

Advanced Diploma in Labour Laws and Employee Management

Academic Year: 2023-2024

Annual Examination (May, 2024)

**Paper I – 1.1 Industrial Relations in India
(Batch:2023-2024)**

Duration of the Examination: 3 hours

TOTAL MARKS: 100

INSTRUCTIONS TO CANDIDATES

- a) Read the instructions carefully and adhere to the same.
 - b) Please mention your DDE ID No., date of the exam, name of the programme & subject on the Answer Sheet and the Additional Answer Sheets, if any.
 - c) The questions to be interpreted as given and no clarification can be sought from the Invigilator.
 - d) Clearly indicate the question numbers while answering them. Answers without question numbers / wrong question numbers will not be evaluated.
 - e) Write the answers clearly and neatly. Answers in illegible handwriting will not be taken into consideration.
 - f) Candidates are prohibited to carry phones or any other electronic devices, books, material etc. in the Examination Hall.
 - g) Copying is strictly prohibited and is considered as a serious academic mis-conduct and the University will take action as it deems fit.
-

Answer FOUR questions out of SIX questions and each question carries 25 marks.
(4 x 25 marks = 100 marks)

Note : The first 4 questions are essay-type questions, and the last 2 questions are problem-based questions, i.e., you have to provide an answer to that problem supported/ based on the relevant provisions of law and judgments. You are expected to refer to them in your answer.

1. How does the Indian Constitution influence and underpin the development and interpretation of labour laws in India, particularly in terms of protecting workers' rights against exploitation, ensuring social justice, and balancing these with economic growth and the rights of employers? Discuss various relevant provisions along with the judicial interpretations.

2. How do the newly codified labour laws in India affect the rights and conditions of contract labour, especially in the context of the Contract Labor Regulation Act and the obligations under the Factories Act of 1948? What are the potential economic and legal implications of these changes on the workforce and the overall economic development of the country?
3. How do various management theories help shape strategies for managing people and resolving workplace/labour issues in different organisational settings?
4. How do the definitions of 'industry' and 'workman' under the Industrial Disputes Act influence the application of labour protections? How have these definitions evolved through judicial interpretation to address changes in the socioeconomic landscape?

5. Case1

GlobalTech Solutions, a multinational IT corporation with operations across several states in India, intends to restructure its operations due to strategic shifts towards emerging markets and technologies. As part of this restructuring, Mr. Rakesh Mehta, a project manager with critical experience in high-value client projects, is selected for a transfer from the Hyderabad office to a newly established tech hub in Pune. Mr. Mehta realises the implications of the proposed changes- While maintaining the project manager title, Mr. Mehta's responsibilities are expanded to include the oversight of two additional teams, which involves agile training and upskilling. The proposed transfer will also mean a reduction in housing allowances as the HRA percentage for non-metro cities is lower (Pune is counted as a non-metro as per company policy). The tech hub operates on a flexible working hours model (contrary to the Hyderabad office), including a mandatory weekend shift once a month to manage overseas clients in different time zones. Mr. Mehta who received his transfer notice just ten days before the expected relocation date, sits stumped in his chair thinking about the potential changes a transfer can bring to his life.

5 (a). What are the various legal issues that Mr. Mehta may raise to object to the transfer? **(10 Marks)**

5 (b). How to rectify the legal issues (if any) in the case of Mr. Mehta. **(15 Marks)**

6. Case 2

An auto parts manufacturing company, AutoComponents Ltd., located in Tamil Nadu, faces operational challenges due to increased demand and pressure to reduce production costs. The management decides to implement a new shift schedule without increasing wages proportionately. This decision leads to significant discontent among the workforce. The company has proposed a new rotational shift system that includes night shifts without additional night shift allowances. The production targets are also increased without corresponding increases in wages or incentives. Feeling aggrieved by the unilateral changes and what they perceive as unfair labor practices, the union representing the workers at AutoComponents Ltd. calls for a strike. However, the strike commences without the required 14-day notice as stipulated by the new Industrial Relations Code, 2020, making the strike illegal.

6 (a). Discuss the case focusing on legal compliance. **(10 Marks)**

6 (b). How can AutoComponents Ltd. resolve the current dispute amicably and set a precedent for handling similar issues proactively in the future? **(15 Marks)**