

H.P. BOARD OF DEPARTMENTAL EXAMINATION
DEPARTMENTAL EXAMINATION OF OTHER GAZETTED OFFICERS/OFFICIALS
OF HIMACHAL PRADESH SESSION APRIL, 2017

PAPER 5: LABOUR OFFICERS

Time Allowed: 3 HOURS

Maximum Marks: 100

- Note: 1. This question paper is set wise divided into three parts i.e. Part A, Part B and Part C and all the five questions are compulsory to be attempted.
2. The choices/options are given within each question.
3. Only Bare Acts and Rules are allowed.
4. The answers, comments/recommendations should be in consonance with relevant provisions of the concerned Act mentioned in each part.

PART- 'A'

THE EMPLOYEES COMPENSATION ACT 1923

Q.No.1 Define the following:-

- | | |
|-----------------------------------|-----------|
| (a) Dependant | (3 Marks) |
| (b) Employer and Managing Agent | (7 Marks) |
| (c) Partial and Total disablement | (7 Marks) |
| (d) Workman | (3 Marks) |

OR

Precisely explain the provisions regarding the following:-

- | | |
|---|-----------|
| (a) Employers liability for payment of compensation. | (7 Marks) |
| (b) Method of calculating wages. | (7 Marks) |
| (c) Appointment of commissioners and references to commissioners. | (6 Marks) |

PART- 'B'

THE MINIMUM WAGES ACT 1948

Q.No. 2 (a) Explain in your own words powers of the state government to add to schedule and application of IBID Act to certain employments, as well as, list all such employments in H.P. Sate. (15 Marks)

(b) Write a precise note about the logic regarding inclusion and exclusion of employments to the schedule. (5 Marks)

OR

(a) Explain regarding fixing of normal working hours which shall constitute a normal working day in case of adult and child worker, rest interval and total spread over on any day. (8 Marks)

(b) Extra wages for overtime, ordinary rate of wages, calculation of overtime in case a worker works for more than 48 hours in a week and less than 48 hours in a week or more than 8 and 9 hours a day. (12 Marks)

- Q.No.3 Explain the quantum of wages payable to the worker in the following eventualities:-
- (i) Wages of workers who works for less than a normal working day. (4 Marks)
 - (ii) Wages for two or more classes or work. (4Marks)
 - (iii) Minimum time rate wages for piece work. (4Marks)
 - (iv) Discuss about competent authority to adjudicate the claims arising out of payment of less than minimum rates of wages and procedure to file such claims. (8Marks)

OR

Discuss about:

- (a) The appointment of inspectors, their powers, duties and responsibilities. (8Marks)
- (b) Cognizance of offences in case of violations of:
 - (i) General provisions. (4 Marks)
 - (ii) Payment to any employee the wages less than the minimum rates of wages fixed for that employees class of work or less than the amount due to him under the provisions of this Act. (8 Marks)

PART-'C'

THE HIMACHAL PRADESH SHOPS AND COMMERCIAL ESTABLISHMENT ACT 1969

- Q.No.4 Define and explain the following:
- a) Commercial Establishment. (3 Marks)
 - b) Employee and Employment in service. (5 Marks)
 - c) Family. (2 Marks)
 - d) Shop. (2 Marks)
 - e) Young Person. (2 Marks)
 - f) Leaves and its entitlement. (6 Marks)

OR

Explain the following:

- a) Methodology of calculation of leaves, its accumulation and carrying over to succeeding year. (8 Marks)
- b) Entitlement of holidays/close days with wages and its rate of payment of wages. (7 Marks)
- c) Provisions for removal from service and notice by an employee to terminate his employment. (5 Marks)

- Q.No.5 a) Explain in detail about the provisions regarding opening and closing hours and close day for certain classes of shops and establishments and list out the categories which are excluded regarding restriction from opening and closing hours and close day. (14Marks)

- b) Briefly discuss the logic and reasoning behind the provisions made to regulate opening and closing hours and close day of shops establishments. (6 Marks)

OR

- a) Explain conditions of employment of women and children and special beneficial provisions made for these workers. (8 Marks)

- b) There are various enactments of labour laws regarding regulation of employment and conditions of service of the worker pertaining to working hours, wages, leaves and holidays, welfare, safety, social security, industrial relations etc.; therefore, in this context explain the relevance of this Act. (12 Marks)