factories Act, 1948. [4]  
(b) What are the general duties of the manufacturer as regards articles and substances for use in a factory? [12]
3. (a) Define 'minimum rate of wage'. [4]  
(b) Discuss the power & function of the Inspector under the Minimum Wages Act, 1948. [12]
4. (a) Define the term 'employer' with sustainable Case Law under the Minimum Wages Act, 1948. [10]  
(b) What is the remedy available to the worker who has been paid less than the minimum rate of wage? [6]
5. (a) What is the time of payment of wages to the persons employed under the Payment of Wages Act, 1939? [8]  
(b) Discuss the appointment, power, and function of the Inspector under the Payment of Wages Act, 1939. [8]
6. (a) Define 'workman' under the Workman's Compensation Act, 1923. [6]  
(b) What are the conditions under which an employer is liable to pay compensation under this Act? [10]
7. (a) Discuss the composition of the Standing Committee and Corporation under the Employees State Insurance Act, 1948. [8]  
(b) Under what circumstances are the members of the Corporation and Standing Committee disqualified? [8]
8. (a) What is meant by Contribution? How are the payments of employees & employers made? [8]  
(b) Discuss the procedure for the calculation of the average daily wage. [8]
9. Write an elaborate note on the salient features of the Fatal Accidents Act, 1885. [16]
10. Write short notes on any four of the following: [4×4]
  - (a) Fair and Living Wage.
  - (b) Certifying Surgeon.
  - (c) Total Disablement.
  - (d) Partial Disablement.
  - (e) Dependent.
  - (f) Industrial or other establishment.



# 2021 | Labour and Industrial Laws I

*Answer any five Questions*

1. Discuss the duties and functions of the Inspector under the Factories Act, 1948. [16]
2. Define the term 'occupier'. What are the general duties of an occupier of a factory? [4+12]
3. Explain the provision regarding Health and Safety of the worker under the Factories Act, 1948. [8+8]
4. Explain the provision regarding wage periods and disbursement of wages under the Payment of Wages Act, 1948. [4+4+4+4]
5. Define the term 'wages', 'minimum wage', 'fair wage', and 'living wage' under the Minimum Wages Act, 1948. [16]
6. Explain the provision regarding the fixing of minimum wages - procedure and payment under the Minimum Wages Act, 1948. [16]
7. Discuss the liability of an employer to pay compensation under the Workmen's Compensation Act, 1923. [16]
8. Explain the provision regarding the power and functions of the Commissioner under the Workmen's Compensation Act, 1923. [16]
9. Discuss the constitution of the corporation under the Employees' State Insurance Act, 1948. What types of establishments come within the purview of the above Act? [8+8]
10. Explain the detailed provision regarding the compensation to the family of a person for loss occasioned to it by his death by accident while working under the Fatal Accidents Act, 1855. [16]







# 2019 | Labour and Industrial Laws I

*Answer any five Questions*

1. Discuss the duties and functions of the Inspector under the Factories Act, 1948. [16]
2. (a) Define the term Factory under the Factories Act, 1948. [6]  
(b) Define the manufacturing process. [10]
3. Explain the various measures regarding the protection of health of workers under the Factory Act, 1948. [16]
4. (a) Explain Fair Wages and Living Wages under the Minimum Wages Act, 1948.  
(b) Who will be appointed as an Inspector under the Minimum Wages Act? [8+8]
5. Discuss, in brief, the salient features of the Fatal Accidents Act, 1885. [16]
6. Discuss the Constitution of the Corporation under the Employees' State Insurance Act, 1948. What types of establishments come within the purview of the above Act? [16]
7. State the law relating to registration, cession, and disqualification of the membership of the corporation. [16]
8. Define Worker. Discuss various provisions of welfare measures provided by the Factory Act, 1948. [16]
9. Write short notes on any four of the following: (4×4)
  - (a) Dependent.
  - (b) Insured Person.
  - (c) Minimum Wages.
  - (d) Disablement.
  - (e) Wages.
  - (f) Standing Committee.
10. What is the time of payment of wages to the persons employed under the Payment of Wages Act, 1936? [16]





# 2018 | Labour and Industrial Laws I

Answer any five Questions

1. Define 'Worker'. Discuss various provisions relating to safety and health of the workers under the Factories Act, 1948. [4+12]
2. Discuss the law relating to appointment, power, and duties of Inspector as enumerated in the Factories Act, 1948. [16]
3. State the provisions regarding the employment of Young Persons in factories in relation to the Factories Act. Discuss the provisions for the welfare of the workers under the Factories Act, 1948. [6+10]
4. (a) Define the term 'Employer' under the Minimum Wages Act. [4]  
(b) Write the remedies available to the workers who have been paid less than the minimum rate of wages. [4]  
(c) State briefly the general procedure for final determination of disputes. [8]
5. Distinguish between 'Fair Wages' and 'Living Wages'. Discuss elaborately the numerous powers and functions of Inspectors under the Minimum Wages Act. [6+10]
6. (a) Define Workmen under the Workmen Compensation Act, 1923. [4]  
(b) State the conditions under which an employer is liable to pay compensation under this Act. [12]
7. (a) Explain the constitution of the 'Corporation' under the Employees State Insurance Act, 1948. [4]  
(b) State the law relating to registration, cessation, and disqualifications of the membership of the Corporation. [12]
8. Discuss elaborately the salient features of the Fatal Accident Act, 1855. [16]
9. State the liabilities of 'Principal' and 'Contractor' in respect of compensation payable under the Workmen Compensation Act. Mention the situations under which compensation may be suspended or extinguished. [8+8]





10. Write short notes on any four of the following: [4×4]

- (a) Certifying Surgeon.
- (b) Notice by Occupier.
- (c) Minimum Wages.
- (d) Insured Person.
- (e) Factory.
- (f) Partial and Total Disablement.
- (g) Dependent.

## 2017 | Labour and Industrial Laws I

Answer any five Questions

1. Discuss the duties and functions of the Inspector under the Factories Act, 1948. [16]
2. Explain the various measures regarding the protection of the health of workers under the Factories Act, 1948. [16]
3. (a) Define the term 'Factory' under the Factories Act, 1948. [6]  
(b) Discuss the general duties of the Occupier of a Factory. [10]
4. (a) Define the term 'Employer' and 'Wages' under the Minimum Wages Act, 1948. [8]  
(b) Discuss the procedure to be followed in fixing the minimum rate of Wages in an Industry. [8]
5. (a) Explain 'Fair Wages' and 'Living Wages' under the Minimum Wages Act, 1948. [8]  
(b) Who will be appointed as an 'Inspector' under the Minimum Wages Act? [8]
6. Discuss the liability of the Employer to pay compensation under the Workmen's Compensation Act, 1923. [16]



7. Discuss the Rights of a Workman in respect of compensation for personal injury caused to him in an accident arising out in the course of employment. [16]
8. Discuss the constitution of the Corporation under the Employees State Insurance Act, 1948. What types of establishment come within the purview of the above Act? [16]
9. Explain the following terms under the Employee's State Insurance Act. [4×4]
  - (a) Wages.
  - (b) Standing Committee.
  - (c) Employee.
  - (d) Disablement.
10. Discuss, in brief, the salient features of the Fatal Accident Act, 1885. [16]

## 2016 | Labour and Industrial Laws I

Answer any five Questions

1. Define 'Worker'. Discuss various provisions relating to 'Safety' and 'Health' of the Workers under the Factories Act, 1948. [4+12]
2. Discuss the law relating to appointment, power, and duties of Inspector under the Factories Act, 1948. [4+6+6]



3. Write short notes on any four: [4×4]
  - (a) Certifying Surgeon.
  - (b) Working hours of adults.
  - (c) Employment of young persons.
  - (d) Factory.
  - (e) Notice by Occupier.
  - (f) Certificate of Fitness.
4. Discuss suit for compensation to the family of a person for loss caused to it by his death by actionable wrong under the Fatal Accidents Act, 1885. What relief may be given by the court and to whom and in what manner? [10+6]
5. Discuss the powers and functions of 'Standing Committee' under the Employee's State Insurance Act, 1948. Examine the procedure for supersession of the 'Corporation' and 'Standing Committee'. [8+8]
6. Distinguish between 'Fair Wage' and 'Living Wage'. Discuss the power and functions of Inspector under the Minimum Wages Act, 1948. [6+10]
7. Define 'Wages'. Describe the principles and procedure to be followed in fixing the Minimum Rate of Wages in an Industry. [6+10]
8. What is the time of payment of wages to the persons employed under the Payment of Wages Act, 1936? Briefly discuss the statutory provision relating to payment of undisbursed wages in cases of death of an employed person. [6+10]
9. Define 'Workman' under the Workmen's Compensation Act, 1923. What are the conditions under which an employer is liable to pay compensation under this Act? [6+10]
10. Write short notes on any four: [4×4]
  - (a) Partial Disablement.
  - (b) Total Disablement.
  - (c) Qualification Medical Practitioner.
  - (d) Minimum Wages.
  - (e) Industrial or Other Establishment.
  - (f) Insured Person.
  - (g) Dependent.



# 2015 | Labour and Industrial Laws I

*Answer any five Questions*

1. (a) Define 'Factory' as laid down under the Factories Act, 1948. [6]  
(b) What are the general duties of occupier of a Factory? [10]
2. (a) How is the Inspector under Factories Act Appointed? [6]  
(b) What are the powers of an inspector as provided under the Factories Act, 1948? [10]
3. (a) What are the provisions regarding Employment of Young Persons in Factories? [6]  
(b) Describe the provisions for the welfare of workers under the Factories Act, 1948. [10]
4. (a) Define the term 'Employer' under the Minimum Wages Act, 1948. [4]  
(b) What is the remedy available to the worker who has been paid less the Minimum Rates of Wages? State the procedure for the final determination of the dispute? [12]
5. What are the conditions under which an employer is liable to pay compensation under the Workmen's Compensation Act, 1923? When compensation will be suspended or extinguished? [16]
6. (a) What shall be the amount of compensation to be paid to the worker or his dependent? [8]  
(b) What is the liability of the Principal and the Contractor in respect of compensation payable under the Workmen's Compensation Act, 1923? [8]
7. What are the procedures for determination of period of wages and how the wages of the employee will be disbursed? [16]
8. Explain the following terms under the Employee's State Insurance Act, 1948. [4×4]  
(a) Employee.  
(b) Standing Committee.

- (c) Contribution.
- (d) Disablement.

## 2014 | Labour and Industrial Laws I.

*Answer any five Questions*

1. (a) Define 'Factory' under the Factories Act - 1948. [3]  
 (b) What notice an occupier is required to give before he occupies the premises as to Factory? [5]  
 (c) What are the general duties of Manufacturer as regards articles and substances for use in factories? [8]
2. Enumerate the various measures contemplated by the Factories Act - 1948 regarding protection of the health of workers. [16]
3. (a) What are the provisions regarding employment of young persons in factories?  
 (b) Describe the provisions for the welfare of workers under the Factories Act, 1948? [6+10]
4. (a) Define the term 'Employer' under the Minimum Wages Act, 1948. [4]  
 (b) What is the remedy available to the worker who has been paid less than the minimum rates of wages? State the procedure for the final determination of the dispute? [8]  
 (c) When will the court not entertain any complaint? [4]
5. (a) Define the term 'Wages' under the Minimum Wages Act, 1948. [4]  
 (b) Describe the principles and procedure to be followed in fixing the Minimum Rate of Wages in an Industry. [12]
6. (a) What is the time of payment of wages to the persons employed under the Payment of Wages Act, 1936? [7]  
 (b) How are Inspectors appointed under this Act? Describe the powers and functions of Inspector. [9]
7. (a) What are the conditions under which an Employer is liable to pay compensation under the Workmen's Compensation Act, 1923? [8]



- (b) What shall be the amount of compensation to be paid to the worker or his dependent? [8]
8. (a) Explain the constitution of the corporation under the Employees State Insurance Act, 1948. [7]  
(b) What are the provisions of law as to resignation, cessation and disqualification of the membership of corporation? [9]
9. (a) What is meant by Contribution? How is the Payment of Employers and Employees made? [4+6]  
(b) Discuss the procedure for calculation of average daily wages. [6]
- 10.(a) Under what circumstances can a suit for compensation be filed by the family of a person for loss occasioned to it by his death by actionable wrong under the Fatal Accidents Act, 1885? [9]  
(b) What relief may be given by court and to whom and in what manner? [7]



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