

NIRMA UNIVERSITY
Institute of Law
B. A.,LL.B. (Hons.), B.Com.,LL.B. (Hons.) Programmes
Academic Year - 2018-19
Semester VII

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Course Code	2BL717
Course Title	Labour and Industrial Law I

Course Learning Outcomes:

At the end of this course, students would be able to:

1. Outline and model the ideas, doctrines and framework of labour laws.
2. Simplify and examine the impact of the laws regulating industrial relations.
3. Justify and test the acquired knowledge for amicable settlement of disputes under labour laws.

Syllabus:

Teaching Hours: 60

Unit I: Introduction to Labour Law

06 Hours

- 1.1. Origin and development of Labour Laws
- 1.2. Nature and need of Labour Laws
- 1.3. Development of Labour Laws in India: Pre and Post Independence period
- 1.4. Theory of Laissez Faire and State Regulation of Labour Legislation and its special features
- 1.5. Impact of Liberalisation and Globalisation and Labour Policy of India

w.e.f. academic year 2018-19 and onwards

Unit II: International Labour Organization and Constitutional

Protection of Labour

10 Hours

- 2.1. Aims and Objectives of the ILO
- 2.2. Role of ILO in setting labour standards
- 2.3. Procedure of Recommendations and Ratification of ILO Conventions
- 2.4. Indian Constitution and Labour laws: social justice and labour
- 2.5. Fundamental Rights, Directive Principles of State Policy and labour
- 2.6. Judicial Activism and labour welfare in India

Unit III: Industrial Relations and Labour Law

10 Hours

- 3.1. Overview of Industrial Relations
- 3.2. Concept of Industrial relations
- 3.3. Objectives and significance of Industrial Relations
- 3.4. Constitutional and Statutory Framework in India relating to Industrial relations
- 3.5. Changing Dimensions of Industrial Relations in India

Unit IV: Industrial Dispute Act, 1947

10 Hours

- 4.1. Development of Industrial Disputes Legislation in India
- 4.2. Object and applicability of the Act
- 4.3. Definition of Industry, Industrial Dispute, Workmen and 'Public Utility Service'
- 4.4. Authorities under Industrial Dispute Act, 1947
- 4.5. Duties and jurisdiction of adjudicating authorities
- 4.6. Procedure and power of authorities
- 4.7. Voluntary reference of disputes to Arbitration
- 4.8. Lay-off, Retrenchment, and Closure
- 4.9. Strike and lockout
- 4.10. Unfair Labour Practices

w.e.f. academic year 2018-19 and onwards

Unit V: Trade Union Act, 1926

04 Hours

- 5.1. Definition of trade union
- 5.2. History of trade union movement
- 5.3. Registration of trade unions
- 5.4. Rights and Liabilities of a Registered Trade Union
- 5.5. Immunities and privileges of a Registered Trade Union
- 5.6. Trade Union Funds
- 5.7. Amalgamation and dissolution of Trade Unions
- 5.8. Collective bargaining so exercised by trade unions
- 5.9. Recognition of trade unions

Unit VI: The Industrial Employment (Standing Orders) Act, 1946 10 Hours

- 6.1. Objective and purpose of the Act
- 6.2. Scope and applicability of the Act
- 6.3. Definitions
- 6.4. Necessity of Standing Orders
- 6.5. Certification of Standing Orders
- 6.6. Procedure for certification of Standing Orders
- 6.7. Modification of Standing Orders
- 6.8. Model Standing Orders
- 6.9. Domestic enquiry and Disciplinary proceedings

Unit VII: Laws relating to wages

10 Hours

- 7.1. Concept of wages: living wage, fair wage and minimum wage
- 7.2. Theories of wage and wage policy
- 7.3. Payment of Wages Act, 1936
 - 7.3.1. Applicability
 - 7.3.2. Responsibility, fixation of wage period, time and mode of payments
 - 7.3.3. Rule of Deduction

w.e.f. academic year 2018-19 and onwards

- 7.3.4. Claims arising out of unauthorised deduction and delay in payment of wages
- 7.3.5. The Payment of Wages (Amendment) Act, 2005
- 7.4. Minimum Wages Act, 1948
 - 7.4.1. Applicability of the Act
 - 7.4.2. Fixing of minimum rates of wages
 - 7.4.3. Claims and procedure thereof
 - 7.4.4. Penalties and procedure

Suggested Readings:

1. Kaufman B. K. (2006). *The Global Evolution of Industrial Relations: Events, Ideas AND The IIRA*. Academic Foundation.
2. Rao E. M. (2015). *Industrial Jurisprudence –A Critical Commentary*. New- Delhi: Lexis Nexis
3. Pillai K. M. (2015). *Labour and Industrial Law*. Allahabad: Allahabad Law Agency.
4. Malhotra O. P. (2015). *The Law of Industrial Disputes*. New Delhi: Lexis Nexis.
5. Srivastava S. C. (2007). *Industrial Relations and Labour Laws*. New Delhi: Vikas Publishing House.
6. Mishra S. N. (2016). *Labour and Industrial Laws*. Allahabad: Central Law Publications.