

COURSE 211 LABOUR & INDUSTRIAL LAW - II

SYLLABUS:

1. Payment of Wages Act and Payment of Bonus Act:

1.1 Payment of Wages Act

- 1.1.1 Application and concept of Wages
- 1.1.2 Important Definitions: Wages, Workman etc.
- 1.1.3 Liabilities of employer for payment of wages
- 1.1.4 Authorised and Unauthorized Deductions
- 1.1.5 Remedies against unauthorized deductions (u/s. 15)

1.2 Payment of Bonus Act:

- 1.2.1 Application and concept of Bonus
- 1.2.2 Important Definitions: Bonus, Employees, continuous Services
- 1.2.3 Calculation of Bonus: Available surplus and allocable surplus
- 1.2.4 Provisions for new establishments relating to calculation of Bonus,
Calculation of Bonus: Available surplus and allocable surplus
- 1.2.5 Minimum Bonus & Maximum Bonus, Qualifications & Disqualifications for Bonus, Recovery of Bonus

2. Factories Act, 1948:

2.1 Application of the Act, Important Definitions: Factory, Worker, Manufacturing Process

- 2.1.1 Provisions relating to adolescent and women
- 2.1.2 Provisions relating to working hours to adult workers, women and adolescent

2.2 Provisions relating to Health of Workers

2.3 Provisions relating to safety and Welfare of Workers

2.4 Special provisions relating to Hazardous Process (Chapter IV-A) & provisions relating to Leave with Wages

2.5 Authorities under the Factories Act

3. Employees' State Insurance Act:

3.1 Application and coverage of the Act

3.2 Important Definitions: Workmen, Benefit Period, Contribution Period, Wages,/ Employer

3.3 Benefits available to the Employees under the Act

4. Payment of Gratuity Act and Maternity Benefits Act :

4.1. Payment of Gratuity Act :

4.1 .1 Application and coverage of Act

4.1.2 Important Definitions : Wages, employee, continuous services

4.1.3 Qualifications and disqualifications of Gratuity

4.1.4 Formula for calculation of Gratuity and related Judicial Pronouncements

4.1.5 Recovery of Gratuity and authorities under the Act

4.2 Maternity Benefits Act: Object, Reasons and Salient Features.

Suggested Reading:

1. John Bowers and Simon Honeyball, Tex Book on Labour Law, Blackstone, London.
2. Srivastava K. D. Commentaries on payment of Wages Act, 1936 Eastern, Lucknow.
3. Srivastava K. D. Commentaries on Minimum Wages Act, 1948, Eastern, Lucknow.
4. Rao S. B. Law and Practice on Minimum Wage, Law Publishing House, Allahabad.
5. Sheth D. D. Commentaries on industrial Disputes Act, 1947, Law Publishing House, Allahabad.
6. Srivastava K. D. Disciplinary Action against Industrial Employees and its Remedies, Eastern, Lucknow.
7. Srivastava K. D. Commentaries on Factories Act, 1948, Eastern, Lucknow.
8. R. C. Saxena, Labour Problems and Social Welfare
9. V. V. Giri, Labour Problems in Indian Industry Chs. 1 and 15
10. Indian Law Institute, Labour Law and Labour Relation, Cochin University law Review, Vol. 6 app. 153-210
11. Report of the National Commission on Labour Ch. 14-17, 22, 23, and 24
12. O. P. Malhotra, The Law of Industrial Dispute, Universal, Delhi.
13. S.C. Srivastava, Social Security and Labour Laws Pts. 5 and 6, Universal Delhi.
14. S.C. Srivastava, Commentary on the Factories Act, 1948, Universal , Delhi.