

Maharshi Dayanand University Rohtak



Ordinances, Syllabus and Courses of Reading for P.G. Diploma in Labour Law Examination

Session—~~1997-98~~
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Ordinance
**P.G. Diploma in Labour Laws, Labour Welfare and
Personnel Management**

1. The duration of the course leading to the Diploma in Labour Laws, Labour Welfare and Personnel Management shall be one academic year. The examination shall ordinarily be held in the month of May or on such dates as may be fixed by the Vice-Chancellor. A supplementary examination for re-appear and failed candidates shall be held in the month of September/October.
2. The Head of the Department of Law shall forward to the Registrar/Controller of Examinations, at least two weeks before the commencement of the examination, a list of the students who have satisfied the requirements of the rules and are qualified to appear in the examination.
3. The last date of receipt of examination forms and fees shall be fixed by the Vice-Chancellor from time to time.
4. The minimum qualifications for admission to the course shall be:
 - i) Bachelor of Laws Examination (Professional) of this University with at least 50 marks in aggregate.

OR

- ii) Post-graduate examination in the subject of Commerce or Economics or Sociology or Business Administration or Psychology or Public Administration of this University with at least 50% marks in aggregate.

OR

- iii) Master of Laws Examination of this University.

OR

- iv) Diploma in Cost and Works Accountancy/Company Secretaryship with at least 50% marks in aggregate.

OR

- v) M.A.(Social Works) Examination of any University recognised by this university, with atleast 50% marks in aggregate.

OR

- vi) Diploma of Chartered Accountant, Bachelor of General Laws (BGL), or LL.B.(Academic) with at least 50% marks in aggregate.

OR

- vii) Bachelor of Engineering

OR

- viii) An examination of any other University recognised by this University as equivalent to (i) or (ii) or (iii) above.

5. Every candidate shall be examined in the subject(s) as laid down in the syllabus prescribed by the Academic Council from time to time.
6. The question paper will be set by external examiner(s) as per the prescribed Syllabus.
7. All the students of this course shall write a dissertation on any topic relating to Labour Laws, Labour Welfare and Personnel Management carrying 100 marks. The dissertation will normally be submitted by a student within three months from the date of the last examination of the theory papers of this course. The University may extend time for submission of dissertation on the recommendation made by the Head of the Deptt. of Law. The topics of dissertations on which the students would like to write shall be submitted by them to the Head (Law) on or before 31st December of the academic year. The dissertations of the students will be examined by an outside expert preferably in the field of Labour Laws,, Labour Welfare and Personnel Management.
8. The Examination shall be open to a regular student who :
 - i) has been on the rolls of the department during the academic year preceding the examination and
 - ii) has attended not less than 65% of lectures.
9. A candidate who has completed the prescribed course of instruction in the department but does not appear in paper(s) or having appeared fails, may be allowed on the recommendation of the Head of the Department to appear/re-appear in the concerned paper(s) as the case may be, at the next supplementary examination as specified in Clause-I and the next regular examination when such examination is held, without attending the classes. While reappearing in the examination, the candidate

shall be exempted from re-appearing in the paper(s), viva-voce in which he has obtained at least 50% marks. If a candidate fails to pass the examination even in the 3rd chance as mentioned above, he will have to repeat the paper(s) concerned as a regular student in the Deptt. Whenever the relevant paper(s) are offered in future. Such representation shall be allowed only once in the concerned paper(s).

Provided that a candidate must have passed the exam. within 3 years of his admission to the Diploma in Labour Laws, Labour welfare and Personnel Management, failing which he will be deemed to be unfit for this course.

10. The minimum percentage of marks to pass the Exam. shall be:-
 - i) 50% in each written papers and dissertation.
 - ii) 50% in Viva-Voce
 - iii) 50% in the aggregate.
11. The amount of examination fee to be paid by a candidate shall be Rs. 100/- (for Regular) & Rs.110/- for Private candidates.
12. The medium of instruction shall be English.
13. The students can opt English or Hindi as the medium of Exam.
14. As soon as possible, after the termination of the exam. the Registrar/Controller of Examinations shall publish a list of candidates who have passed the examination.
15. a) The viva-voce shall be conducted by a Board of three examiners(one of them being an External Examiner) to be appointed by the Academic Council on the recommendations of the Board of Studies.
- b) The marks obtained by the candidate for the viva-voce shall be taken into account when he reappears in any future examination under Clause-9.
16. Each candidate after passing the examination shall be arranged as under into two division on the basis of the aggregate marks obtained in examination, and the division obtained by the candidate will be stated in his Degree:
 - a) Those who obtain 60% or : First Division more marks

- b) Those who obtain 50% marks : Second Division or more marks, but less than 60% marks.
- c) Candidate who pass the examination at the first attempt obtaining 75% or more marks of total aggregate shall be declared to have passed with distinction.
7. There will be no improvement facilities to students. However, the grace marks will be allowed as per University rules.
8. Notwithstanding the integrated nature of this course which is spread over one academic year, the ordinance in force at the time a student joins the course shall hold good only for the examination held during or at the end of the academic year and nothing in the ordinance shall be deemed to debar the University from amending the ordinance and the amended ordinance, if any, shall apply to all student whether old or new.



Scheme of Examination

		Max. Marks	Time
Paper-I	Labour Law and Labour Management Relations	100	3 Hrs.
Paper-II	Labour Law and Labour Welfare	100	3 Hrs.
Paper-III	Law relating to Wages, Monetary Benefits and Labour Statistics	100	3 Hrs.
Paper-IV	Labour Law and Social Security	100	3 Hrs.
Paper-V	International Labour Organization and Personnel Management.	100	3 Hrs.
Paper-VI	Long Essay	100	3 Hrs.
	<i>or</i>		
	<i>dissertation</i>	<i>100</i>	<i>—</i>
Paper-VII	<i>viva-voce</i>	<i>50</i>	<i>—</i>

Paper-I Labour Law and Labour Management Relations

Max. Marks : 100

Time : Three Hours

Note: Covering all topics, the examiner will set ten questions of equal marks with two questions in each unit. The students will be required to answer five questions, atleast one question from each unit. All questions shall be set in English and carry equal marks.

Unit-I

- a) Concept of industrial relations, importance of industrial relations and factors affecting industrial relationship.
- b) Collective Bargaining: Concept, characteristics, functions, importance and relevant statutory provisions of the I.D. ACT, 1947.
- c) Historical Development of Trade Unions in India, Trade Unions of Employees and Workers; Their forms and types in India.
- d) Recognition of Trade Unions; Workers' Participation in Management; Unfair Labour practices on the part of the Workers, Trade Unions and Employers.

Unit-II

- a) Trade Unions Act, 1926 (Sections 1 to 28).
- b) Industrial Employment (Standing orders) Act, 1946 (Sections 1 to 14-A)

Unit-III

The code of discipline in Industry, 1958 : Nature, Main provisions and the Scope of the Code. The commitments on the part of Employers, Workers and their organisations.

Unit-IV

- a) The Industrial Disputes Act, 1947 (Section 1 to 18)
- b) The Important judicial decisions.

Unit-V

- a) The Industrial Disputes Act, 1947 (Sections 19 to 36)
- b) Important decisions of the High Courts and the Supreme Court of India.

Suggested Reading

1. The Industrial Disputes Act, 1947.
 2. The Trade Unions Act, 1926.
 3. The Industrial Employment (Standing Orders) Act, 1946.
 4. The Code of Discipline in Industry, 1958.
 5. O.P.Malhotra : The Law of Industrial Disputes (Vol.I).
 6. S.L.Aggarwal : Labour Relations Law in India.
 7. Barewell and Kar : Law of Service in India, Vol.II (1950).
 8. V.V.Giri : Labour Problems in Indian Industries.
 9. A.Micharles: Industrial Relations in India.
 10. Dr.S.C.Srivastava: Industrial Relations and Labour Laws.
 11. Dr.C.B.Mamaria: Industrial Labour and Industrial Relations in India.
 12. G.M.Kothari : A Study of Industrial Law.
 13. G.L.Kothari: Labour Demands and their Adjudication.
 14. *Elvington, L.L.: Law on Termination of Service and Industrial Adjudication*
- Paper-II Labour Law and Labour Welfare Max. Marks : 100**

Time : 3 Hrs.

Note:- Ten questions shall be set with two questions from each unit. The candidates shall be required to attempt five questions in all, selecting one questions from each unit. All questions shall carry equal marks.

Unit-I Concept of Labour Welfare, Theories of Labour Welfare, Agencies for Labour Welfare, Labour Welfare and the Constitution of India, Powers and Functions of the Labour Welfare Officer and Labour Officer.

Unit-II The Factories Act, 1948 (Sections 1-84)

Unit-III The Mines Act, 1951 (Sections 1-56)

Unit-IV The Motor Transport Workers Act, 1961 (Section 1-28).

Unit-V The Contract Labour (Regulation and Abolition) Act, 1970 (Sections 1-35.)

The Plantations Labour Act, 1951, (Sections 1-32).

Suggested Readings:

1. The Factories Act, 1948.
2. The Plantations Labour Act, 1951.
3. The Mines Act, 1952.
4. The Motor Transport Workers Act, 1961.
5. The Contract Labour (Regulation and Abolition) Act, 1970
6. D.S.Chopra : Industrial and Labour Law
7. S.D.Punekar ; Labour Welfare, Trade Union and Industrial Relations.
8. M.V.Moorthy ; Principles of Labour Welfare.
9. Dr.T.N.Bhagoliwal : Economics of Labour and Industrial Relations
10. K.N.Vaid : Labour Welfare in India
11. Dr. A.N.Sharma : Aspects of Labour Welfare and Social Security.
12. Dr. J.N.Mongia : Readings in Indian Labour and Social Welfare
13. P.L.Malik : Industrial Law
14. B.R.Dolia : Industrial and Labour Laws
15. R. Mathurubuthan : Factories and Labour Manual
16. The Report of the National Commission on Labour (1969)
17. The Report of the Committee on Labour Welfare (1969)
18. The Journal of I.L.I. New Delhi.
19. Labour Law Journal.
20. ILO Report on 'Provision of Facilities for the promotion Workers Welfare'.
21. R.C. Saxena ; Labour Problems and Social Welfare.
22. Thomas Blayaney : Welfare in Industry
23. Dr. C.B.Memoria : Labour Problems and Social Welfare in India

Paper-III Law Relating to wages, Monetary Benefits and Labour Statistics.

Max. Marks : 100

Time : 3 Hrs.

Note : Covering all topics the examiners will set ten questions of equal marks. The students will be required to answer any five questions. The paper shall be set in English and carry equal marks.

- Unit-I (i) Concepts of Wages: Minimum Wage, Fair Wage, and Living Wage, Methods of Wage-Fixation as evolved by the Committee on Fair-Wages(1948), Meaning of Wage differentials and dearness allowance.
- (ii) Wage Policy in India
- (iii) Wage-Structure and the Role of the Supreme Court.
- Unit-II (i) The Minimum Wages Act, 1948. (Sections 1 to 21)
- (ii) The Payment of Wages Act, 1936. (Sections 1 to 20)
- Unit-III (i) The Payment of Bonus Act, 1965.
- (ii) The Concepts, Evolution and Nature of Bonus,
- (iii) Profit - Sharing Scheme.
- (iv) The Equal Remuneration Act, 1976.
- Unit-IV (i) Definition and Scope of Labour Economics, Labour Absenteeism and Labour - Turnover, Industrial Policy, Industrial Location and Industrial Finance.
- (ii) Industrial Psychology: nature and Scope, Assumptions of Industrial psychology; Fatigue-Causes and its different forms; The work environment and Social Environment, Industrial efficiency, Causes and remedies of Industrial accidents.
- Unit-V (i) Growth and importance of Labour Statistics in India; Objectives and importance; Methods of data-collection; defects and suggestions.
- (ii) The Collection of Statistics Act, 1953. (Section 1 to 15)

Books Recommended

1. The Minimum Wages Act, 1948.
2. The Payment of Wages Act. 1936.
3. The Payment of Bonus Act, 1965.
4. The Equal Remuneration Act, 1976.
5. The Collection of Statistics Act, 1953.
6. K.S.V.Menon: Foundation of Wage Policy.
7. G.L. Kothari; Wage, Dearness Allowance and Bonus.
8. P.R.Hagri : Bonus law in India.
9. C.R.Joshi: Issues in Indian Labour Policy.
10. S.B.L.Nihnam : State Regulation of Minimum Wages.
11. Dr. S.K. Puri: Labour and Industrial Laws.
12. S. M. Rao: The concept of Bonus.
13. B.R. Rolia: Industrial and Labour Laws.
14. The Report of Fair Wages Committee (1948-49)
15. Labour Law Journal
16. Labour and Industrial Cases.
17. Haryana Labour Journal
18. Indian Labour Journal
- 18.A Misra S.N. & S.K. Misra-An Introduction to Labour and Industrial Laws.
19. T.N.Bhagoliwal - Economics of Labour and Industrial Relations
- 19.A Journal of I.L.I., New Delhi.
20. The Report of N.C.L. (1989)
21. Norman, R.P.Maier ; Industrial Psychology
22. S.C.Kuchhal : The Industrial Economy of India.

Paper-IV Labour Law and Social Security**M.M. 100****Time: 3 Hours**

Note: The entire syllabus is divided into five units. Ten questions shall be set with two questions from each unit. The candidates shall be required to attempt 5 questions in all selecting one question from each unit. All questions carry equal marks and shall be set in English.

Unit-I

1. Concept of Social Security, Analysis of various definitions of Social Security, social insurance and social assistance. Social security in the Directive Principles of State Policy, ⁴⁴ Constitution of India.
2. Development and trends in Social Security Schemes in India.

Unit-II

1. Financing of Social Security schemes sharing the cost of Social Security Response of workers to Social Security measures. The Employees State Insurance Act, 1948 (Sec. 1 to 25).

Unit-III The Employees State Insurance Act, 1948, (Sec. 26 to 83)

Unit-IV The Workmen's Compensation Act 1923 (Sec. 1-31)

The Employees Provident Funds and Miscellaneous Provisions Act 1952 (Sec. 1-10 A)

Unit-V The Maternity Benefit Act, 1961, (Sec. 1-30)

The Payment of Gratuity Act, 1972 (Sec. 1-15)

Books Recommended/Suggested Readings

1. Journal I.L.I.
2. Labour Journals
3. S.C.Srivastava - Social Security and Labour Laws.
4. Dr.G.S.Varandani - Social Security and Labour Laws in India.
5. Dr. A.M.Sharma-Aspects of Labour Welfare and Social Security.
6. Dr. N. Hasan : Social Security in Frame Work of Economic Development.
7. Dr. G.K. Sharma : Labour Movement in India
8. Dr. T.N. Bhagoliwal : Economics of Labour and Industrial Relations

Paper-V International Labour Organization Max. Marks 100
and Personnel Management

Time : 3 Hrs.

Note: Ten questions shall be set with two questions from each unit. The candidate shall be required to attempt five questions in all selecting one question from each unit. All questions shall carry equal marks and be set in English.

Unit-I

1. Origin, aims, objectives, constitution and development of I.L.O.

2. Organs of I.L.O.
3. I.L.O. Legislative Procedure, Conventions, standards, recommendations and Indian ratification and Indian Labour Legislation.

Unit-II

1. International Labour Code and World Constitution, Tripartism and Tripartite Machinery in India
2. I.L.O. and India in pursuit of Social Justice.
3. Influence of I.L.O. on Labour Policy and Trade Union Movement in India.

Unit-III

1. Growth, Development, Definitions, Objectives, Scope and Subject matter of Personnel Management, with special reference of India.
2. Organisation of Personal Department and Subject Matter of Personal Officer.

Unit-IV

1. Manpower Planning, Recruitment, Selection, Placement, Promotion, Demotions and Transfers.
2. Counselling Industrial discipline, Procedure for holding domestic inquiries, Retrenchment and Termination.
3. Motivation, Morals, Leadership, Communication, procedure for Grievance handling.

Unit-V

1. Job: Analysis, Description, Specification, Performance, Appraisal and Exit Interview.
2. Management Training, Workers Participation in Management and Victimization
3. Evolution of Machinery for Labour Administration in India Central Machinery and State Machinery.

Books Recommended:

1. Johnson, International Labour Organisation.
2. S.K.Dhyani: I.L.O. and India in pursuit of Social Justice.

3. S.L. Aggarwal: Labour Management Relations in India.
4. T.N.Kapoor, Personnel Management and Industrial Relations.
5. Dr. C.B. Mamoria-Personnel Management.
6. Dr. P.C.Tripathi - Personnel Management.
7. Dr. L.C.Dhingra-Law on Termination of Service and Industrial Adjudication (1991 Ed.)
8. N.N.Kaul- International labour Organisation.
9. The Report of National Commission on Labour (1969)
10. Badruddin-Management, Workers participation and the Law (1991 Ed.)

Paper-VI Long Essay

Max. Marks : 100

Time: 3 Hours.

Note: The Examiner will set Five Essays in all selecting at least one Essay from each Unit. The candidates will be required to attempt one essay only of their choice.

Topics :

Unit-I

1. Role of collective Bargaining in Labour Management Relations.
2. Governmental Power and role in the settlement of labour disputes.
3. The Code of discipline in Industry, 1958.
4. Bonded Labour System and the Bonded Labour (Abolition) Act.

Unit-II

5. Problem of Unorganised Labour and Legal Safeguards in India.
6. Labour Welfare and the Law.
7. Legal Protection to Child and Women Labour under the different Labour Legislations.

Unit-III

8. **Industrial Indiscipline : causes and cure.**
9. **International Labour Organisation in pursuit of Labour Welfare and Social Justice.**
10. **Workers' participation in Management.**

Unit-IV

11. **Concept, Nature and Law on Payment of Bonus in India.**
12. **An Analysis of Equal Remuneration Act, 1976.**
13. **Causes and Effects of labour turnover and absenteeism in Indian Industries.**

Unit-V

14. **Principles of wage fixation and the role of the Supreme Court.**
15. **Law relating to payment of gratuity to Industrial Employees.**
16. **Law relating to Trade Unions in India.**