

**LEGAL VIDHYIA PRESENTS:
LABOUR AND INDUSTRIAL LAW
QUESTIONS FROM PREVIOUS AIBE
EXAMS**

LEGAL VIDHYIA

AIBE XVIII

1. What is the maximum period for which any woman shall be entitled to maternity benefit under the Maternity Benefit Act, 1961?

- A. 6 weeks
- B. 8 weeks
- C. 12 weeks
- D. 26 weeks**

2. For what duration is a woman entitled to leave with wages for tubectomy operation as per the Maternity Benefit Act, 1961?

- A. 2 weeks**
- B. 4 weeks
- C. 6 weeks
- D. 8 weeks

3. What should be the minimum number of workers originally employed in any factory for having at least one canteen in the factory as per the Factories Act, 1948?

- A. 100 workers
- B. 150 workers
- C. 200 workers
- D. 250 workers**

4. Who among the following is not included in the definition of a workman as per the Industrial Disputes Act, 1947?

- A. A supervisor drawing monthly salary of 6,000.
- B. A supervisor drawing monthly salary of 8,000.
- C. A supervisor drawing monthly salary of 10,000.
- D. A supervisor drawing monthly salary of 12,000.**

AIBE XVII

1. The minimum number of members required for registration of a trade union is

- (A) 2
- (B) 3
- (C) 5
- (D) 7

2. If the factory employs more than 1000 workers, they should appoint qualified to carry out the prescribed duties.

- (A) **Safety officer**
- (B) Welfare officer
- (C) Development officer
- (D) None of these

3. The text of the Certified Standing Orders shall be prominently posted by the employer in and in the language understood by the majority of his workmen.

- (A) Hindi
- (B) **English**
- (C) Devanagari Script

(D) Language specified in 8th Schedule of the Constitution

4. A person who has ultimate control over the affairs of the factory under Factories Act, 1948 is called as:

- (A) **Occupier**
- (B) Managing Director
- (C) Chairman
- (D) Manager

AIBE XVI

1. Schedule II of the Employees Compensation Act 1923 deals with
- (A) Age factor for calculating the amount of compensation
 - (B) List of persons who are included in the definition of 'Employee'
 - (C) List of occupational diseases
 - (D) **List of injuries Deemed to Result in Permanent Total Disablement**

2. The payment of compensation to railway employees by the railway administration for injury by accident is governed by:
- (A) **The Employees Compensation Act, 1923**
 - (B) The Payment of Wages Act, 1936
 - (C) Rights of Persons with Disabilities Act, 2016
 - (D) The Workmen Compensation Act, 1986

3. The minimum amount of compensation payable under Employees Compensation Act, 1923 in case of total permanent disablement of a railway servant due to accident is:

- (A) Rs 80,000/-
- (B) Rs 90,000/-
- (C) **Rs 1,40,000/-**
- (D) Rs 1,20,000/-

4. A Railway servant was killed in a bus accident during the course of employment. His family members may claim compensation under:

- (A) The Motor Vehicle Act
- (B) The Employees Compensation Act, 1923
- (C) Both (A) and (B)
- (D) **Either under (A) OR under (B)**

AIBE XV

1. A Teacher is not a workman within the purview of Industrial Disputes Act, held in the case of

- (A) The Workmen Vs Greaves Cotton & Co. Ltd. & Ors
- (B) John Joseph Khokar Vs Bhadange B. S. & ors
- (C) **A. Sundarambal Vs Government of Goa**
- (D) Dinesh Sharma and Ors. Vs State of Bihar

2. "Mere illegality of the strike does not per se spell unjustifiability" - Justice Krishna Iyer. Name the case.

- (A) Chandramalai Estate Vs Its workmen
- (B) Associated Cement Ltd., Vs Their workmen
- (C) **Gujarat Steel Tubes Vs Gujarat Steel Tubes Mazdoor Sabha**
- (D) Indian General Navigation of Railway Co. Ltd., Vs Their workmen

3. A workman aggrieved by the order of may directly make an application to the labour court or tribunal for adjudication of the dispute and the court/tribunal is empowered to adjudicate such dispute as it had been referred to it by the appropriate government

- (A) Dismissal, discharge and retrenchment
- (B) **Dismissal, discharge, retrenchment or otherwise termination of service**
- (C) Discharge simpliciter exclusively
- (D) Dismissal and retrenchment exclusively

4. According to Factories Act

- (A) **"child" means a person who has not completed his fifteenth year of age;**
- (B) "child" means a person who has not completed his fourteenth year of age
- (C) "child" means a person who has not completed his eighteenth year of age
- (D) "child" means a person who has not completed his sixteenth year of age

AIBE XIV

1. Section 2(j) of the Industrial Dispute Act

1947 defines "Industry" means any

- i. Business trade, undertaking
- ii. Manufacture or calling of employers
- iii. Included any calling, service, employment, handicraft
- iv. Industrial Occupation of Workmen

- (A) (i) and (ii)
- (B) (i), (ii) and (iii)
- (C) (iii) and (iv)
- (D) **All of the above**

2. Ensuring the safety, health and welfare of the employees is the primary purpose of the:

- (A) Payment of Wages Act, 1936
- (B) Industrial Dispute Act, 1947
- (C) **Factories Act, 1948**
- (D) Equal Remuneration Act, 1976

3. In which case Supreme Court held that whether teachers are not workmen?

- (A) Dharangadhara Chemical work Ltd V/s State of Saurashtra, AIR 1957 Section 264.
- (B) **University of Delhi V/s Ram Nath, AIR 1963 Section 1873**
- (C) J.K. Cotton Spinning and Weaving Mills Co. Ltd V/s LT AIR 1964 Section 737.
- (D) Sunderambal V/s Government of Goa, AIR (1988) Section 1700

4. Under Section 2(cc) of the Industrial Dispute Act, 1947 'Closure' Means:

(A) **The permanent closing down of the place of employment or part thereof**

(B) The partly closing down of a place of employment or part thereof

(C) The temporary closing down of a place of employment or part thereof.

(D) The short-term closing down of a place of employment or part thereof.

following area(s):

(i) Collective bargaining

(ii) Labour legislation

(iii) Industrial relations training

(iv) Trade unions

(A) (i)

(B) (i) and (ii)

(C) (i), (ii) and (iii)

(D) **(i), (ii), (iii) and (iv)**

AIBE XIII

1. "Industrial establishment" means:

(i) A factory

(ii) A mine

(iii) A plantation

(iv) An industry

(A) (i), (ii), (iii), (iv)

(B) **(i), (ii), (iii)**

(C) (i) and (ii)

(D) Only (i)

4. "Industrial dispute" means any dispute or difference between:

i) Employers and employers

ii) Employers and workmen

iii) Workmen and workmen

iv) Master and worker

(A) (i) and (ii)

(B) (iv)

(C) (i), (ii), (iii) and (iv)

(D) **(i), (ii) and (iii)**

2. Strike should be called only when at least what percent of workers are in support of strike:

(A) 10

(B) **15**

(C) 20

(D) 25

3. Industrial relations cover the

AIBE XII

1. Who is a protected workman

(A) Workman given police protection during labour strike

(B) Workman protected by Insurance Coverage

(C) Workman who is an executive or office bearer of a registered trade union in the establishment

(D) **Workman protected from being arrested by a court order.**

2. Meaning of Industrial Dispute according to the Industrial Dispute Act 1947 is

(A) Dispute between employers and employees

(B) Dispute between employers and workman

(C) Dispute between workmen and workmen in connection with employment and non-employment

(D) **All the above**

3. Section 49 of the Factories Act 1947 explains about

(A) Canteen

(B) Creche

(C) **Welfare officer**

(D) Rest room

4. Unfair labour practice by the employers

(A) Victimization

(B) False implication in criminal case

(C) Untrue allegations of absence without leave

(D) **All the above**

1. Under the Workmen's Compensation Act, which is helpful in deciding the extent of injury for compensation?

(A) Insurance Certificate

(B) Medical Examination

(C) Medical Certificate

(D) **(b) and (c)**

2. Section 23 of Workmen Compensation Act 1923 says that the Commissioner shall have the power of

(A) **A Court**

(B) A Tribunal

(C) A quasi Judicial Form

(D) All of the above

3. The objective of the Industrial Dispute Act 1947 is

(A) Industrial peace and economic justice

(B) To create harmonious relation between employer and employee

(C) To prevent illegal strike or lockout etc

(D) **All of the above**

4. Section 2(q) of the Industrial Dispute Act 1947 provides the definition of

(A) Lock out

(B) Lay off

(C) **Strike**

(D)Hartal

(D)Quarantine Leave

AIBE X

1. Who is an adolescent as per Factories Act, 1948

- (A)Who has completed 17 years
- (B)Who is less than 18 years of age
- (C) Who is more than 15 years but less than 18 years of age**
- (D)None of these

2. Who is responsible for payment to a person employed by him in a factory under the payment of Wages Act 1936

- (A)Accounts manager
- (B)HR Manager
- (C) Floor Manager
- (D) Owner**

3. To close down a factory the occupier has to give how many days notice to the authorities

- (A)30 days
- (B) 60 days**
- (C) 90 days
- (D) 14 days

4. The term sabbatical is connected with

- (A)Paid leave for study**
- (B)Paternity leave
- (C) Maternity leave

AIBE IX

1. Under the provisions of the Industrial Disputes Act 1947, the appropriate government can be order in writing

- (A)Refer the dispute to a Board for promoting a settlement of the dispute
- (B)Refer any matter appearing to be relevant to the dispute to a court for inquiry
- (C) both (a) and (b)**
- (D)neither a nor b

2. Under the provisions of the Trade Unions Act 1926, any person who has attained the age of __ may be a member of a registered Trade Union subject to any rules of the Trade Union to the contrary

- (A)14 years
- (B) 15 years
- (C) 18 years**
- (D)21 years

3. Which of the following can be considered retrenchment under the provisions of the Industrial Dispute Act 1947?

- (A)Termination due to ill-health
- (B) Abandonment of job by an employee
- (C) Termination of account of reaching the age of superannuation
- (D) None of these**

4. Which of the following statement hold

true regarding imprisonment under the provisions of section 14(3) of the Child Labour (Prohibition and Regulation) Act 1986.

- (A) It may extend to one year
- (B) It may extend to two years
- (C) It may extend to six months
- (D) **It may extend to one month**

5. The provisions of _____ do not apply to trade unions registered under the provisions of Trade Union Act, 1926

- (A) The Co-operative Societies Act 1912
- (B) The Companies Act, 1956
- (C) **Both (a) and (b)**
- (D) Neither (a) nor (b)

6. Which of the following statement is true for loss of confidence by management in the workman?

(A) Even when dismissal or discharge is held to be wrongful, the court may not yet order reinstatement if the employer is able to establish that the workman held a position of trust and there was loss of confidence.

(B) Loss of Confidence may also be a ground for discharge simpliciter of the workman

- (C) **Both (a) and (b)**
- (D) Neither (a) nor (b)

AIBE VIII

1. "Mere Illegality of the strike does not per se spell unjustifiability" J. Krishan Iyer In

which case declared so

- (A) Chandramalai Estate V/s Its Workmen
- (B) Associated Cement Ltd. V/s Their Workmen
- (C) **Gujarat Steel Tubes V/s Gujarat Steel Tubes Mazdoor Sabha**
- (D) Indian General Navigation of Railway Co. Ltd V/s Their Workmen

2. Entry No.22 of the Concurrent List deals with

- (A) Social security and insurance employment and unemployment
- (B) Industrial disputes concerning Union employees
- (C) **Trade Unions and Industrial and Labour disputes**
- (D) Regulation of labour and safety in mines and oil fields

3. Which Article under the Constitution of India talks about the participation of Workers in the management of Industries?

- (A) 43
- (B) **43A**
- (C) 43B
- (D) 42

4. Pick out the case that is popularly called as the Solicitor's Case

- (A) Ahmedabad Textile Industry's Research Association v/s State of Bombay

(B) **National Union of Commercial Employees V/s Industrial Tribunal Bombay**

(A) Art. 39(a)

(B) **Art. 39(d)**

(C) Salem Advocates Bar Association V/s Union of India

(C) Art. 39(b)

(D) Art. 39(c)

(D) Central Machine Tools Institute V/s Dy. Registrar of Trade Unions

5. Identify the case that is related to the need for promotion and preservation of internal democracy within trade unions

(A) Jay Engineering Works Ltd V/s State of West Bengal

(B) Railway Union V.s Registrar of Trade Unions

(C) ONGC Workmens Association V/s State of West Bengal

(D) **Hanumantha Rao V/s Dy. Registrar of Trade Unions**

3. Where any workman is suspended by the employer pending investigation or inquiry into complaints or charges of misconduct against him, the employer shall pay to such workman subsistence allowance. This provision was inserted in the Industrial Employment (Standing Orders) Act, 1946 in which year

(A) 1992

(B) 1982

(C) **2009**

(D) 2010

AIBE VII

1. Rashtriya Swasthya Bima Yojna is mainly meant to serve the needs of

(A) Organised workers

(B) Unorganised Workers

(C) **Unorganised sector workers belonging to BPL Category and their family members**

(D) Organised sector workers belonging to BPL Category and their family members

4. _____ was a leading case on the point as to whether an employer has a right to deduct wages unilaterally and without holding an enquiry for the period the employees go on strike or resort to go-slow.

(A) **Bank of India V/s T.S. Kelawala and others**

(B) Randhir Singh V/s Union of India

(C) Kamani Metals and Alloys Ltd V/s Their Workmen

(D) Workmen V/s Reptakos Brett and Co. Ltd.

2. Equal pay for equal work for both men and women is proclaimed under ___ of the Constitution of India

5. Under the Industrial Disputes Act, if the employer terminates the services of an

individual workman, any
dispute/difference arising out of such
termination shall be deemed to be?

(C) 8

(D) 9

(A) **Industrial dispute**

(B) Individual dispute

(C) Both individual and industrial dispute

(D) None of these

3. The temporary closing of the work
place or suspension of the work at work
place by the employer is known as

(A) Lay off

(B) **Lock out**

(C) Retrenchment

(D) None of the above

6. The Supreme Grameen Rozgaar
Yojana
(Universal Rural Employment
Programme) was launched in 2001 and
was implemented through

(A) Labour Offices

(B) Government

(C) **Panchayat Raj Institutions**

(D) All the Above

4. Which of the following acts has a
direct relevance for grievance handling
practices

(A) The Industrial Disputes Act

(B) Factories Act

(C) The Industrial Employment
(Standing Order) Act

(D) **All the above**

AIBE VI

1. The provision under the Industrial
Dispute Act 1947 which guarantees the right
of workmen laid-off to claim for
compensation.

(A) **S.25-C**

(B) S.26

(C) S.25-O

(D) S.25-A

5. Section 10A of the Industrial Dispute
Act refers to

(A) **Voluntary reference of dispute to
arbitration**

(B) Definition of Workman

(C) Definition of industry

(D) Appeals

2. The number of persons required to form
trade union

(A) 6

(B) **7**

6. 'Wages' under Workmen's

compensation Act

(A) **Includes any privilege or benefit which is capable of being estimated in money**

(B) Does not include any privilege or benefit which is capable of being estimated in money

(C) Includes any privilege or benefit which is not capable of being estimated in money

(D) None of the above

AIBE V

1. "Contravention of contract labour Act would not create employment relationship between contract labour and principal establishment." It was so held in which case

(A) **SAIL V/s National Union Water front Workers**

(B) Air India Statutory Corporation V/s United Labour Union C Ors

(C) Bangalore Water Supply and Sewerage Board V/s A. Rajappa

(D) State of UP V/s Jai Bir Singh

2. The principal regulator envisaged under the Trade Union Act, 1926

(A) Regulator of trade unions

(B) Inspector of trade unions

(C) **Registrar of trade unions**

(D) Industrial relations committee

3. A teacher is not a workman falling under the category of Workman under Industrial Disputes Act, 1947. This was upheld in which case

(A) **Miss A. Sundarambal V/s Government of Goa, Daman and Diu C Others**

(B) Ahmedabad Pvt. Primary Teachers Association V/s Administrative Officers and Ors

(C) University of Delhi V/s Ramnath

(D) Secretary, Madras Gymkhana Club Employees Union V/s Management of The Gymkhana

4. The type of disablement envisaged under the Employees Compensation Act that reduces the capacity to work in any employment similar to that the worker was performing at the time of the accident is referred to as

(A) **Permanent Partial disablement**

(B) Permanent total disablement

(C) Temporary disablement

(D) Temporary total disablement

5. The Contribution payable under the ESI Act in respect of an employee shall comprise of

(A) Contribution payable by the employer only

(B) Contribution payable by the employee only

(C) Contribution payable by the government only

(D) **Contribution payable by the employer and employee**

6. Which provision under the Industrial Dispute Act 1947 guarantees the right of workmen laid-off to claim for compensation:

(A) S.25-O

(B) S.26

(C) **S.25-C**

(D) S.25-M

3. The Trade Union Act was enacted

(A) **1926**

(B) 1946

(C) 1947

(D) 1988

4. The term "Minimum Wage" has been described in:

(A) The Trade Union Act

(B) The Industrial Dispute Act

(C) **The Minimum Wage Act**

(D) None of the above

AIBE IV

1. The term "Lock-out" under the Industrial Dispute Act defined in

(A) **Section 2(1)**

(B) Section 2(0)

(C) Section 3(1)

(D) Section 2(M)

5. The minimum Wages Act was enacted:

(A) 1921

(B) 1923

(C) **1948**

(D) 2007

2. The term "Lay-off" has been defined under the Industrial Dispute Act:

(A) **Section 2(KKK)**

(B) Sec 2(0)

(C) Sec 2(1)

(D) Sec 3(1)

6. The Trade Union Act provide for:

(A) Registration of trade union

(B) Registration of trade union for workers

(C) Recognition of registration of trade union as Juristic Persons

(D) **All of the above**