APPENDIX – I

POST GRADUATE DIPLOMA IN LABOUR LAWS

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Name of the Paper</th>
<th>No. of Credits</th>
<th>Max. Marks</th>
<th>Min. Marks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Law relating to Collective Bargaining &amp; Trade unions</td>
<td>4</td>
<td>Theory 80</td>
<td>I. A. 20</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>40</td>
<td>10</td>
</tr>
<tr>
<td>2</td>
<td>Law relating to Industrial Adjudication</td>
<td>4</td>
<td>Theory 80</td>
<td>I. A. 20</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>40</td>
<td>10</td>
</tr>
<tr>
<td>3</td>
<td>Law relating to Wages and Monetary Benefits</td>
<td>4</td>
<td>Theory 80</td>
<td>I. A. 20</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>40</td>
<td>10</td>
</tr>
<tr>
<td>4</td>
<td>Social Security Legislation</td>
<td>4</td>
<td>Theory 80</td>
<td>I. A. 20</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>40</td>
<td>10</td>
</tr>
<tr>
<td>5</td>
<td>Project Work :</td>
<td>4</td>
<td>100</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>1 Project Work (Ext. Examiner) 75 marks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2 Viva – Voce (Ext. Examiner) 25 marks</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

APPENDIX – II

DETAILED SYLLABUS FOR POST GRADUATE DIPLOMA IN LABOUR LAWS

PAPER - 1

Law Relating to Collective Bargaining and Trade Unions

I. Freedom of Association:
   a. International norms: right to form association of industrial and unorganized labour.
   b. Constitutional and legal aspects of right to form association in India.

II. Concept and Process of Collective Bargaining:
   b. Advantages, Disadvantages and Comparative appraisal.
   c. Types of bargaining at different levels - plant level, industry level and national level.

III. Legal Control of Collective Bargaining Endeavours:
   a. Strikes and Lockouts under IDA and BIR. (Case Laws)
   b. Gherao.
IV. Factors Affecting Collective Bargaining:
   a. Multi-unionism. (Case Laws)
   b. Other factors.
   c. Conditions for successful functioning comparative analysis.
   d. Policies towards worker’s participation in Management-Role of State.

V. History of Trade Unionism:
   a. History of the Trade Union Movement with reference to India.
   b. Need, objectives and functions.
   c. The character of present trade unions.

VI. Trade Unions under the Law:
   a. Registration of Trade Unions under the Trade Unions Act 1927.
   b. Bombay Industrial Relation Act, 1956. (Relevant Sections)
   c. MRTU & PULP Act 1971. (Case Laws)

VII. Rights and Liabilities of Registered Trade Unions under the T. U. Act. And MRTU and PULP Act.
   a. Rights and Liabilities of registered Trade Union under the Trade Union Act.
   b. Recognition of trade union as a bargaining agent.
   c. Rights, Privileges and Duties of Recognised Unions.
   d. Unfair Labour Practices and victimization.

Books Suggested For Reading:
1. ILO-Collective Bargaining.
4. V. P. Arya-Strikes, Lockouts and Gherao.
PAPER -2

Law Relating To Industrial Adjudication

1. Adjudicatory Machinery- Appointments, Power, Duties, Jurisdiction & Role of :
   i.) Arbitration Proceedings.
   ii.) Labour Courts.
   iii.) Industrial Tribunals.
   iv.) National Tribunal under IDA.

2. Agreements, Settlements and Awards:
   Commencement ,Operation, Duration, Persons on whom it is binding.

3. Judicial Review of the Adjudicatory Process :
   i.) Principles of Interpretation of Social Welfare Legislation.
   ii.) Finality of decision making in adjudicatory process.
   iii) Jurisdiction of the adjudicatory authority in respect of dismissal of workmen.

4. Juridical Formulation of the following Concepts and Changing Dimensions:
   i. Industry.
   ii. Retrenchment-the widening dimension.
   iii. Lay-Off.
   iv. Closure.
   v. Transfer of undertaking.
   vi. Workmen.
   vii. Industrial Dispute.

5. Compensation under IDA :Chap VA &VB:
   1. Change of Service Conditions under IDA: 33, 33-A, 33-B & 33-C.

Books Suggested For Reading:

1. ILI-Labour Law and Labour Relations.
2. O.P.Malhotra-Law of Industrial Disputes,Vol-1 & 2
Law relating to Wages and Monetary Benefits

1. Theories and Facets of Wages:
   i. Definition of Wages.
   ii. Theories of Wages.
   iii. Facets of Wages.
   iv. Minimum, Fair and Living Wages.
   v. Basic Wage.
   vi. Bonus as Deferred Wage or share of profit.
   vii. Allowances and Concessions.

2. A National Wage Policy, Problems and Perspective:
   Wage Board and Pay Commission:
   B. International Standardization: Role of ILO Convention and recommendations relating to Wages:
   C. Constitutional perspective on Wages:
      i. Constitutional Ideals.
      ii. Denial of Minimum Wage as Forced Labour.
      iii. Right to Work.
      iv. Living Wages.
      v. Equal Pay for equal Work

3. A Wage Differentials:
   i. Factors of Differential Wages.
   ii. Capacity of Industry and Wage Fixation
   iii. Private Sector and Public Sector –Difference in Wages.
   B. Wages, Price and Tax:
      i. Increase of Wages-Impact on Price.
      ii. Increase in Price -Impact on Wages.
      iii. Impact of Tax on Wages and Price.
      iv. Wages and Consumer.

4. Minimum Wage:
   ii. Power of State Government to fix different rates for certain employments.
   iii. Procedure for fixation and work.
   iv. Fixation of hours of work.
   v. Overtime.
   vi. Procedure for disposal of claims.
   vii. Offences and penalties and Exemptions.
   viii. Concepts of Dearness Allowance and Principles for determination of D.A.
5. Payment of Wages under the Payment of Wages Act, 1936:
   i. Responsibility for payment of wages.
   ii. Wage Periods-Time for payment, deduction, fines.
   iii. Claims arising out of deductions and delay in payment.
   iv. Procedure for filing and disposal of appeals.
   v. Offences, their trial procedure and penalties.
   vi. Enforcement machinery under the Act - their powers and functions.

6. Profit sharing and Bonus:
   i. Concept of Profit Sharing - Desirability.
   ii. Difficulties in Implementation.
   iii. Concept of Bonus.
   iv. Interpretation by Indian Courts and Tribunals.
   v. Basis for the calculation of Bonus under the Payment of Bonus Act, 1965.
   vi. Eligibility for Bonus, minimum and maximum bonus.
   vii. Set on and Set off of allocable.

Books Suggested for Reading:
2. J.C. Sandersara & LL. Deshpande, Wage Policy and Wage Determination in India.
3. R.B. Sethi - Payment of Wages Act and Minimum Wages Act
4. G.L. Kothari - Wages, Dearness Allowance and Bonus.
7. R.D. Agarwal - Dynamics of Labour Relation in India (1972)

PAPER IV
Social Security Legislation

I) Introduction:

II) Constitutional Perspectives:
   1. Fundamental Rights: Realization of the rights through meaningful social security measures:
      right to life, the wider dimensions.
   2. Right to adequate means of livelihood, free legal aid, public assistance in cases of unemployment, old age, sickness and disablement, maternity relief benefits

III) Origin and Development/ Comparative Perspectives of Social Security:
   1. The United Kingdom.
   2. The United States.

IV) The Workmen's Compensation Act - 1923:
   1. Employer’s liability for compensation.
   2. Types of Injuries covered.
   3. Workmen who can claim compensation.
   4. Amount of compensation in case of various injuries.
5. Payment of Compensation.
6. Commissioner for Workmen’s Compensation – his duties, powers and procedures.

V) Employees State Insurance Act 1948:
1. Authorities under the Act – their powers and function.
2. Employees State Insurance Fund - Contributions to the fund by the Employer and Employees, Grant by Central and State Government.
3. Purposes for which the fund may be expended.
4. Benefits available, conditions under which available, persons entitled.
5. Corporation’s right to recover damages or other amounts from employer, or to be indemnified in certain cases.
6. Adjudication of disputes and claims.

VI). The Maternity Benefit Act 1961:
1. Applicability.
2. Nature of benefits and privileges available under the Act
3. Procedure for claiming payment
4. Inspectors – their powers and functions.
5. Penalties.

Books Suggested For Reading:
1. Dr. Vivek Bhattacharya - Social Security Measures in India.
5. Dr. C. B. Mamoria - Principles of Social Security.

PAPER – 5

Project Work

Students are required to submit a project work on given topic in Labour Laws under the guidance of Faculty members. The Project Work will be evaluated by External Examiner and Viva-Voce on the Project work will also be conducted by the External Examiner

Project Work :
1 Project Work (Ext. Examiner) 75 marks
2 Viva – Voce (Ext. Examiner) 25 marks

Total : 100 Marks