

Labour Law- II

Unit-I Constitutional Dimensions of Industrial Relations and Labour

Constitution and Labour welfare - The Bonded Labour System Abolition Act, 1976 - The Equal Remuneration Act, 1976 - the Inter-State Migration of Workers Act, 1979 the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Unit II - Wages, Bonus and Gratuity

Concept of Wages - Theories of wages and Kinds of wages. The Minimum Wages Act, 1948 - Definitions appropriate government, employer, employee, Scheduled employment, etc. - Fixation of Minimum rates of wages - Methods - Regulation of working conditions - Payment of Wages, Working Hours, etc.

Bonus - Context -a claim for share in profits even after payment of wages according contract of employment? Is it a breach of contract or an implied term of the contract? - concepts of bonus and right to share in profits - The payment of Bonus Act, 1965 – definitions – provisions relating to payment of bonus - judicial interpretations and constitutionality of the provision relating to Govt's power to exempt. Gratuity - Context - reward for long drawn loyal service -employers' liability or good gesture? Historical developments. The payment of Gratuity Act, 1972 – definitions - judicial interpretation and parliamentary amendment of the definition of employee. - payment of gratuity - determination of the amount of gratuity - authorities.

Unit III - Protection of Child Labour and contract labour

Child labour practice and reasons for child labour feasibility of abolition of child labour - Human rights perspective and constitutional provisions competing views on necessity and for the protection of child the Child Labour (Prohibition and Regulation) Act, 1986 - definitions provisions relating to prohibition of child labour in certain establishments and processes - regulation of conditions of work - penalties – judicial interpretations. Amendments made through The Child Labour (Prohibition and Regulation) Amendment Act, 2016 and Criticisms.

Abolition and regularisation of contract labour, regulation of contract labour under the Contract Labour (Regulation & Abolition) Act 1970 - judicial decisions relating absorption of sham practice of contract labour - evaluation of the working of the Act in the present days.

Unit-IV Social Security

The Employees' Provident Fund (Family Pension Fund and Deposit Linked Insurance Fund) Act, 1952 – Definitions- contribution, employee, employer, factory, fund, etc. - Provident Fund Scheme, Family Pension Scheme, Employees' Deposit Linked Insurance Scheme Scope, Contributions - Benefits - Authorities under the Act - Powers. Latest judicial pronouncements.

The Maternity Benefit Act, 1961- Object and Scope of the Act, Definitions appropriate -government, employer, establishment, factory, maternity benefit, wages, etc. - Benefits under the Act - Inspectors.

Unit -V Protection of unorganised labour

Features and scheme of protection of workers in unorganised sector under the Unorganised Workers' Social Security Act, 2008

Necessity of protection of unorganised labour in shops and establishments by regulating their working conditions the Karnataka Shops and Commercial Establishments Act, 1961 application of the Act, Hours of work, annual leave with wages - wages and compensation employment of children and women - authorities and penalties.

Globalisation, Privatisation and Open Economy- Effects of Globalisation on Industry and Labour Constitutional Mandate of Welfare State and effectiveness of Social Security and Social welfare legislations in India under new economic policy - Review of laws to meet new challenges - Legislative and Judicial response/trend towards application of Labour laws- Emergence of laws relating SEZs, etc.

Prescribed books

- K.M. Pillai - Labour and Industrial Laws.
- S.N.Mishra - Labour and Industrial Laws.
- S.C.Srivastava, Treatise on Social Security.
- Sairam Bhat, Privatisation and Globalisation: The Challenging Legal Paradigm
- Jwitesh Kumar Singh, Labour Economics: Principles, Problems and Practices
- Joanne Conagham, Labour Law in an Era of globalisation, Transformative Practices and possibilities
- C. S. Venkata Ratnam, Globalisation and Labour-Management Relations, Dynamics of Change

Reference books:

- Dr.V.G.Goswami - Labour Industrial Laws.
- O.P. Malhotra - The Law of Industrial Dispute. N.G.Goswami - Labour and Industrial Laws.
- Khan and Khan - Labour Law.
- Bhargava, V.B. - Industrial and Labour Laws.
- Pai, G.B.-Labour Law in India.
- Srivatava, S.C. - Industrial Relations and Labour Laws.
- Singh, S.N.- Law and Social change: Essays on Labour Laws and Welfare research methodology and environmental protection.
- Report of the First National Commission on Labour (1966-69).
- Report of the National Commission on Labour, Government of India, 2002.
- ILO Recommendations.