

BRANCH - VI

POST-GRADUATE DIPLOMA IN LABOUR LAWS

(P.G.D.L.L.)

Prescribed Papers-One Year Course

Paper I	:	Industrial Relations Law - I
1. Introduction		
<p>Evaluation of the concept of the master and servant relationship - Theory of Laissez Faire - Hire and Fire Policy - State Regulation of Employer and Employee Relationship - Origin of Labour Legislation - Object and Nature of Labour Legislation - Classification of Labour Legislation - History of Labour Legislation in India.</p>		
Constitutional bearing on Labour Laws:		
<p>Socio Economic Goals - Social Justice Relevant Constitutional Provisions.</p>		
Judicial approach to Labour Laws:		
<p>Interpretation of Labour Legislations - Judicial Approach - Contribution of Judiciary - Evolving Principles of Labour Laws.</p>		
2. International Labour Organisation:		
<p>Constitution - Powers and Functions - Membership - Tripartism - Conventions and Recommendations - Preparation - Adoption and Supervision of their implementations - Conventions and Recommendations ratified by India - Impact of ILO Conventions and Recommendations on India Labour Legislations.</p>		
3. Trade Union Movement in India:		
<p>Impact of World War II - All India Unions - Post Independent Unions - Trade Union Movement strength and weaknesses - Responsible Trade Unionism - Industrial Democracy - Recognition of Trade Unions - Inter Union rivalry Union rivalry - Trade Union Leadership</p>		
4. Trade Union Legislation:		
<p>Trade Union Act, 1926 - background and object - Registration of Trade Union and Formalities - Cancellation and Withdrawal of Registration - Amalgamation -</p>		

Dissolution of Trade Unions – Membership, Office Bearers, Outside Leadership in Trade Unions – Rights and Liabilities of Trade Unions - Trade Union Funds.

5. Collective Bargaining:

Meaning – Scope – Collective Bargaining in England and U.S.A. – collective bargaining in Indian context – Collective Bargaining process – Collective Bargaining advantages and disadvantages – Collective Bargaining agreements, enforcement.

6. Workers participation in Management:

Concept of workers participation in Management – Indian Experience.

Paper II

: Industrial Relations Law - II

1. Introduction:

Industrial Disputes Act, 1977 – Object and Scope – Appropriate Government – Employer – Industry – Industrial Disputes – Workmen.

Methods of Disputes Resolution:

Works Committee – Conciliation – Court of Enquiry – Voluntary Arbitration – Compulsory Judication – Labour Court, Industrial tribunal – Award – Settlement.

Reference of Industrial Disputes:

Government’s Power, Scope, Conditions and Validity of the Orders.

Strike and Lock Out:

Definitions – Kinds of Strike – Distinction between Lock out and Closure – Restrictions of Strike and Lock Out – Legal and illegal strike – Consequences – Penalty.

Lay-Off – Retrenchment and Closure:

Definition – Restrictions on Lay off – Retrenchment and Closure – Rights of Workmen – Penalty.

Special Provisions:

Prohibition against change of Service Conditions – Proceedings – Jurisdiction under provisions of Section 33 – recovery of Money due from Employer – Protection of

Holder of Trade Union Office - Right to representation before the authorities.

2. Regulations of Service Conditions on Disciplinary Matters:

Industrial Employment (Standing Orders) Act 1946 - Scope and Object - Certificate of Standing Orders - Procedure for Certificates - Conditions for Certificate - Powers and Duties of certifying Officer - Duration and Modification of Certified standing Orders.

3. Disciplinary Action:

Disciplinary Proceedings - Domestic Enquiry - Unfair Labour practice - Victimization - Wrongful dismissals - Safeguards - Code of Discipline - Enlarged Jurisdiction u/s 11 (a) of the Industrial Disputes Act 1947.

Paper III	:	Labour Economic Legislations
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1. Introduction

Concept of Wages - Living Wage, Fair Wage and Minimum Wages, Wages, Theories - Dearness Allowance - Wage Policy - Wage Fixation.

2. Minimum Wages

Fixation of minimum rate of Wages - Methodology - Machinery for Supervision and Adjudication of Claims - Inspectors' Powers - Authority - Powers and Procedures.

3. Payment of Wages

Payment of Wages Act 1936 - Scope and Object - Definitions - Employer's Liability for payment of Wages - Authorized Reduction, Authorities - Inspectors - Powers - Authority - Powers and Procedure.

4. Bonus

Bonus - History - Bonus Kinds - Full Beach Formula - Bonus Commission - Payment of Bonus Act 1965 - Scope and Coverage - Definitions - Eligibility and Disqualifications - Minimum and Maximum Bonus - Exemptions - Machinery for Supervision - Inspectors Powers and Duties.

Paper IV	:	Social Security Legislations
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1. Introduction

Social Security – Concept – Measures of ILO – Social Security Legislation in India

2. Compensation for Industrial Injuries

Workmen's Compensation Act 1923 – Scope, Object and Coverage of the Act.

Liability of the Employer to pay Compensation

Personal injury – Accident – Occupational Diseases – Arising out of and in the Course of Employment – National Extension of time and Space of Employer – Disablement – Defences.

Amount of Compensation

Compensation for Death – Permanent, Total, Partial and Temporary disablement.

Procedure for Realisation of Compensation

Accident – Notice – Medical Examination – Employer's liability Contracting Out.

Adjudication of Disputes

Commissioner for Workmen's Compensation – Powers – Jurisdiction and Functions – Procedures – Appeals.

3. Employees State Insurance

Employees State Insurance Act 1948 – Object and Scope ESI Corporation – Officer's Powers and Duties – ESI Funds – Contribution – Benefits – Adjudication of Claims and Disputes.

4. Payment of Gratuity Act 1972

Scope, Object and Definitions

Eligibility for Payment of Gratuity

Service Termination – 5 Years Service – Rate of Gratuity – Forfeiture, Insurance, Exemption Determination, Controlling Authority Power and Duties.

5. Provident Fund:

Employees Provident Fund and Miscellaneous Provisions Act 1952 - Scope and Object - Coverage - Definitions - Authorities Powers and Duties - Contribution Claim - Eligibility Disbursement - Exemption - Recovery - Penalties.

6. Maternity Benefits

Maternity Benefits Act 1961 - Scope and Object - Right to Maternity Benefit - Scope and Conditions related to Payment of Maternity Benefit - Machinery for Supervision - Inspectors Powers and Duties.

Paper V	:	Labour Welfare Legislations
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1. Factories

Factories Act 1948 - Object and Scope - Definitions

2. Factory

Formalities/Requirements of the Act - Health, Safety and Welfare Measures - Provisions regulating Hazardous Process - Working Hour - Provisions regulating Employment for Women and Children - Regulations of Leave - Special Provisions - Penalties - Powers and Duties of Inspectors.

3. Shop and Establishment

Tamil Nadu Shop and Establishment Act 1947 - Object and Scope - Definitions - Opening and Closing Shop - Working Hours - Leave and Other Welfare Provisions- Termination of Service - Adjudication - Inspectors - Powers and Duties.

4. Catering Establishment:

Tamil Nadu Catering Establishment Act, 1958

Paper VI	:	A Project Work on a topic around 50 pages neatly typewritten and spiraled.
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Books Prescribed:

1.	Labour and Industrial Laws	:	Prof. K. Madhavan Pillai
2.	Trade Unions	:	P.L.Malik

3.	Commentaries on Trade Unions Act	:	K.D.Srivasthava
4.	Labour Relations Law	:	S.C.Srivasthava
5.	I.L.O. Conventions and India	:	Vaidhyanathan
6.	Industrial Disputes Act	:	O.P.Malhotra
7.	Domestic Enquiry	:	Monkandey Kadju
8.	Commentaries on Industrial Employment Standing Orders Act	:	K.D.Srivasthava
9.	Wages	:	
10.	Foundations of Wages Policy	:	Menon
11.	Commentaries on Minimum Wages Act	:	K.D.Srivasthava
12.	Commentaries on Payment of Wages Act	:	K.D.Srivasthava
13.	Commentaries on Payment of Bonus Act	:	K.D.Srivasthava
14.	Commentaries on Payment of Gratuity Act	:	K.D.Srivasthava
15.	Commentaries on Employees	:	K.D.Srivasthava
16.	Commentaries on Workman's Compensation	:	Mr.Chakrawarthy
17.	Commentaries on Employees State Insurance Act	:	K.D.Srivasthava
18.	Commentaries on Factories Act	:	K.D.Srivasthava
19.	Labour Laws	:	S.Krishnasamy
