

**DIRECTORATE OF DISTANCE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD**

M.A. (CORPORATE LAW)

Academic Year: 2024-2025

Fourth Semester - End Semester Examination (May, 2025)

2.4.12. Labour and Employment Laws

Duration of the Examination: 2 ½ hours

Total Marks: 70 marks

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 misconduct and the University will take action as it deems fit.
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Section A

**Answer FIVE questions out of SEVEN questions and each question carries 10 marks.
(5 x 10 marks = 50 marks)**

- 1. What are the statutory criteria for the formation and registration of a trade union under the Industrial Relations Code, 2020? Discuss the minimum requirements related to membership, recognition, and registration, and explain how these provisions aim to balance workers' rights with industrial discipline.
- 2. At Elite Manufacturing Co., a factory that produces consumer goods, there are two employees—Amit and Priya—working in the same production line. Both perform similar tasks, including assembly and quality checks. However, Amit is paid a higher wage than Priya for the same work. Priya, after learning about this disparity, approaches the HR department, arguing that her wage should be equal to Amit's, as both of them are doing the same work of a similar nature. The HR manager explains that the pay difference is based on Amit's previous experience

and qualifications. In the context of the above scenario, analyze whether the wage disparity between Amit and Priya constitutes gender-based discrimination under the Code on Wages, 2019. Discuss the legal provisions regarding equal wages for equal work, and how the employer should address Priya's complaint to ensure compliance with the law.

3. Sunrise Logistics Ltd. engages a number of workers through SwiftManpower Services, a registered contractor, to manage its warehouse operations. These workers handle loading, packing, and dispatch work under the supervision of Sunrise Logistics staff. One of the workers, Raju, has been working at the warehouse for three years but is paid by the contractor. He receives no social security benefits and has never received a pay increment. Meanwhile, another worker, Anita, also placed by SwiftManpower, works at a different unit, receives regular salary increments, ESI and PF coverage, and her contract mentions she is a permanent employee of the contractor.

Based on the definition of "contract labour" analyze whether Raju and Anita would both qualify as contract labour. How does the nature of their employment relationship with the contractor and the principal employer affect their classification and legal entitlements?

4. Examine the role of arbitration in settling disputes between employers and workers under the Industrial Relations Code, 2020. Discuss the procedure involved in voluntary and compulsory arbitration, the scope of matters that may be referred, and the limitations or challenges associated with arbitration as a method of industrial dispute resolution.
5. Critically examine the legal framework governing strikes and lock-outs under the Industrial Relations Code, 2020. Discuss the procedural requirements, classifications and the rights and liabilities of employers and workers. How do these provisions seek to balance industrial peace with the right to protest?
6. What are the key duties and responsibilities of an employer under the Occupational Safety, Health and Working Conditions Code, 2020? Explain how these duties ensure the safety, health, and welfare of workers at the workplace.
7. What are unfair labour practices under Industrial Relations Code, 2020? Explain with examples the types of unfair practices that can be committed by employers and their trade unions.

Section B

Answer FOUR questions out of SIX questions and each question carries 05 marks. (4 x 5 marks = 20 marks)

- A)** What is the difference between lay-off, retrenchment, and closure under Industrial Relations Code, 2020? Explain the basic rules and worker rights related to each.
- B)** What are the components that make up the minimum wages under the Code on Wages, 2019? Explain whether basic pay, house rent allowance (HRA), and bonuses are included in calculating the minimum wage.
- C)** What welfare facilities must an employer provide in an establishment under the Occupational Safety, Health and Working Conditions Code, 2020? Explain the purpose of these facilities in ensuring workers' well-being.
- D)** What are the different components included in the calculation of minimum wages under the Code on Wages, 2019? Explain the key elements that employers must consider when determining whether their wages meet the minimum wage standards.
- E)** Under what circumstances does the Industrial Relations Code, 2020 provide immunity from civil suits for Trade Unions? Analyze the legal rationale behind granting such immunity, the scope of its application.
- F)** Under the Code on Wages, 2019, what types of deductions can an employer make from an employee's wages? Discuss the conditions under which these deductions are allowed.