

5 years B.A.,LL.B/B.B.A.,LL.B / B.Com., LL.B Programme

5th Semester, Course - I

Labour and Industrial Law-I

Objectives:

Labour protection is a core constitutional mandate rooted in the principles of social justice. A balanced industrial ecosystem not only drives national productivity and economic progress but also ensures social security to the working force. Transformation of Industrial Laws from different enactments to New Labour Codes reflects India's commitment to balance welfare of workers with the efficiency of enterprise. This course provides a comprehensive analysis of the legal framework governing the industrial relations and wages designed to ensure equitable practices and industrial harmony to the stakeholders.

Course Contents:**Unit I**

Introduction to Industrial Relations: Historical and International perspectives on Labour Laws, Industrial Revolution, *Laissez-faire* State, Evolution of Labour and Industrial Laws, Constitutional Framework and Industrial Relations with special reference to transition to New Labour Codes, Definition of Industry, Industrial Dispute vs. Individual Dispute, Arena of Interaction and Participants-Industry, Worker and Employer.

Unit II

Settlement of Industrial Dispute: Works Committee, Conciliation Machinery, Court of Enquiry, Voluntary Arbitration, Adjudication- Labour Court, Tribunal, National Tribunal. Notice of Change, Strike and Lock-outs, Lay-off, Retrenchment and Closure, Disciplinary Action, Domestic Enquiry, Unfair Labour Practices.

Unit III

Trade Unions: History and Development of Trade Union Law in India, Definitions, Registration and Cancellation of Trade Unions, Rights and Liabilities of Registered Trade Union, Immunity of Registered Trade Union, Amalgamation and Dissolution of Trade Unions, Recognition of Trade Union, Penalties and Procedure under the Code, Collective Bargaining.

Unit IV

Standing Orders: Concept and Nature of Standing Orders, Certification Process: Conditions, Procedure, Appeal. Date of Operation of Standing Orders, Register of Standing Orders, Posting of Standing Orders, Modification of Standing Orders, Temporary Application of Model Standing Orders, Penalties and Procedure, Interpretation of Standing Orders.

Unit V

Equal Remuneration: Prohibition of Discrimination based on Gender.

Minimum Wages: Meaning of 'Wage' under the Code, Procedure for fixing Minimum wage, Floor wage, Obligation of employer to pay minimum wage, Authorities and Remedies under the Code.

Payment of Wages: Mode of payment of wages, Fixation of wage period, Time limit for payment of wages, Deductions from wages, Fines, Deductions for absence from duty, Deductions for damage or loss etc.

Payment of Bonus: Evolution and Scope, Definitions: Wage, Allocable Surplus. Calculation of Bonus, Eligibility and Disqualification for bonus, Minimum and Maximum bonus, Offences and Penalties, Special Provisions regarding certain establishments.

Prescribed Books

- 1) O. P. Malhotra, The Law of Industrial Disputes, Lexis Nexis Publication.
- 2) S.C. Srivastava, Industrial Relations and Labour Law, Vikas Publishing House, New Delhi
- 3) S.N. Misra, Labour and Industrial Relations Laws, Central Law Publication.

Reference

- 1) Saji Narayan C.K., The Law Relating to the Industrial Relations Code 2020, OakBridge
- 2) Saji Narayan C.K., The Law Relating to the Code on Wages, 2019, OakBridge
- 3) P.L.Malik's, Handbook of Labour and Industrial Law, Eastern Book Company.
- 4) V G Goswami, Labour Industrial Laws, Central Law Agency, Allahabad
- 5) G M Kothari, A Study of Industrial Law, Wadhwa and Co., Nagpur
- 6) Kharbanda and Kharbanda, Commentaries on Industrial and Labour Codes, Law Publication House.
- 7) Dr. Bhagyashree A. Deshpande, New Labour and Industrial Laws, Central Law Publication.

