



Chhatrapati Shahu Ji Maharaj
University, Kanpur

Answer Script Details
Barcode 7322065

Roll No. 23086004394
Total Mark 69/100.00

Exam LLB_ODD-EXAM-DEC-24
Subject LLB305 - LABOUR LAW-I

Question wise Mark Summary

Q.No Mark Q.No Mark Q.No Mark Q.No Mark

1A 2.5/4 9 NA/15

1B 2.5/4

1C 3/4

1D 3/4

1E 3/4

1F 2.5/4

1G 2.5/4

1H 2/4

1I 3/4

1J 3/4

2 NA/15

3 11/15

4 NA/15

5 11/15

6 NA/15

7 10/15

8 10/15

Chhatrapati Shahu Ji Maharaj University Kanpur, Uttar Pradesh

Date of Exam: 11/11/2025 Shift: 1st Room No.: 07
 Paper Code: LLB305 Subject: LABOUR LAW Year: 3rd
 Name of Candidate: ASHRUTI SRIVASTAVA
 Roll No.: 23086004394

Signature of Candidate: *Ashruti*
 Signature of Investigator: *[Signature]*
 COE Facsimile: *[Signature]*

PART-II

MARKS OBTAINED										
Q.	1	2	3	4	5	6	7	8	9	10
(a)										
(b)										
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Total										
Total Marks in Figures								Max. Marks		
Total Marks in Words										



LLB305
Paper Code

Signature of Evaluator

Course: BACHELOR OF LAWS
 Session: 2024-25 Year/Semester: 3rd
 Subject Name: LABOUR LAW
 Medium: English Hindi
 Paper Code: LLB305
 Exam Date: 0022025
 Name of Candidate: SHRUTI SRIVASTAVA
 Father's Name: JURENDRA SRIVASTAVA

कॉलेज का कोड
College Code: K N O S
 Type of Exam: Regular Ex-Student Private Back Paper Exam

परीक्षा केंद्र का कोड
Exam Centre Code: K N O S

ANSWER BOOKLET NO.
7322065

LLB305
Paper Code



Enrollment Number: C S J M A 2 0 0 0 0 0 3 8 7 8 9
 Candidate's Roll Number: 23086004394
 Paper Code: LLB305

Signature of Candidate: *Ashruti*
 Signature of Investigator: *[Signature]*

केंद्राध्यक्ष
ब्रह्मानन्द कालोज
C S Faculties



Signature of Candidate: *Ashruti*

Signature of Investigator: *[Signature]*

केंद्राध्यक्ष
ब्रह्मानन्द कालोज
C S Faculties

COE Facsimile: *[Signature]*

नोट - 1. परीक्षार्थी को निर्दिष्ट किया जाता है कि उत्तरावधि वाले दो घण्टे भाग पर अधिक सभी प्रश्नों को समाप्त करने परीक्षा पूर्णक करें।
 2. अंकन में भ्रम होने वाली प्रतिक्रियाओं का कोई कारण दे सकने की जरूरत नहीं है। 3. पोलों को बदलने या नीले क्रीमपेन से भरा जाये।

INSTRUCTION TO THE CANDIDATE FOR FILLING PART-I

1. Read the instructions carefully given on the answer script and admit card.
2. Write Date of Exam, Shift, Paper Code & Name of Subject Correctly.
3. Write Name & Roll No. Correctly.
4. Write Semester & Branch Correctly.

INSTRUCTION TO THE CANDIDATE FOR FILLING PART-II

1. Use blue or black ball point pen for writing alphabets & numerals in boxes.
2. Carefully study the example before you start marking.
3. As shown in the example below, blacken the circles completely.



4. Make no Stray marks on this sheet.

5. DO NOT WRITE OR MARK ON THE BAR CODE.

IN ORDER TO AVOID UFM (UNFAIR MEANS) :

1. The Roll No. and Answer Book no. found elsewhere or any other symbol found in the answer book will be treated as unfair means.
2. Any tampering of Roll Code and Booklet no shall be treated as Unfair Means.
3. Do Not bring the materials like slip of paper/mobile/digital diaries/ study material/ revision notes in examination hall. Possession of the mobiles/ digital diaries/electronic/digital/ watch and any other electronic gadget except memory less scientific calculator shall be considered as UFM case.
4. Do not keep or paste currency note in answer script it shall be consider as UFM.

अनुचित साधन से बचने हेतु :

1. उत्तर पुस्तिका के निर्देशित स्थान को ध्यानपूर्वक अनुक्रमिक एवं उत्तरपुस्तिका का क्रमांक कहीं और न मिले तथा कोई भी चिह्न न बनावे क्योंकि यह अनुचित साधन प्रयोग की परिधि में आता है।
2. उत्तर पुस्तिका के बाहरकोट अथवा उत्तर पुस्तिका संख्या पर छेद छत्र करने पर अनुचित साधन प्रयोग माना जायेगा।
3. परीक्षा कक्ष में पिन बस्तुएं साथ न लाये, जैसे तिथि हूट करगज के टुकड़े, मोबाइल, डिजिटल घड़ी, डिजिटल वॉच, बत्ती, घुमक वह सभी बस्तुएं जो अनुचित साधन के अन्तर्गत आती है। कोला संशोधन प्रयोगशाला में ही मेमोरी लॉस स्ट्राइकिंग कोन्सुलेटर ले जाने की अनुमति होगी।
4. उत्तर पुस्तिकाओं में सफेद न पत्तों न ही उत्तर पुस्तिका में लिखावट। ऐसा करना अनुचित साधन प्रयोग की परिधि में आता है।

परीक्षार्थियों को दिए निर्देश

1. प्रवेश पत्र एवं उत्तर पुस्तिका पर दिये गये निर्देशों को ध्यान से पढ़ें।
2. कवर पृष्ठ के दूसरी तरफ मुद्रा न लिखें।
3. उत्तर पुस्तिका के पृष्ठों पर दोनो तरफ लिखें।
4. प्रश्न पत्र पर अपने अनुक्रमांक के अतिरिक्त कुछ न लिखें।
5. प्रश्न पत्र कोड एवं प्रश्न पत्र ID सावधानी पूर्वक लिखें।
6. अपनी तिथि स्पष्ट लिखें।
7. उत्तर पुस्तिका के पृष्ठों की संख्या देखें। अगर उत्तर पुस्तिका में पृष्ठ (1-24) से कम है या फटे हुए हैं शुरु होने के पूर्व दूसरी उत्तर पुस्तिका ले लें।
8. प्रश्नपत्र को देख , यदि प्रश्नपत्र के विषय कोड , विषय का नाम तथा प्रश्न में कोई त्रुटि है तो उसकी होने के 30 मिनट के अन्दर कक्ष निरीक्षक को तत्काल सूचित करें , उसके बाद विरचविद्यालय द्वारा चर्चा की जायेगी।
9. प्रश्नों के उत्तर लिखने के लिये पेनिल का प्रयोग न करें।
10. किसी भी अतिरिक्त छत्र नहीं दिख जायेगा।

INSTRUCTION TO THE CANDIDATE

1. Read the instructions carefully given on the Question Paper, Admit Card Answer Script.
2. Do not write anything on back side of the cover page.
3. Write on both sides of pages of answer book.
4. Do not write anything on question paper except Roll Number.
5. Write Paper Code & Question Paper Id carefully.
6. CHECK the number of pages (1-24) or any other kind of damage in your answer script, if found than change the answer script immediately before commencement of examination.
7. CHECK the Question Paper for any kind of discrepancy e.g. Subject Code, Name, and Question of the Question Paper during first THIRTY MINUTE commencement of the exam, so that it can be corrected in TIME. After the corrections shall be entertained by the university.
8. Do not use pencil for answering the question.
9. Write status correctly e.g. those appearing in carry over papers should fill in as Carry Over. Those appearing as Ex- Students should fill in status as e
10. No supplementary answer book & graph paper will be provided.

INSTRUCTION TO THE CANDIDATE FOR FILLING PART-IV

1. Use blue or black ball point pen for writing alphabets & numerals in Boxes.
2. Use blue or black ball point pen for filling the circles.

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0	0	0	0	0	0	0	0	0	0	0
1	●	1	●	1	1	1	1	●	1	1
2	2	2	2	2	2	2	●	2	2	2
3	3	3	3	3	3	●	3	3	3	3
4	4	4	4	4	●	4	4	4	4	4
5	5	5	5	●	5	5	5	5	5	5
6	6	6	6	6	6	6	6	6	●	6
7	7	7	7	7	7	7	7	7	7	7
8	8	●	8	8	8	8	8	8	8	8
9	9	9	9	9	9	9	9	9	9	●

Note- If your Roll No. is of 10 digits. Please leave first three columns.



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1

Section - A

Answer no- 1(a)

The evolution of industrial legislation in India has seen to be after the 1st World War. The first time it would be seen in 1914, that any rules or law related to the industry was made. There are so many reasons for the evolution of industrial legislation in India are as follows—

- There is no proper machinery for the regulations of industries and industrial work.
- There were no settlement of an industrial disputes would take place in peaceful manner.
- There were no right to strike and lockout given to the workmen and employer. No conciliation officer or any Court, Tribunal were there to adjudicate on the matter related to industrial dispute.
- No proceeding were take place related to industrial matter.
- There were an urgent need to settle dispute in peaceful manner.



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2

Answer no- 1 (b)

The Industrial Dispute Act was ~~enforced~~ ^{enforced} on 1 April, 1947. This act is applicable in whole of India. The main objective of this act is to provide settlement of industrial dispute and solving matters related to the disputes arising in an industrial establishment. The main objectives of Industrial Dispute Act, are -

Proper Settlement :- This act regulates the industrial dispute and settle down the matters related to it.

Peaceful Adjudication - This act helps the person to take the matters in the court to get peaceful adjudication.

Works-Committee - This act made the work committee in order to settle the dispute.

Collective Bargaining - It gives the employees and workmen, a tool to bargain their rights.

Do Not Write anything in this Portion



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3

Answer no- 1 (C)

According to the Section 2(j), "the term Industry is a place where the activity of social, commerce, business or trade or business of settlement take place in order to gain profit."

This definition is not completed and interpreted in many cases. The definition of Industry was ~~amended~~ incorporate after the Amending Act of Industrial Dispute Act, 1984. It provides—

- (i) Any settlement or co-operative settlement between the employer or workmen,
- (ii) where the workmen are employed by the employer or any agency created by him in order to doing any activity to satisfy human wants or wishes whether or not—
 - a) such activity is done to make gains or profit or
 - b) or activity which is under Dock Labour under Sec 5A of Dock Establishment Act,
 - c) this activity must be carried in the establishment but does not includes—
 1. Any agricultural Activity
 2. Hospital and dispensaries
 3. Any activity or institution related to educational, social, cultural and training institute.



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- 4) any organization engaged substantially or wholly in charitable or philanthropic activity.
- 5) Khadi industry.
- 6) institution which is governed by central government related to atomic, space, defence and research.
- 7) a domestic institution
- 8) an institution or an activity of an individual or body of individual less than 10.
- 9) an activity being an activity by the co-operative society, the no. of person is less than 10.

Thus, this amended definition includes the wide aspect of industry.

Answer no-1 (d)

According to Sec-2(g) of Industrial Disputes Act, an employer is a person who is engaged in an activity of the industrial establishment or industry.

The Employer is a person who engaged in the activity of the industrial establishment of public utility as well as non-public utility services.

Do Not Write anything in this Portion



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5

In case of public utility service the head is the Employer and in case of non-public utility service the chief executive officer are known as Employer.

Essential element of sec-2(g) -

- there must be an industry as per defined in Industrial dispute act.
- the head of the public utility service is known as Employer.
- the Chief Executive officer of non-public utility service is known as the Employer.

Answer no - (1)[e]

Industrial dispute is defined in sec 2(k) of Industrial dispute Act, 1947. As per the sec-2(k), Industrial dispute arises when between the employer and employee, employees and workmen and workmen on the terms of service, condition of service and labour.

On the other hand individual dispute arises on the will of an individual it may be held b/w person to person. It does not change into the industrial dispute unless the appropriate government ordered.



Industrial Dispute

- 1) It is defined in Sec-2(k) of Industrial Dispute Act, 1947.
- 2) The Industrial dispute arises between the employer and employee, employer & workmen and workmen and workmen.
- 3) The reason of industrial disputes affect the no. of people.
- 4) It will not turn out to be an individual dispute.

Individual Dispute

- It is not defined specifically in any section.
- The Individual dispute arises between two individual.
- The reason of individual dispute is less than industrial dispute.
- It will turn out to be an industrial dispute when the order has been passed by an appropriate government.

Answer no-1 (f)

Strike is mentioned in Sec 2(q) of Industrial Dispute Act, 1947. This section lays down,

"As cessation of work by the common interest of an individuals or body of



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7

Individual in concerted form to fulfill their demands is known to be a strike."

- ⑥ It is used as a weapon of Collective Bargaining by the workmen. If the workmen wants to fulfill their demand related to the hours of work, wages or any other circumstances, they used this tools.

Essentials —

- 1) There must be an industry as per defined in Industrial Dispute Act.
- 2) This must be used by the workmen.
- 3) Public Utility Services has not right to strike because it affect the person or public.
- 4) There must be cessation (end) of work.
- 5) The cessation must be done by the group of individual.
- 6) The cessation of work must be done by the people having a same or common interest.

for example — Slow down the work or five or 10 minutes of not doing work is not come in the ambit of strike.



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8

Answer no-1(g)

The Conciliation Officer is appointed for settlement of industrial disputes. As per Sec-3 of Industrial Disputes Act, 1947, the appropriate government appoints the Conciliation officer in order to settle the disputes between the employer and workmen.

functions of the Conciliation Officer—

The functions of Conciliation officer is enshrined in Sec-12 of Industrial Dispute

The Conciliation officer has a duty to settle down the dispute and maintain the amicable relation between the workmen and employer.

- If the dispute solved, he must send a copy and memorandum related to dispute to appropriate government.
- If the disputes are not settle down he must send the application to appropriate government and mention the facts of the dispute and the reason why the dispute would not settled yet.



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9

Answer no-1 (h)

According to sec 2(h) of Trade Union Act, 1926, "Trade Union is an organization between the employer and workmen, employer and employer and workmen and workmen which is formed either permanently or temporarily with suitable restriction related to the trade is known as Trade Union."

- The trade Union contain one or more

essential element :-

- 1) There is a organization b/w —
employer and workmen, or
employer and employer, or
workmen and workmen.
- 2) this is formed either temporarily or permanently.
- 3) There must be have a suitable restriction on the rules of Pt.



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10

Answer no- 1 (i)

According to sec-16 of Trade Union Act, 1926 there is a provision related to the Political fund. The Trade Union cannot force the member to subscribe on the Political fund. It is the will of the member to subscribe in it. These matters not related to the Political fund are—

- Daily Wages as the wages of Labour.
- Hours of work
- Compensation given to the workers, Retrenchment related rules
- Collective Bargaining

the matters are expressly included are—

- matters related to the meetings.
- matters related to the promotion of trade Unions.
- The meeting which held in different states.
- the funds which are used for making any rules or implementing it.
- any other matters as it deemed fit.



Answer no-1(j)

Collective Bargaining are used as a weapon by the Employer and Workmen to fulfill their demand from each other. It means to lower down the demand of opposite one in order to fulfil their demands. The main object of collective bargaining is to improve the condition of workmen by increasing wages, reducing time of work, increasing the payment, making securities of work place etc.

The main objects of Collective Bargaining.

- To maintain the appropriate condition for workmen.
- The workmen has also a right to fulfill their demand.
- Its main object to lower the risk factor for the workmen.
- It improve the condition of labour by increasing wages, reducing over time work and so on.
- The weapon of Collective Bargaining is used by Employer and Workmen in the form of lockouts and strikes respectively.



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12

Section - B

Answer no - (3)

The Labour Court are made by the appropriate government in order to settle the dispute in lawful manner.

Constitution of Labour Court :-

According to Sec-7 of Trade Union Act, 1926, an appropriate government is constitute an Labour Court or more than one Labour Court. The Labour Court is made by the Central government or any appropriate government to settle the dispute of industry.

Duties of Labour Court :-

- 1) The most important duty of the Labour Court to decide the case of dispute in justified manner.
- 2) It can also do some other function if the appropriate government may order to do it.

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3) The Labour Court adjudicates on the matters which are mentioned in the Second Schedule. No other matters can come in the ambit of Labour Court.

Jurisdiction of Labour Court :-

- The jurisdiction of the Labour Court are not much wide. It can adjudicate on the matters specific in the Second Schedule of the Act.
- It can also adjudicate on the matters other than third schedule of Act and if the workmen is more than 50 in number of that industrial establishment.

Matters related to the jurisdiction of Labour Court specified in the Second Schedule of the Act :-

- 1) The proprietary and legality of a person involving in the industrial dispute.
- 2) Any matter related to the standing order.
- 3) The matters which are related to the disputes on the matter of industry.
- 4) Any specific order or standing order.



Presiding Officer of Labour Court —

The appropriate government may appoint one person as a presiding officer of a Labour Court. The person who is eligible to become a Presiding officer, who has —

- (i) He has been a judge of a High Court,
- (ii) He has been a District judge or Additional District judge for 3 years, or
- (iii) He has been an member officer of Labour Court for 5 years, or,
- (iv) He has been working in judicial department for 7 years.

The person must have the above qualification and not of unsound mind or insane, must be completed majority of age.

Power of Labour Court

The power of Labour Court are as given below —

A) Adjudicatory Power —

- 1) Dismissal or Removal — He has a power to dismiss or remove any order.



2) Review of Appeal - The appropriate government may send to it the matter of industrial dispute for review and for appeal.

(B) Other Powers -

The other powers of Labour Court are same as the power of civil court mention in civil procedural code.

1. Summoning - The labour court has a power to summon as the civil court has.

✓ force to present in court - They can force the party to present in the court during proceeding.

3) submit proper document - The labour court can force to submit the proofs and proper document during proceeding.

© The labour court has not the right to issue writs for any matters.



Answer no- (5)

Strike - Strike is enshrined in Sec 2 (g) of Industrial Dispute Act, ~~1947~~ 1947.

This section lays down,

"Cessation of work by the common interest of an individual or body of individuals to fulfill their demand is known to be strike."

Essential element of strike -

- 1) There must be cessation (end) of work.
- 2) The cessation must be done for the common interest by the group of individuals.

Lockout :- Lockout is mentioned in Sec 2 (l) of Industrial Dispute Act, 1947. This section lays down, the inability or removal of workmen by any ~~any~~ member of management or suspension of workers for any reason is termed as lockout.

Essential element of Lockout :-

- 1) There must be a suspension of workers.



- 2) The primary requirement is to have an industry which is defined in this Act.
- 3) The suspension can be of any reason by the employer.

Provisions Related to Strike and Lockouts -

Sec-22. Prohibition of Strike or Lockout by Public Utility Service.

Public Utility Service cannot strike or lockout because it affects the people at large.

Sec 22(1) Condition on going to strike -

This provision lays down the condition before going to strike -

- 1) There must be a notice before 6 weeks.
- 2) The strike would not take into action within 14 days of notice.
- 3) There is no strike shall take place during conciliation proceeding.
- 4) No strike shall take place within the 7 days order after conciliation proceeding.

These are the some conditions which required to fulfill for legal strikes.



Sec-22(2) Condition on going to Lockout (in order to make it legal)

- 1) There must be notice given prior 6 weeks
- 2) Lockout will not take place within 14 days of notice.
- 3) Lockout will not take place during conciliation proceeding.
- 4) Lockout will not take place after the order passed by conciliation proceeding

Illegal strikes or Lockout —

There are some conditions to fulfill otherwise it would be illegal to conduct strike or lockout. — Strike or lockout become illegal if —

- 1) The provision of Sec 22 and 23 are not followed.
- 2) The provision of Sec 10-C are not followed which is the appropriate government restriction to conduct strike in some matter.
- 3) The provision of Sec 10 A (4-A) are not followed.
- 4) It would be conducted by without giving notice.

Thus, these are some provisions related to the strikes and lockouts.



Section - (C)

Answer no - (0)(7)

The Trade Union Act are made to form the unions of trades and for the proper functioning of the trade unions for the rights of workers. The association are made by the employers and workmen to form trade Union.

Chapter II, Sec(3 to 13) are talking about the Registration of Trade Union under Trade Unions Act, 1926.

Sec-4 - Appointment of Registrar - The Registrar is appointed by the appropriate government.

Sec-5 - Mode of Registration.

The trade Union can be of authorised trade Union and Unauthorised trade Union. This section lays down the provision for the mode of registration of trade union.

- The application can be made by seven or more person for the registration of the trade union.



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- 10 person or 100 workers whichever is less are present in the union when the application has to be filed.
- It is necessary that more than 50% of the members are present at the time of registration of trade Union. If the person ceases to exist then it is not possible to register the trade Union.

Sec-5 - Sec-5 of Trade Union Act says that there must be copy of rules has to be filed and the statement namely,

- Name and Address of Trade Union.
- Name Occupation and Address of Trade Union members.

If the Trade Union are exist before one year then it must have to submit their statement related to audit report.

Sec-8 - Registered Office.

This section says that all the notice which are given must be sent to registered office.

Sec-9 - Certificate of Registration.

This section lays down after the registration has been done, the certificate of Registration is issued.



Sec-13 Incorporation of Registration-

This section lays down if the certificate of registration is issued then the incorporation of Registration of Trade Union take place. After incorporation, the rights are given to the Trade Union. These rights are -

- Trade Union has a perpetual succession and common seal.
- They can buy and sell property in their own name.
- They have a right to sue and being sued.
- They become a legal entity.

Membership of Trade Union - Under sec-21, it lays down that the under the age of 18 cannot become an ~~member~~ office bearer, he can become a member when he is above 15 but not become an office bearer until he gain the majority.

Thus, from above provisions it is clear that the registration of trade Union is necessary for functioning of Trade Union and once the Trade Union incorporated it may get many rights.



Answer no-(8)

The Trade Union Act are made for the rules and regulation for the group of workmen or employees and associations to form union and also the unions function smoothly.

Once the Trade Union registered, it may get some rights, privileges and immunities so that it may function properly and save them from any liabilities.

Privileges and Immunities of Registered Trade Union.

The privileges and Immunities of Registered Trade Unions under Trade Union Act, 1920 are enshrined in Sec-17, 18 and 19.

① Sec-17 - Immunity from Criminal Conspiracy or Liability.

This section lays down the provision for criminal liability under Sec-120 of Indian Penal Code, 1860. This section gives the privileges to trade Union to keep safe



It from trade union. If any lawful strike would take place then this is not liability of Trade Union and it keeps its safe.

Sec-18 Immunity from Civil Liability.

The Trade Union has no civil liability if it induces the workers to go on strikes for the fulfillment of their demand.

Sec-18(2) restrict to put any tortious liability to the trade union if it do any tortious act while strike and prevent the Trade Union to tortious liability.

Sec-19 Immunity from Contractual Liability

If the trade union are make any contract other than the prevalent elements of contract then the Sec-19 provides the immunity to the trade union from any Contractual Liability.

Generally, the contracts are made following under the provision of Sec-27 of Indian Contract Act. But if the condition sec 27 of Indian Contract Act will not follow then it will be applicable to the trade union if the members are duly signed the agreement.



Some other Privileges -

Once the Trade Union are registered and got the certificate of registration, it will get some other privileges as well. These privileges are -

- 1) Body Corporate - Trade Union become body corporate after incorporation.
- 2) Perpetual Succession - Trade Union, after incorporation, has perpetual succession. People come and go but it cannot close down.
- 3) Common Seal - Trade Union has a common seal after incorporated.
- 4) Legal Entity - It can be sue and be sued. It become a separate legal entity after registration.
- 5) Right to Sale - Trade Union has right to sell property once it incorp