

PANJAB UNIVERSITY, CHANDIGARH

FACULTY OF LAW

**OUTLINES OF TESTS SYLLABI AND COURSES OF
READING**

FOR

Advance Diploma in Labour Laws

For the Examinations of 2016-17

Advance Diploma in Labour Laws

One Year Duration

Detailed Syllabus

Paper 1: Labour Jurisprudence and International Labour Organisation

- International Labour Organisation: Genesis, Development, Aims, Objectives and its Constitution.
- ILO: Legislative Procedure, Conventions, Recommendations and Ratification.
- International Labour Standards and Labour Legislations in India.
- ILO and Human Rights in Indian Perspective.
- ILO: Contribution in the development of Industrial Jurisprudence in India.
- Concept and Growth of Labour Jurisprudence.
- Concept of Social Justice, Natural Justice and the Labour.
- Constitution of India, 1950 and the labour: its impact to impart justice to weaker sections i.e. women & children.
- Labour, Judicial Process, Public Interest Litigation and Human Rights justice through labour laws.
- Tripartism, Voluntarism in Labour Relations and Code of Discipline in Industry.

Suggested Readings:

1. ILO: International Labour Codes Volume I and II.

2. SN Dhyani: ILO and India in Pursuit of Social Justice.
3. Constitution of India: Relevant Articles
4. G.A. Johnstan: The I.L.O
5. S.R. Samanth: Industrial Jurisprudence
6. Mahesh Chandra: Industrial Jurisprudence
7. Govt. of India: Report of National Commission on Labour, 1969 and 2002
8. The Universal Declaration of Human Rights, 1948
9. N. Vaidyanathan: International Labour Standards
10. G.K. Johri: Indian Tripartite System
11. Govt. of India: Tripartite Consultations

Paper 2 - Industrial Relations and the Law

- Industrial Relations: Genesis, Concept, Importance, and factors affecting Industrial Relations.
- Parties to Industrial Relations: Trade Unions, Management and the State and their interaction.
- Collective Bargaining in India; Meaning, Nature, Scope, Importance and its features.
- Workers Participation in Management: Indian and foreign experience.
- Trade Union movement in India, concept of trade unionism, procedure for registration of trade unions, and rights and liabilities

of registered trade unions. Role of Trade Unions in Modern industrial Society of India.

- Concept of Industry, Industrial Dispute, and Workmen; various modes of settlement of Industrial disputes, settlement machinery for Industrial disputes; their composition, powers and duties.
- Reference of industrial disputes to various authorities for investigation and settlement; award, its operation and implementation. Settlements, their binding nature, and persons on whom settlements and laws are binding.
- Strikes and lockouts: Meaning thereof, their regulation and penalty for illegal strikes and lockouts.
- Lay off and Retrenchment: their meaning, compensation and government's power to regulate lay-off retrenchment and closure.
- Standing orders: Concept, object, scope, application and procedure for certification and amendment of standing orders.

Statutory Readings:

1. Trade Unions Act, 1926.
2. Industrial Employment (Standing Order), 1946.
3. Industrial Disputes Act, 1947.

Suggested Readings:

1. S.L. Aggarwal: Labour Relations Law in India
2. A.N. Charles: Industrial Relations in India
3. V.B. Singh: Climate for Industrial Relations
4. Indian Law Institute: Law & Labour Management Relations in India

5. S.N. Dhyani: Crisis in Indian Industrial Relations
6. S.C. Srivastava: Industrial Relations & Labour Laws
7. O.P. Malhotra: The Law of Industrial Disputes
8. S.N. Dhyani: Trade Unions and Right to strike
9. Govt. of India: Report of National Commission on Labour, 1969 & 2002
10. I.L.O: Conciliation & Arbitration in Industrial Disputes
11. J.K Soonavala: The Supreme Court on Industrial Law
12. Ludwin Teller: Collective Bargaining and Industrial Disputes

Paper 3 – Social Security Legislations

- Social Security: Its meaning, concept, modality, components; social assistance and social insurance.
- Social Justice and Social security.
- Constitutional perspectives: Relevant fundamental rights and directive principles of state policy.
- International Norms of Social Security: I.L.O. and Human Rights Perspectives
- Employees' Compensation Act, 1923: Important Definitions, types of injuries covered, employer's liability for compensation, amount of compensation, commissioners, their duties, powers and procedures.

- Employees' State Insurance Act, 1948: Important definitions, authorities under the Act, their composition, powers and functions; ESI fund and contribution to the fund by the employer, employees and grant by Central and State governments, benefits available, conditions, qualifications under which available and persons entitled thereto. Adjudication of disputes and claims.
- Maternity Benefits Act, 1961: Its object, applicability, nature of benefits and privileges available under the Act. Procedure for claiming payment, inspectors, their powers and functions.
- Unorganised Workers' Social Security Act, 2008: Object, different kinds of workers covered, unorganized sector, social security benefits, National and State Social Security Boards, eligibility for registration and social security benefits.
- Employee's Provident Fund Act, 1952: Object, Scope, Applicability, Important definitions, various schemes framed by the Central government, contribution and authorities under the Act.
- The Payment of Gratuity Act, 1972: Object, Scope, Applicability, Important definitions, continuous service, controlling authority, compulsory insurance, determination of the amount of gratuity, inspectors and their duties.

Statutory Readings:

1. Constitution of India, 1950.
2. Employees' Compensation Act, 1923
3. Employees' State Insurance Act, 1948
4. Maternity Benefits Act, 1961
5. Unorganised Workers' Social Security Act, 2008

6. Employees Provident Fund Act, 1952
7. The Payment of Gratuity Act, 1972

Suggested Readings:

1. Dr. Vivek Bhattacharya: Social Security Measures in India.
2. K.D Shrivastava: Commentaries on Employees' State Insurance Act.
3. Dr. C.B Mamoria: Principles of Social Security.
4. V.R Bhattacharya: Some Aspects of Social Security Measures in India.
5. S.C Srivastava: Social Security and Labour Laws.
6. Larson: Workmen's Compensation law.
7. Dr. V.G Goswami: Labour and Industrial Laws, Volume I and II.
8. S.N Mishra: Labour and Industrial Laws, Volume I and II.

Paper 4 –Wages and Labour Welfare

- Wages: Concept, genesis of wage regulation, methods of wage fixation, wage differentials, dearness allowance and fringe benefits, National Wage Policy and remedial measures.
- Constitutional Perspective on wages: Constitutional ideals, denial of minimum wage as forced labour, right to work, living wage, equal pay for equal work.
- Protection of Wages: Responsibility, Time and Mode of payment of wages, permissible deductions and remedial measures.

- Guaranteed Wage Employment: Object, Scope, employment guarantee schemes and unemployment allowance, implementing and monitoring authorities, National and State Employment Guarantee Funds and Audit.
- Bonus: Concept, Development, Profit Sharing, basis of the calculation of bonus under the Payment of Bonus Act, 1965, eligibility for bonus, minimum and maximum bonus and principle of set on and set off.
- Labour Welfare: Concept, Scope and Theories of Labour Welfare.
- Role of Government, employers, workers' trade unions and labour welfare officers vis-à-vis labour welfare.
- Factories Act, 1948: Basic Object, important definitions, provisions of health, safety, welfare, working hours and protection of young persons and women and annual leave with wages.
- Child labour: Reasons for the prevalence of child labour, Constitutional Mandate, legislative measures and the role of judiciary to tackle it.
- Sexual Harassment of women workers: Basic object, important definitions, constitution of internal and local complaints committees, duties of employers and district officers,, complaint and its inquiry and appeal.

Statutory Readings:

1. Constitution of India, 1950
2. Payment of Wages Act, 1936
3. Minimum Wages Act, 1948

4. Factories Act, 1948
5. Payment of Bonus Act, 1965
6. Equal Remuneration Act, 1976
7. Child Labour (Prohibition and Regulation) Act, 1986
8. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

Suggested Readings:

1. K.N Subramanian: Wages in India.
2. A.J Fonseca: Wage Issues in a Developing Economy.
3. S.B.L Nigam: State Regulation of Minimum Wages.
4. K.S.V Menon: Foundation of Wage Policy.
5. G.L Kothari: Wage, Dearness Allowance and Bonus.
6. G.L Kothari: Bonus and Profit Sharing.
7. S.B Rao: The Concept of Bonus.
8. K.N Vaid: Labour Welfare in India.
9. GOI: Report of National Commission on Labour, 1969, 2002.
10. GOI: Report of Committee on Labour Welfare, 1969.
11. V.V Giri: Labour Problems in Indian Industry.
12. Dr. V.G Goswami: Labour and Industrial Laws, Volume I and II.
13. S.N Mishra: Labour and Industrial Laws, Volume I and II.

Paper 5: Dissertation

Note: Each paper is of 100 marks.
