

PERIYAR UNIVERSITY

SALEM – 636 011

PERIYAR INSTITUTE OF DISTANCE EDUCATION (PRIDE)

DIPLOMA IN LABOUR LAW

ONE YEAR



REGULATION AND SYLLABUS

(Effective from the Academic Year 2014 - 2015)

**DIPLOMA IN LABOUR LAW
REGULATIONS**

Effective from the Academic Year 2014-15 and thereafter

1. CONDITION FOR ADMISSION

A candidate who has passed Plus Two or Higher Secondary Examination / +2 or Students undergoing UG or PG degree courses

2. DURATION OF THE COURSE

The course for the Diploma in Labor Law shall consist of one academic Year.

3. COURSE OF STUDY

The course of study shall comprise instruction in books prescribed from time to time.

- i. Law relating to Industrial relations and Labour welfare
- ii. Laws on Compensation
- iii. Laws on Social Security
- iv. Laws on Women and Child Labor
- v. Laws on Miscellaneous Labour Welfare

4. EXAMINATIONS:

The examination shall be three hours duration to each paper at the end of the year. The candidate failing in any subject(s) will be permitted to appear for each failed subjects(s) in the subsequent examination. Practical Examination should be conducted at the end of the year.

5. SCHEME OF EXAMINATIONS

The scheme of examination shall be as follow

Sl. No	Paper Code	Title of the Paper	Exam Duration	Maximum Marks
1.		Law relating to Industrial relations and Labour welfare	3 Hrs	100
2.		Laws on Compensation	3 Hrs	100
3.		Laws on Social Security	3 Hrs	100
4.		Laws on Women and Child Labor	3 Hrs	100
5.		Laws on Miscellaneous Labour Welfare	3 Hrs	100
	Total Marks			500

6. QUESTIONS PAPER PATTERN

a. For Theory

Time: 3 Hrs.

Max. Marks : 100

PART – A : 5 X 5 = 25

(Answer all Five Questions)

Answer to each question shall not exceed two pages.

PART – B: 5X 15 = 75

(Answer all Five Questions)

Answer to each question shall not exceed two pages.

7. PASSING MINIMUM

A candidate shall be declared to have passed the examination in a theory of study only if he/she scores not less than 40 Marks out of 100 in the University Examination

8. CLASSIFICATION OF SUCCESSFUL CANDIDATES:

Candidates who secure not less than 60% of the aggregate marks in the whole examination shall be declared to have passed the examination in First Class. All other successful candidates shall be declared to have passed in Second Class. Candidates who obtain 75% of the marks in the aggregate shall be deemed to have passed the examination in First Class with Distinction provided they pass all the examination prescribed for the course at the first appearance.

1. LAWS RELATING TO INDUSTRIAL RELATIONS AND LABOUR WELFARE

Unit 1: THE TRADE UNIONS ACT, 1926: Introduction - Definitions - Scope and Objectives - Registration-Cancellation – Rights and Privileges – Amalgamation – Dissolution – Regulations and Penalties.

Unit 2: THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946: Definitions - Scope and Objectives - Submission and Certification of Standing Orders – Enforcement of the Act – Miscellaneous.

Unit 3: THE INDUSTRIAL DISPUTES ACT, 1947: Introduction – Definitions - Scope and objectives of the Act. Machineries and Authorities under the Act: Conciliation - Adjudication and Arbitration. Provisions relating to lay off – Retrenchment – Closure - Strikes and Lock outs.

Unit 4: THE FACTORIES ACT, 1948: Introduction – Definitions - Scope and Objectives of the Act. Health, Safety and Welfare Provisions under the Act. Working hours and Employment – Annual Leave – Penalties and Procedure.

Unit 5: THE APPRENTICES ACT, 1969: Definitions, Scope and Objectives of the Act- Apprentices and their Training – Hours of Work – Overtime – Leave and Holidays – Obligations of Employers and Apprentices - Authorities.

Reference Books

- 1.Sarma, A.M. (2011) Industrial Jurisprudence and Labour Legislation, Himalaya Publishing House, Mumbai.
2. Taxmann (2009) Labour Laws”, Taxmann Allied Services Pvt. Ltd.
3. Srivastava, S. C. (2008) Industrial Relations and Labour Laws, Vikas Publishing House Pvt Ltd, New Delhi.
4. Sinha, P.R.N., Sinha, Indu Bala and Shekhar, Seema Priyadarshini (2004) Industrial Relations, Trade Unions and Labour Legislation, Pearson Education, New Delhi.
5. Kapoor , N.D. (2006). Elements of Industrial Law, Sultan Chand & Sons, New Delhi.

2.LAWS ON COMPENSATION

Unit I : The Payment of Wages – 1936

Objective of the Act - Definitions - Scope and Jurisdiction- Rules for Payment of Wages, Deductions - Benefits and Legal remedies – Enforcement – Inspectors - Exemptions of the Act – Appeal – Offences and Penalty – Miscellaneous.

Unit II : The Minimum Wages Act 1948

Objective of the Act - Definitions - Scope and Jurisdiction – Fixation of Wages Revision – Advisory Boards - Rules - Benefits and Legal remedies – Enforcement – Exemptions of the Act – Offences and Penalty - Power to Make rule – Miscellaneous.

Unit III : The Payment of Bonus Act 1965

Objective of the Act - Definitions - Scope and Jurisdiction – Categories not applicable – Eligibility Rules – Benefits and Legal remedies - Exemptions of the Act Determination of Bonus – Special Provisions – Inspectors - Offences and Penalty – Miscellaneous.

Unit IV: The Contract Labour Regulation and Abolition Act 1970

Introduction - Definitions - Objective of the Act - Scope and Jurisdiction of the Act - Rules to be followed as per the Act- Advisory Boards - Benefits and Legal remedies of the Act – Penalties and Procedures – Records to be maintained – Exemptions of the Act – Miscellaneous.

Unit V: Employee Pension Scheme 1995

Introduction – Definitions – Employees Pension Fund – Payment of Contribution – Recovery of Damages for Default in Payment of any contribution – Membership of the employee Pension Scheme – Subscriptions – Options for return of Capital – Benefits – Duties of Employers – Account Management – Exemptions – Rules & Regulations

Text Books:

1. Kapoor N. D, Elements of Merchantile Law, sultan Chand, 2008.
2. PadhiP.K., Industrial Laws, PHI , 2008.
3. Senapathi.R. Legal Systems in Business – ARS Publications, Chennai,2008
4. Tripathi.P.C, Gupta.C.B., Kapoor.N.D, Industrial Relations and Labour Laws.2011

Reference Books:

1. Arun Monappa, Ranjeet Numbudiri, Patturaja Selvaraj, Industrail Relations & Labor Laws, Tata McGraw hill 2012.
2. Respective Bare Acts.
3. Sinha. D.R. N., Indu Balasinha & Semma Priyadarshini Shekar, Industrial Relations, Trade Unions and Labor Legislation 2004.
4. Srivastava, Industrail Relations and Labour Laws, Vikas, 2007.
5. Tax Mann, Labour Laws, 2008.

3.LAWS ON SOCIAL SECURITY

Unit 1: Workmen's compensation Act - 1923

Objectives, Employer to pay compensation, when employer is not liable, Amount of compensation Notices, Claim, Appeal, recovers.

Unit 2: Employee's State Insurance Act – 1948,

Preliminary, Corporation, standary commiter and medical benefits council, Finance and Audil, Loutributions, Benefits, Transitoury provision.

Unit 3: Employee's Provident Funds Act – 1952

Short title, esctent & application, Employers provident fund scheme, General Board, Executive committee, Appointment of officer, Employers prevision scheme. 7, Deposit linked insurances scheme.

Unit 4: Payment of gradually Act – 1972

Short title, Extent, Application & commencement, Controlling authority, Payment authority, Compulsory insurance, Power to example.

Unit 5 : The Fatal Accident Act – 1855

Suit for compensation to the family of a person for loss occasioned to it by his death by actionable wrong, Not more than one suit to be brought. 2. Plaintiff shall delevers particulars etc. 3. Interpretation clause.

Text Books:

- 1. Kapoor N. D, Elements of Merchantile Law, sultan Chand, 2008.**
- 2. PadhiP.K., Industrial Laws, PHI, 2008.**
- 3. Senapathi.R. Legal Systems in Business – ARS Publications, Chennai,2008**
- 4. Tripathi.P.C, Gupta.C.B., Kapoor.N.D, Indstrial Relations and Labour Laws.2011**

Reference Books:

- 1. Arun Monappa, Ranjeet Numbudiri, Patturaja Selvaraj, Industrail Relations & Labor Laws, Tata McGraw hill 2012.**
- 2. Respective Bare Acts.**
- 3. Sinha. D.R. N., Indu Balasinha & Semma Priyadarshini Shekar, Industrial Relations, Trade Unions and Labor Legislation 2004.**
- 4. Srivastava, Industrail Relations and Labour Laws, Vikas, 2007.**
- 5. Tax Mann, Labour Laws, 2008.**

4.LAWS ON WOMEN AND CHILD LABOR

UNIT I - The Maternity Benefit Act 1961

Definitions - Objective of the Act - Scope and Jurisdiction of the Act – Definitions - Rules to be followed as per the Act - Benefits and Legal remedies of the Act – Leave and Nursing Break – Inspectors - Exemptions of the Act – Penalties and Offenses - Miscellaneous – Important Precedents - Summary.

UNIT II - The Equal Remuneration Act 1976

Definitions - Objective of the Act - Scope and Jurisdiction of the Act - Act to have overriding effect - Rules & Regulations - Duty of employer - Advisory Committee - Maintenance of Records – Power of State and Central Government – Inspectors - Benefits and Legal remedies - Penalties and Offences - Exemptions - Power to Make declaration, Remove difficulties, Make rules, Give directions- Repeal and saving - Miscellaneous – Important Precedents - Summary.

UNIT III - The Child Labour [Prohibition and Regulation] Act 1986

Introduction - Objective of the Act - Definitions - Scope and Jurisdiction - Rules & Regulations - Benefits and Legal remedies of the Act - Exemptions of the Act – Penalties and Offenses – Prohibited Occupation, Process – Miscellaneous – Important Precedents - Summary.

UNIT IV - The Employment of Children Act 1986

Definitions - Objective - Scope and Jurisdiction - Rules - Benefits and Legal remedies - Prohibition in certain occupations, Power to amend the schedule, Notice to Inspector before carrying on work in certain processes, Disputes - Maintenance of Register, Display of notices – Penalty and Procedure relating to offences- Inspector, Power to make rules - Exemptions of the Act – Miscellaneous – Important Precedents - Summary.

UNIT V – Arbitration and Conciliation Act, 1996

Definitions - Objective of the Act - Scope and Jurisdiction of the Act – Negotiation, Mediation, Collaborative Law Or Collaborative Divorce, Arbitration, Conciliation, Lok Adalat, Permanent Lok Adalat For Public Utility Services - Rules to be followed as per the Act - Benefits and Legal remedies of the Act - Exemptions of the Act – Miscellaneous – Important Precedents - Summary.

Text Books:

1. Kapoor N. D, Elements of Merchantile Law, sultan Chand, 2008.
2. PadhiP.K., Industrial Laws, PHI , 2008.
3. Tripathi.P.C, Gupta.C.B., Kapoor.N.D, Industrial Relations and Labour Laws.

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1. Arun Monappa, Ranjeet Numbudiri, Patturaja Selvaraj, Industrial Relations & Labor Laws, Tata McGraw hill 2012.

2. Respective Bare Acts.
3. Sinha. D.R. N., Indu Balasinha & Semma Priyadarshini Shekar, Industrial Relations, Trade Unions and Labor Legislation 2004.
4. Srivastava, Industrial Relations and Labour Laws, Vikas, 2007.
5. Tax Mann, Labour Laws, 2008.

5.LAWS ON MISCELENIIOUS LABOUR WELFARE

Unit 1: The employers Liability Act – 1938

Short title. Commencement. Definition. Defence of common employment banned in certain cases. Contracting out. Risk not to be deemed to have been assumed without full knowledge. Savings.

Unit 2: The employment Exchange compulsory notification of vacancies Act – 1959. Title. Commencement. Definition. Form I. Form ER-II

Unit 3: The collection of statistics Act – 2005

Preliminary. Collection of Statistics. Disclosure of information in certain cases and restrictions of their use . Miscellaneous

Unit 4: Statutory Welfare Fund-I

Labour welfare fund for coal mines Short title, commencement, definition. Consequential provision. Constitution of suits etc of the fund to be credited to the consolidated fund of India.

Unit 5: Statutory Welfare Fund-II

Labour welfare fund for mica mines : short title and extent. Chairman of the advisory board.
Power offences

Text Books:

1. Kapoor N. D, Elements of Merchantile Law, sultan Chand, 2008.
2. PadhiP.K., Industrial Laws, PHI , 2008.
3. Tripathi.P.C, Gupta.C.B., Kapoor.N.D, Industrial Relations and Labour Laws.

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2. Respective Bare Acts.
3. Sinha. D.R. N., Indu Balasinha & Semma Priyadarshini Shekar, Industrial Relations, Trade Unions and Labor Legislation 2004.
4. Srivastava, Industrial Relations and Labour Laws, Vikas, 2007.
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