

Name:

Enrolment No:



**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, December, 2021**

**Course: INDUSTRIAL RELATIONS**

**Programme: BBA (CORE) HRM**

**Time: 03 hrs.**

**Instructions:**

- 1. All sections are compulsory.**
- 2. This question paper contains 3 printed pages**

**Semester: III**

**Course Code: HRES2004**

**Max. Marks: 100**

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

S. No.		Marks	CO
Q-1	Every grievance raised by the worker is an Industrial Dispute	2	CO2
Q-2	A complaint of Preferential treatment can not be a sexual harassment complaint	2	CO2
Q-3	“Gherao” is a tool workers resort to in which they encircle the person/ premises. “Gherao” is illegal	2	CO3
Q-4	Workers form union so that they may address the political issues in the organization	2	CO4
Q-5	If a strike is already going on, the employer may not give a six weeks notice before declaring a lock out as per the law	2	CO1
Q-6	During the pendency of the proceedings of ICC as per The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the aggrieved woman can not move to the court	2	CO2
Q-7	Only a registered trade Union can have a recognized name of the Union	2	CO1
Q-8	For sexual harassment to have occurred the female employee is not required to give evidences in support of her complaint	2	CO2
Q-9	JMCs are formed to settle industrial disputes	2	CO4
Q-10	Monetary settlement between the respondent and the complainant is not permitted as per the Indian POSH law	2	CO2

**SECTION B (4 x 5 = 20 Marks)**

**Attempt ALL FOUR Questions**

Q-11	What are the salient features of The Constitution of India? How does these features form the basis of Industrial Relation Regime in India?	5	CO1
Q-12	Differentiate between pluristic and Marxist approach to IR.	5	CO2
Q-13	What compensation (if any) is to be provided to the worker in case of closing down of the business due to non-financial supervening event such as natural disaster?	5	CO3

Q-14	What the various purposes on which funds of a registered trade union may be applied? Can a Union receive funds from a political party?	5	CO4
<b>SECTION-C (3 x 10=30)</b> <b>Attempt All THREE QUESTIONS</b>			
Q-15	It has been observed that many a times the female employees refrain from putting a complaint of sexual harassment due to fear of social backlash and the fear of being judged by the peers. What can the organizations do to eliminate such fear and ensure every complaint is reported justice takes it's own course? Discuss.	10	CO3
Q-16	In spite of having so many legal provisions in place, so many bodies to reinforce industrial peace and democracy, industrial unrest remain the reality of the day? Do you think IR regime in India has failed? What is the cause of such failure? How to correct things?	10	CO2
Q-17	An employee was alleged of indulging in alcohol consumption and riotous behavior while inside the factory premises. Prepare a show cause notice with an order of suspension pending inquiry to be served to such employee.  <b>OR</b> Trade Union Movement in India gives a right to the workers to form their union, and union becomes a very important forum for workers to raise their genuine demands and concerns. But it has been observed that due to multiplicity of Unions, and active involvement of political parties, managing trade unions becomes a challenge. As a HR professional how will you address the issue? How will you bring mutually competing unions to the negotiation table? How will you manage the political influence unions carry?	10	CO3
<b>SECTION-D</b>			
Q-18	<b>Case Study</b> <i>As published in firstpost.com on May 17, 2017 17:24:07 IST</i>  Last week, an article on <i>Huffington Post</i> described a bone-chilling account of cyberstalking faced by Vijay Nair, a Mumbai-based entrepreneur and founder of Only Much Louder (OML). The article, which has since gone viral, describes in detail the ordeal faced by Nair for months, which started with someone anonymously posting a sexually explicit tweet on his Twitter profile. What followed were a series of sexually explicit messages sent by the cyberstalker to Nair over Whatsapp and email, many of which were also copied to Nair's friends and acquaintances. When Nair finally unmasked the identity of his stalker, it was discovered that the stalker in question was a woman whom Nair was acquainted with. The cyberstalking incident involving Nair is not a lone incident of a man being sexually harassed by a woman. Sexual harassment	15+15 =30	CO4

incidents committed against men (with the perpetrator being a woman) are increasingly being reported and make one wonder whether we need gender neutral sexual harassment laws in India.

**Is sexual harassment of men by women a reality in India?**

An article on *The Hindu* outlines many instances of sexual harassment faced by Indian men including stalking, sexual harassment at workplace and sexual assault. In all these cases, the perpetrators were women. Apart from the lack of any legal recourse available to men in such cases, what emerges is that the male victims of sexual harassment do not receive emotional support within their social circle either; friends of male victims of sexual harassment are often dismissive of such incidents.

The idea that a woman can sexually harass a man is still considered *inconceivable* in the Indian society. What makes it even more difficult for men to speak about such incidents openly is the tendency of others to perceive male victims of sexual harassment as "feminine" or "weak". The disbelief surrounding sexual harassment of men by women in India can also be attributed to the absence of data/statistics on this issue. This, in turn, becomes a vicious cycle where the fear of being disbelieved may cause a male victim of sexual harassment to not report such incidents, leading to further lack of statistics in such matters.

According to a 2010 survey, conducted by Economic Times, "men are as vulnerable to sexual harassment as women" in India.

Q-A Do you think The Indian POSH law that defines a complainant only to be an "aggrieved woman" and never an "aggrieved man" is haploid and biased? Why will it not be justifiable to address the complaints of sexual harassment made by men in Indian POSH law?

Q-B If a male employee genuinely feels sexually harassed what (if any) are the legal remedies available to him?

\*\*\*\*\*End of the paper\*\*\*\*\*