

LL.B. III SEMESTER 3 YEARS PROGRAMME

CORE COURSE (CC) : 3.3

LABOUR LAW-I

UNIT-I

- Labour Capital conflicts - evolution of Labour laws- Laissez fair to Welfare State
- Constitutional Perspectives of Labour welfare and Industrial relations
- Concept of Collective bargaining;
- Trade Unions:

☐ History of Trade Union Movement

☐ The Trade Union Act 1926 – Definitions - Registration – Rights and Liabilities of Registered Trade Unions; Immunities

☐ Amalgamation and dissolution of Unions

☐ Reorganization of Trade Unions.

UNIT-II

Prevention and Settlement of Industrial Disputes in India

- The role of State in Industrial Relations
- The Industrial Disputes Act 1947 - Definition of industry - Industrial Dispute – Individual Dispute - workman- Lay off – Retrenchment - Closure -Award - Strike – Lockout

UNIT--III

Authorities under the I D Act

- Works committee – Conciliation - Court of inquiry - Labour Courts- Tribunal
- Powers and functions of authorities
- Voluntary Arbitration

Provisions under Chapter V-A & V- B of the Act

- Alteration of conditions of service
- Management rights of action during pendency of proceedings – Recovery of money due from employer
- Unfair labour practices
- Miscellaneous provisions of the Act.

UNIT--IV

Standing Orders

- Concept and Nature of Standing Orders
- scope and coverage
- Certification process – its operation and binding effect
- Modification and Temporary application of Model Standing Orders
- Interpretation and enforcement of Standing Orders and provisions contained in the Industrial Employment (Standing Orders) Act 1946.

UNIT--V

Disciplinary Proceedings in Industries

- Charge sheet – Explanation – Domestic enquiry - Enquiry officer – Enquiry report – Punishment
- Principles of Natural Justice.

Suggested Readings:

1. Srivastava: Law of Trade Unions , Eastern Book Company, Lucknow
2. Goswami : Labour and Industrial Law, Central Law Agency.
3. R.F. Rustomji : Law of Industrial Disputes : Asia Publishing House, Mumbai
4. S.N. Misra : Labour and Industrial Law
5. J.N. Malik : Trade Union Law
6. Khan& Khan : Labour Law , Asia Law House, Hyderabad
7. S.C. Srivastava : Industrial Relations and Labour Law, Vikas Publishing House

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL.B. IV SEMESTER 3 YEARS PROGRAMME

CORE COURSE (CC) : 4.1

LABOUR LAW – II

UNIT I

The Remunerative Aspects

- Wages – Concepts of wages - Minimum, Fair, Living Wages - Wage and Industrial Policies
- Whitley Commission Recommendations
- Provisions of Payment of Wages Act 1936 - Timely payment of wages - Authorised deductions – Claims
- Minimum Wages Act 1948 - Definitions - Types of wages -Minimum rates of wages - Procedure for fixing and revising Minimum Wages – Claims -Remedy.

UNIT -II

Bonus

- Concept : Right to claim Bonus – Full Bench formula - Bonus Commission
- Payment of Bonus Act 1965 - Application – Computation of gross profit, available, allocable surplus
- Eligibility of Bonus - Disqualification of Bonus - set on – set off of allocable surplus
- Minimum and Maximum Bonus-Recovery of Bonus.

UNIT -III

Employees Security and Welfare aspect

- Social Security - Concept and meaning - Social Insurance - Social Assistance Schemes.
- Social Security Legislations
- ☐ Law relating to workmen's compensation - The Employees's Compensation Act 1923 (Amended in 2009) – Definitions -Employer's liability for compensation - Nexus between injury and employment - payment of compensation - penalty for default
- ☐ Employees State Insurance Act 1948 – Application - Benefits under the Act -

Adjudication of disputes and claims – ESI Corporation.

UNIT -IV

- Employees Provident Fund and Miscellaneous Provisions Act 1952

☐ Contributions ; Schemes under the Act; Benefits.

- The Maternity Benefit Act 1961 - Definitions-Application - Benefits.
- The Payment of Gratuity Act 1972 – Definitions – application - Payment of gratuity - eligibility – forfeiture – Nomination - Controlling authorities.

UNIT -V

- The Factories Act 1948

☐ Chapters dealing with Health, Safety and Welfare of Labour.

☐ Provisions Relating To Hazardous Processes

☐ Working Hours Of Adults

- Employment Of Young Persons

☐ Salient features of the Child and Adolescent Labour (Prohibition and Regulation) Act 1986.

Suggested Readings:

1. S.N.Misra, Labour and Industrial Laws, Central law publication 22nd edition. 2006.
2. N.G. Goswami, Labour and Industrial Laws, Central Law Agency.
3. Khan & Kahan, Labour Law-Asia Law house, Hyderabad
4. K.D. Srivastava, Payment of Bonus Act, Eastern Book Company
5. K.D. Srivastava, Payment of Wages Act
6. K.D. Srivastava, Industrial Employment (Standing Orders) Act 1947
7. S.C.Srivastava, Treatise on Social Security
8. V.J.Rao, Factories Law

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

B.A. LL. B VII SEMESTER 5 YEARS PROGRAMME

LABOUR LAW-I

CORE COURSE (CC): 7.1

UNIT-I

- Labour Capital conflicts - evolution of Labour laws- Laissez fair to Welfare State
- Constitutional Perspectives of Labour welfare and Industrial relations
- Concept of Collective bargaining;
- Trade Unions:
 - ☐ History of Trade Union Movement
 - ☐ The Trade Union Act 1926 – Definitions - Registration – Rights and Liabilities of Registered Trade Unions; Immunities
 - ☐ Amalgamation and dissolution of Unions
 - ☐ Reorganization of Trade Unions.

UNIT-II

Prevention and Settlement of Industrial Disputes in India

- The role of State in Industrial Relations
- The Industrial Disputes Act 1947 - Definition of industry - Industrial Dispute – Individual Dispute - workman- Lay off – Retrenchment - Closure -Award - Strike – Lockout

UNIT--III

Authorities under the I D Act

- Works committee – Conciliation - Court of inquiry - Labour Courts- Tribunal
- Powers and functions of authorities
- Voluntary Arbitration

Provisions under Chapter V-A & V- B of the Act

- Alteration of conditions of service
- Management rights of action during pendency of proceedings – Recovery of money due from employer
- Unfair labour practices

- Miscellaneous provisions of the Act.

UNIT--IV

Standing Orders

- Concept and Nature of Standing Orders
- Scope and coverage
- Certification process – its operation and binding effect
- Modification and Temporary application of Model Standing Orders
- Interpretation and enforcement of Standing Orders and provisions contained in the Industrial Employment (Standing Orders) Act 1946.

UNIT--V

Disciplinary Proceedings in Industries

- Charge sheet – Explanation – Domestic enquiry - Enquiry officer – Enquiry report – Punishment
- Principles of Natural Justice.

Suggested Readings:

1. Srivastava: Law of Trade Unions , Eastern Book Company, Lucknow
2. Goswami : Labour and Industrial Law, Central Law Agency.
3. R.F. Rustomji : Law of Industrial Disputes : Asia Publishing House, Mumbai
4. S.N. Misra : Labour and Industrial Law
5. J.N. Malik : Trade Union Law
6. Khan& Khan : Labour Law , Asia Law House, Hyderabad
7. S.C. Srivastava : Industrial Relations and Labour Law, Vikas Publishing House

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

B.A. LL. B VIII SEMESTER 5 YEARS PROGRAMME

LABOUR LAW-II

CORE COURSE (CC): 8.1

UNIT I

The Remunerative Aspects

- Wages – Concepts of wages - Minimum, Fair, Living Wages - Wage and Industrial Policies
- Whitley Commission Recommendations
- Provisions of Payment of Wages Act 1936 - Timely payment of wages - Authorised deductions – Claims
- Minimum Wages Act 1948 - Definitions - Types of wages -Minimum rates of wages - Procedure for fixing and revising Minimum Wages – Claims -Remedy.

UNIT -II

Bonus

- Concept : Right to claim Bonus – Full Bench formula - Bonus Commission
- Payment of Bonus Act 1965 - Application – Computation of gross profit, available, allocable surplus
- Eligibility of Bonus - Disqualification of Bonus - set on – set off of allocable surplus
- Minimum and Maximum Bonus-Recovery of Bonus.

UNIT -III

Employees Security and Welfare aspect

- Social Security - Concept and meaning - Social Insurance - Social Assistance Schemes.
- Social Security Legislations
- ☐ Law relating to workmen's compensation - The Workmen's Compensation Act 1923 – Definitions -Employer's liability for compensation - Nexus between injury and employment - payment of compensation - penalty for default
- ☐ Employees State Insurance Act 1948 – Application - Benefits under the Act -

Adjudication of disputes and claims – ESI Corporation.

UNIT -IV

- Employees Provident Fund and Miscellaneous Provisions Act 1952

☐ Contributions ; Schemes under the Act; Benefits.

- The Maternity Benefit Act 1961 - Definitions-Application - Benefits.

- The Payment of Gratuity Act 1972 – Definitions – application - Payment of gratuity - eligibility – forfeiture – Nomination - Controlling authorities.

UNIT -V

- The Factories Act 1948

☐ Chapters dealing with Health, Safety and Welfare of Labour.

☐ Provisions Relating To Hazardous Processes

☐ Working Hours Of Adults

- Employment Of Young Persons

☐ Salient features of the Child Labour (Prohibition and Regulation) Act 1986.

Suggested Readings:

1. S.N.Misra, Labour and Industrial Laws, Central law publication 22nd edition. 2006.
2. N.G. Goswami, Labour and Industrial Laws, Central Law Agency.
3. Khan & Kahan, Labour Law-Asia Law house, Hyderabad
4. K.D. Srivastava, Payment of Bonus Act, Eastern Book Company
5. K.D. Srivastava, Payment of Wages Act
6. K.D. Srivastava, Industrial Employment (Standing Orders) Act 1947
7. S.C.Srivastava, Treatise on Social Security
8. V.J.Rao, Factories Law

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

