

B.A.LL.B FIVE YEARS INTEGRATED COURSE

IX- SEMESTER

Paper 1.4 904 Labour Law

Note :

1. 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.
 2. Leading cases prescribed under this paper may be read whenever they are relevant.
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1. Historical Development of Industrial Disputes, Legislation in India; Various modes of Settlement of disputes, Objects and Reasons, Scope, Definition of Important terms - Authorities under this Act. Voluntary - Arbitration and Compulsory Adjudication. Reference of Disputes to Boards, Courts of Tribunals; Procedure, Powers and Duties of Authorities. Implementation of Awards. Withholding of Awards, Appeals to Supreme Court and Writs to HCs. Strikes and Lockouts, Layoff and Retrenchment, Special Provisions relating to Layoff, Retrenchment and Closure in certain establishments, Compensation in transfer of undertakings, Section 33, 33-A, 33-B 33-C and other miscellaneous provisions, Penalties, Unfair Labour Practice etc.
 2. **Trade Unions Act, 1926** : The Philosophy of Trade Unionism, History of Trade Union Movement in India - Aims and Objects - Extent and Commencement of the Indian Trade Unions Act, 1926 - Definition and Nature of Trade Union.
Registration of Trade Unions - Right and Liabilities of Registered Trade Unions (Recognition of Trade Unions, Regulations Penalties and Procedure, Dissolution) Collective Bargaining and Trade Disputes - Unfair Labour Practices.
 3. **The Factories Act, 1948** : History of Factory Legislation - Concept of Welfare Objects and Reasons-Scope and Applicability- Definitions of some important terms.
The Provisions relating to the Inspecting Staff - Health, Safety, Welfare, Working House of Adults - Employment of Young Persons - Annual Leave with wages. Special Provisions - Penalties and Procedure. New Provisions inserted vide Factories (Amendment) Act of 1987.

4. **The Minimum Wages Act, 1948** : Concept of Wages, particularly Minimum Fair and Living Wages, Need based minimum wage - Aims and Objects of Minimum Wages Act - Application, Exceptions and Exemptions - Kinds of wages.

Fixation and Revision of minimum rates of wages - Adjudication of Claims relating to minimum wages and miscellaneous provisions.

LEADING CASES :

1. Express Newspapers (P) Ltd. v. Union of India, AIR 1958, SC 678
2. Vijay Cotton Mills Ltd. v. The State of Ajmer, AIR, 1955 SC 33
3. Birdi Chand Sharma v. First Civil Judge, Nagpur, AIR 1961, SC 644
4. Jay Engineering Works v. State of West Bengal, AIR 1968, Cal. 407
5. **Bangalore water Supply v. A Rajappa, AIR 1978, SC. 548**

SUGGESTED READINGS :

1. Sethi, R.B. : Payment of Wages & Minimum Wages Act
2. Malik : Industrial Law
3. Jaroli, U.L. : Shramik 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. I
10. Darwell & Karr : Law of Service in Industry, Vol. 2, 1956
11. Srivastava, K.D. : Commentary on Trade Union Act, 1926
12. Ganga Sahay Sharma : Jfed fof/k;ka

