

Name:	
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2018

Course: INDUSTRIAL RELATIONS
Programme: MBA (CORE) HRM
Time: 03 hrs.
Instructions:

Semester: III
Course Code: HRES8004
Max. Marks: 100

1. All sections are compulsory.
2. This question paper contains 4 printed pages

SECTION A
(2 x 10 = 20 Marks)
Answer in True/ False Only

S. No.		Marks	CO
Q-1	Industrial Relations only imply relations between management and workers	2	CO1
Q-2	A conflict that is legally raised is called dispute	2	CO2
Q-3	Only a registered Trade Unions as per the Trade Unions Act can be a recognized Trade Union	2	CO2
Q-4	Certificate of Registration given to a Trade Union is valid for a period of one year only	2	CO3
Q-5	In every establishment unless the workers give six week notice, they can not go on strike	2	CO4
Q-6	Go slow strike is illegal	2	CO2
Q-7	In case where an establishment has no senior woman employee, the Presiding Officer of the ICC appointed as per The Sexual Harassment of Woman at Workplace (Prevention and Redressal) Act, 2013 can be a male employee	2	CO1
Q-8	In case where a domestic maid woman worker wants to make a complaint of harassment, the complaint would be heard by Local Complaint Committee	2	CO2
Q-9	Workers Participation in Management is a tool to foster industrial democracy	2	CO1
Q-10	Workers of an establishment cannot go on strike in pendency of a Conciliation Proceeding in front of a Board of Conciliation	2	CO3

SECTION B (4 x 5 = 20 Marks)
Attempt Any FOUR Questions

Q-11	What are different dispute settlement mechanisms available under Indian Labor Legislation Regime? Explain the applicability of each in a hierarchical way	5	CO1 CO3
Q-12	What are various levels of Workers Participation in Management? What is the basic philosophy to be served by such participation?	5	CO2 CO3

Q-13	What are the restrictions on strike in Public Service Undertaking as per Section 22 of The Industrial Dispute Act, 1948? What is illegal strike?	5	CO1 CO4
Q-14	What is sexual harassment? What if a male employee makes a complaint of sexual harassment against another female or male employee? What happens when a female employee who was harassed one year ago wants to make a complaint of harassment?	5	CO2 CO4
Q-15	What is a Registered and a Recognized Union? What is the process of Registration and Recognition?	5	CO1 CO4
SECTION-C (2 x 15=30) Attempt ANY TWO QUESTIONS			
Q-16	An employee was caught at the main gate by the security officer, confiscating equipment from the factory and trying to smuggle it out of the gate. Frame the office order of : 1. Show cause Notice 2. Suspension Pending Enquiry 3. Termination of service after due inquiry and hearing	15	CO1 CO2 CO3
Q-17	Despite having multiple forums and having many mechanisms in place, the harsh reality is that there is still a serious distrust between the employers and employees. Companies across the sectors have not been able to create a climate of trust. What is the real problem? Why don't we have congenial IR. Discuss.	15	CO1 CO3 CO4
Q-18	What are various types of Strike? Explain each clearly indicating their legality. What is the intent of the workers in each of such strikes?	15	CO2 CO3 CO4
SECTION-D Case Study <i>As reported in The Economic Times dated Sep 09, 2015.</i>			
Q-19	NEW DELHI: A woman employee of TERI, who has accused its chief RK Pachauri of sexually harassing her, today moved an industrial tribunal saying its order staying the report of TERI's internal complaints committee (ICC) in connection with her complaint, should be set aside on grounds of lack of jurisdiction. The woman in her application submitted that the industrial tribunal does not have jurisdiction to hear Pachauri's appeal under the Sexual Harassment of Women At Workplace (Prevention, Prohibition and Redressal) Act. "Preliminary objection with regard to want of jurisdiction of this court be treated as the preliminary objection and the ad-interim ex-parte orders passed on May 29, 2015 be set aside on the basis of the said preliminary objection and the appeal be returned to the appellant to be filed before the court of competent jurisdiction," the woman's plea, filed through advocate Prashant Mendiratta, said.	30	CO1 CO2 CO3 CO4

	<p>Raising the issue of jurisdiction of the tribunal, the counsel sought to set aside its May 29 order that the operation of ICC's report shall remain stayed.</p> <p>"... the respondent no. 3 (woman) states that this court does not have the jurisdiction to hear the appeal filed by the appellant (Pachauri) under the Sexual Harassment of Women At Workplace (Prevention, Prohibition and Redressal) Act," the plea said.</p> <p>The application was filed in the matter in which Pachauri has sought setting aside of findings of TERI's ICC report on the woman's complaint.</p> <p>Another plea filed by the woman seeking to vacate stay granted by the tribunal on the ICC's findings is also pending before it. The Tribunal's Presiding Officer fixed October 17 for arguments on the pleas.</p> <p>Pachauri had filed an appeal before the tribunal against the ICC's report contending that he was not given opportunity to defend himself or present his case, which was a violation of the procedures for conducting enquiries as laid down in the Sexual Harassment of Women Act.</p> <p>Q-1 In the case as above when the ICC has given it's report, can the respondent plead "Setting Aside" of ICC report to a Tribunal, given the fact that ICC itself has powers of a civil court?</p> <p>Q-2 As pleaded by the respondent above in your view the plea that</p> <p>"... the respondent no. 3 (woman) states that this court does not have the jurisdiction to hear the appeal filed by the appellant (Pachauri) under the Sexual Harassment of Women At Workplace (Prevention, Prohibition and Redressal) Act," Holds ground?</p> <p>Q-3 After the ICC has given it's report, and if the ICC held the complainant guilty, and further if the complainant wants the case to be heard by a more competent judicial body? What is the way going forward?</p>		
	<p>*****End of the paper*****</p>		