

UNDERGRADUATE PROGRAMME IN COMMERCE

SEMESTER V

PAPER NO - 11: INDUSTRIAL LAWS

Marks: 100 (Theory = 75, Internal Assessment = 25)

Objectives: To familiarize the students with the understanding and provisions of industrial related laws. Case studies and problems involving issues in industrial laws are required to be discussed.

Lectures: 48

Unit I: The Employees Provident Fund & Miscellaneous Provisions Act, 1952

10 Lectures

Definitions; Schemes under the Act – Employees’ Provident Fund Scheme; Employees’ Pension Scheme, 1995; Employees’ Deposit linked Insurance Scheme.

Unit II: Employees State Insurance Act, 1948

10 Lectures

Objects and Applicability of the Scheme; Definitions: Personal Injury, Factory, Manufacturing Process, Wages, Partial and Permanent Disablement; ESI Corporation, Standing Committee and Medical Benefit Council; Contributions; Adjudication of Dispute and Claims, Benefits.

Unit III: Payment of Wages Act, 1936

5 Lectures

Definitions – Employed Person, Employer, Factory, Industrial or other Establishment, Wages; Responsibility for Payment of Wages; Fixation of Wage Period; Time of Payment of Wages; Mode of Payment; Deductions from Wages and Fines.

Unit IV: The Payment of Bonus Act, 1965

5 Lectures

Definitions – Accounting year, allocable surplus, available surplus, employee, employer, establishments, salary or wage; determination of bonus, calculation of bonus, eligibility for bonus, disqualifications for bonus, payment of minimum and maximum bonus, set on and set off of allocable surplus, deductions of certain amounts from bonus payable, time limit for payment of bonus.

Unit V: Payment of Gratuity Act, 1972

5 Lectures

Applicability and non- applicability of the Act; Definitions-employee, employer, continuous service; payment of gratuity; forfeiture of gratuity; employer’s duty to determine and pay gratuity; recovery of gratuity; penalties.

Unit VI: Employee's Compensation Act, 1923

13 Lectures

Definitions: dependent, employer, partial and total disablement, workmen, injury, accident; employer's liability for compensation; amount of compensation; contracting; commissioner; case laws.

READINGS:

Suggested Readings:

1. Malik, K.L., *Industrial Laws and Labour Laws*, Eastern Book Company, Lucknow.
2. Kumar, H.L., *Digest of Labour Cases*, Universal Law Publishing Co P Ltd, New Delhi
3. Srivastava, S.C., *Industrial Relations & Labour Laws*, Vikas Publishing House (P) Ltd.
4. Sharma, J.P., *Simplified Approach to Labour Laws*, Bharat Law House (P) Ltd., New Delhi.
5. Sharma, J.P., *Industrial Laws*, Taxmann, New Delhi.

Note: Latest edition of text book may be used.