

305 Labour Law II

Unit-I: The Payment of Wages Act

- a. Object, Scope and Application of the Act
- b. Definitions – Wage, Workman
- c. Responsibility of Employer for Payment of Wages
- d. Liabilities of employer for payment of wages
- e. Authorized and Unauthorized Deductions
- f. Remedies against unauthorized Deduction

Unit-II: Payment of Bonus Act

- a. Application of the Act
- b. Definition: Bonus, Employees, Continuous Service
- c. Calculation of Bonus: Available surplus and allocable surplus
- d. Minimum Bonus & Maximum Bonus
- e. Qualifications & Disqualifications for Bonus
- f. Recovery of Bonus

Unit-III: The Factories Act, 1948

- a. Definitions - Factory, Manufacturing Process, Worker
- b. Application and essential features of the act
- c. Measures to be taken in Factories for Health, Safety and Welfare of Workers
- d. Working Hours of Adults
- e. Provisions relating to Young Person, Adolescent, Children
- f. Provision relating to Women workers
- g. Annual Leave with Wages
- h. Special provisions relating to Hazardous Process
- i. Authorities under the Factories Act

Unit-IV: Labor Welfare Legislations

- a. Workmen's Compensation Act, 1923: Emergence of the legislation, Total disablement, partial disablement, Dependent Workman, Wages, Liability of the employer to pay compensation and right of the workman to receive compensation, Accident "Arising out of and in the course of employment", Occupational disease, Doctrine of 'Added peril'
- b. The Employees State Insurance Act, 1948: Corporation, Standing Committee and Medical Benefit Council; Contributions; Benefits; Adjudication of disputes and Claims; Penalties.
- c. The Employees Provident Fund Act, 1952: Scheme, Object and Essential Features, Authorities;
- d. The Maternity Benefit Act, 1961- Its object and its scope

- e. The Minimum Wages Act, 1948 - Fixation of minimum wages - working hours and determination of wages
- f. Employees Pension Scheme, 1995 and Family Pension Scheme – Its object and essential features
- g. Payment of Gratuity Act : Application and concept of wages, Definition: Wages, employee, continuous services, Qualifications and disqualifications of Gratuity, Formula for calculation of Gratuity and related Judicial Pronouncements, Recovery of Gratuity and authorities under the Act

Suggested Readings:

1. Indian Law Institute, Cases and Materials on Labour Law and Labour Relations, 1963
2. PL Malik, Industrial Law, Eastern Book Company, 2013
3. Surya Narayan Misra, An Introduction to Labour and Industrial Law, Allahabad Law Agency, 1978
4. S.C. Srivastava, Industrial Relations and Labour Law, Vikas Publishing House, New Delhi, 6th Edn., 2012
5. Chaturvedi, Labour and Industrial Law, Central Law Agency, 2004
6. S.C. Srivastava, Commentaries on the Factories Act, 1948, Universal Law Publishing House, Delhi, 2002
7. H.L. Kumar, Workmen's Compensation Act, 192, Universal Law Publishing, 2009 98