LL.B. IV Term

Paper – LB – 403 - Labour Law

General Readings:

Prescribed Legislations:
1. The Trade Unions Act, 1926
2. The Industrial Disputes Act, 1947
3. The Industrial Employment (Standing Orders) Act, 1946
4. The Essential Services Maintenance Act, 1981

Prescribed Books:

Topic 1: Trade Union – Definition, Registration and Recognition
Definitions of ‘trade union’, ‘workman’ and ‘trade dispute’ - The Trade Unions Act, 1926, sections 2(g) and (h), 3-13, 15, 22
1. Rangaswami v. Registrar of Trade Unions, AIR 1962 Mad. 231
2. The Tamil Nad Non-Gazetted Government Officers’ Union, Madras v. The Registrar of Trade Unions, AIR 1962 Mad. 234
3. In Re Inland Steam Navigation Worker’s Union, AIR 1936 Cal 59

Topic 2: Immunities – Criminal and Civil
The Trade Unions Act, 1926, sections 17 and 18; The Indian Penal Code, sections 120-A, 120-B
4. R.S. Ruikar v. Emperor, AIR 1935 Nag. 149
5. Rohtas Industries Staff Union v. State of Bihar, AIR 1963 Pat. 170
   (Also see Rohtas Industries v. Its Union, AIR 1976 S.C. 425)
PART – B : INDUSTRIAL DISPUTES

Topic 3: ‘Industry’ – Conceptual Analysis

The Industrial Disputes Act, 1947, section 2(j)


Topic 4: ‘Industrial Dispute’ v. ‘Individual Dispute’ - Contrast

The Industrial Disputes Act, 1947, sections 2(k), 2A


Topic 5: Concept of ‘Workman’

Distinction between contract for services and contract of service: Due control and super-vision test; Predominant nature of duty test, The Industrial Disputes Act, 1947, section 2(s)


Topic 6: ‘Strike & Lock out’


28 72 87 95 100 103 109 113 126 130 144
**Topic 07: ‘Lay off’ ‘Retrenchment’ & ‘Closure’**

Analysis of the Concepts, Pre-requisites, The Industrial Disputes Act, 1947, sections 2(cc), 2(kkk), 2(oo), Chapters VA, VB; The Industrial Employment (Standing Orders) Act, 1946


   AIR 1976 SC 1775


**Topic 08: ‘Lay off’ ‘Retrenchment’ & ‘Closure’**

**IMPORTANT NOTE**

1. The topics and cases given above are not exhaustive. The teachers teaching the course shall be at liberty to add new topics/cases.

2. The students are required to study the legislations as amended up-to-date and consult the latest editions of books.

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LL.B. IV Term

Labour Law

Cases Selected and Edited by

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