



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

FACULTY OF LAW

SECOND YEAR BACHELOR OF LAWS

(Effective from Session 2020-21)

PAPER – VI (PAPER CODE - 7006)

(PAPER NAME – **LABOUR AND INDUSTRIAL LAWS**)

COMPULSORY PAPERS

Max. Marks: 100

Min. Marks: 36

Note: A. In order to ensure that students do not leave out important portions of the Syllabus, examiners shall be free to repeat the questions set in the previous examination.

B. Leading cases prescribed under this paper may be read whenever they are relevant.

1. **Industrial Dispute Act, 1947:** Definition, Authorities for the settlement of disputes, methods of settlement, collective bargaining, conciliation, arbitration and adjudication, strikes and lockouts, lay off and retrenchment, change of service conditions
2. **Trade Unions Act, 1926:** Definitions, registration and its effects, status, function, immunities and liabilities of trade union, recognition of union.
3. **The Factories Act, 1948:** Background and definitions, Formalities to start a factory, Health, Safety and Welfare measures, Working Hours, Annual leave with wages, Special provisions for women and young persons
4. **The Minimum Wages Act, 1948** – Definition, Fixation of Minimum Rates of Wages, Working Hours and Determination of Wages and Claims, etc.
5. **Payment of Wages Act, 1936** - Payment of Wages and Deduction from Wages, Authorities under the Act
6. **Social Security Legislations:** The Workman's Compensation Act, 1923, Employees State Insurance Act, 1948, Employees provident fund and miscellaneous provisions Act, 1952, Maternity Benefit Act, 1961, Payment of Bonus Act, 1965, The Payment of Gratuity Act, 1972, Equal Remuneration Act, 1976.

LEADING CASES FOR EXAMINATION:

1. Express Newspapers (P) Ltd. v. Union of India, AIR, 1958, SC 678
2. Bijay Cotton Mills Ltd. v. The State of Ajmer, AIR 1955 SC 33
3. Birdi Chand Sharma v. First Civil Judge, Nagpur, AIR 1961 SC 44
4. Bangalore Water Supply v. A Rajappa, AIR 1978 SC 548,
5. Bandhu mukti Morcha V. Union of India, 1974 AIR 802

CASES FOR READING:

1. Jay Engineering Works v. State of West Bengal, AIR 1968 Cal. 407

2. Employers Association of Northern India v. Secretary for Labour U.P. Govt., AIR 1952 All 109
3. MC Mehta v State of Tamil Nadu, (1996) 6 SCC 756
4. Benode Bihari Shah v. State of W.B. 1976 Lab I.C. 523 (Cal).
5. Regional Director, E.S.I. Corpn. v. L. Ranga Rao, 1982 I-L.L.J. 29
6. P.F. Inspector v. Hariharan, AIR 1971 S.C. 1519

SUGGESTED READINGS :

1. Sethi, R.B. : Payment of Wages & Minimum Wages Act
2. Malik : Industrial Law
3. Jaroli, U.L. : Sharamik Vidhi
4. Indian Law Institute : Law & Labour Management Relations in India
5. Rustamajee : Law of Industrial Disputes
6. Srivastava, K.D. : Commentary on Industrial Disputes Act, 1947
7. Srivastava, K.D. : Commentary on Minimum Wages Act, 1948
8. Myres, Charles : Industrial Relations in India
9. Malhotra, O.P. : Law of Industrial Disputes, Vol. 1
10. Darwell & Karr : Law of Service Industry, Vol. 2, 1956
11. Srivastava, K.D. : Commentary on Trade Union Act, 1926
12. Ganga Sahay Sharma : श्रमिक विधिय
13. Mishra, S.N. : Labour & Industrial Law (Hindi & English)