

COURSE III- LABOUR LAW- I

UNIT-I

Historical aspects - Master and Slave Relationship, Trade Unionism in India and UK - Enactment of the Trade Unions Act, 1926- ILO Conventions relating to Trade Unions and relevant Constitutional provisions.

A bird's eye view of the Act Definitions - Trade Union, Trade Dispute, etc. - Provisions relating to registration, withdrawal and cancellation of registration - Funds of Trade Union, Immunities, problems of Trade Union, Amalgamation of Trade Union -Recognition of - Trade Unions Methods, need and efforts in this regard, Collective Bargaining - Meaning, methods, status of collective bargaining settlements, collective bargaining and liberalisation.

UNIT-II

Historical Background and Introduction to the Industrial Disputes Act, 1947 - Definitions Industry, Workman, Industrial Dispute, Appropriate Government, etc., - Authorities/ Industrial Dispute resolution machinery- Works Committee, Conciliation and Board of Conciliation Powers and Functions, Court of Inquiry, Grievance Settlement Authority,

Voluntary Arbitration U/S 10-A, Compulsory Adjudication- Government's power of reference U/S 10 Critical analysis with reference to decided cases. Compulsory Adjudication Composition, Qualification, Jurisdiction, powers of adjudication authorities,- - Award and Settlement - Definition, Period of operation, binding nature and Juridical Review of award.

UNIT-III

Law relating to regulation of strikes and lockouts- Definition of strikes and lockouts, Analysis with reference to Judicial Interpretations, Regulation U/Ss 22, 23, 10-A(4-A), and 10 (3), Illegal strikes and lockouts, penalties. Regulation of Job losses- concepts of Lay-off, Retrenchment, Closure and Transfer of undertakings with reference to statutory definition and Judicial Interpretations - Regulation of job losses with reference to the provisions of chapter V A and V B of the ID Act, 1947 - Regulation of managerial prerogatives - Ss. 9A, 11A, 33 and 33A of ID Act, 1947 Certified Standing Orders - Meaning and Procedure for Certification, Certifying officers- Powers and Functions, etc.

UNIT-IV

Concept and Importance of Social Security - Influence of I.L.O. - Constitutional Mandate. The Employees' Compensation Act, 1923 Definitions - employee, employer, dependent, partial disablement, total disablement, etc. - Employer's liability for compensation - Conditions and Exceptions Procedure for claiming compensation. Computation of Compensation. Commissioner- Jurisdiction, Powers, etc.

The Employees' State Insurance Act, 1948 Definitions Employment injury, contribution, dependent, employee, principal employer, etc. - Employees' State Insurance Funds contribution, Benefits available - Administrative Mechanism E.S.I Corporation, Standing Committee, Medical Benefits Council - Composition, Powers, Duties - Adjudication of Disputes - E.S.I Courts. Comparative analysis of the E.S.I. Act, 1948 with the Employees' Compensation Act, 1923

UNIT-V

The Payment of Wages Act, 1936 – Definitions- employed person, factory, industrial and other establishment, wages, etc.- Deductions – Authorities - Inspectors and Payment of Wages Authority.

The Factories Act, 1948 - Definitions - factory, manufacturing process, occupier, worker, hazardous process, etc. - Provisions of the Factories Act relating to health, safety and welfare of workers - Provisions relating to Hazardous process - Provisions relating to working conditions of employment - Working Hours, Weekly leave, Annual leave facility - Provisions relating to regulation of employment of women, children and young persons.

Books Prescribed:

1. S.C. Srivastava - Industrial Relations and Labour Laws.
2. Dr. V.G. Goswami - Labour Industrial Laws
3. S.N.Mishra - Labour and Industrial Laws.
4. S.C.Srivastava, Treatise on Social Security.
5. The Trade Unions Act, 1926
6. The Industrial Disputes Act, 1947
7. The Industrial Employment (Standing Orders) Act, 1946
8. The Employees Compensation Act, 1923
9. The Employees' State Insurance Act, 1948
10. The Payment of Wages Act, 1936
11. The Factories Act, 1948

Reference Books:

1. O.P. Malhotra - Law of Industrial Disputes.
 2. G. Ramanujam - Indian Labour Movements.
 3. P.L. Malik - Industrial Law.
 4. Mamoria and Mamoria - Dynamics of Industrial Relations.
 5. First National Labour Commission Report, 1969.
 6. Second National Labour Commission Report, 2002.
- International Labour Conventions and Recommendations.