

JAIPURIA INSTITUTE OF MANAGEMENT, NOIDA
PGDM / PGDM (M) / PGDM (SM)
IV TRIMESTER (Batch 2023-25)
END TERM EXAMINATION, SEPTEMBER 2024

Course Name	Industrial Relations and Labour Laws	Course Code	20323
Max. Time	2 hours	Max. Marks	40 MM

INSTRUCTIONS: Attempt all questions. Each question is of 10 marks.

Q1. In N.M. Wadia Charitable Hospital & Ors. v. State of Maharashtra & Ors. 1986 case, the court ruled that it was permissible to set different minimum wage rates for different localities. The state of Maharashtra appointed a committee to advise on minimum wages for hospital employees, but the government set higher rates than the committee recommended. Further, with regards to the question of whether dearness allowance would constitute a part of the minimum wages, the Bombay High Court held that the provisions of the Minimum Wages Act, 1948 do not postulate different criteria for the calculation of minimum wages.

Apply the legal framework provided for fixation and revision of minimum wages. In what specific ways does the existing system deal with the inclusion of dearness allowance in minimum wages. (10)

Q2. Radhika was a CRM Executive in a large retail company dealing directly with customers on a daily basis. She made a complaint to her Manager, Vikram, saying that she was struggling to cope with a colleague who had been abusive to her and had made cruel remarks about how she dealt with the customers. Vikram wasn't sure how to handle the situation as it seemed very petty to him. He didn't have any issues with Radhika's performance and thought that she should deal with it herself. Unfortunately, Vikram had no HR training and didn't recognise Radhika's complaint as being a potential grievance. Radhika had already spoken to the colleague in question but their behaviour had not changed since the day she has raised the matter with her manager Vikram in the hope that he would speak to the colleague or do something to help the situation. However, when nothing happened, Radhika felt that she had no option other than to lodge a formal grievance, against Vikram saying that her complaint had not be taken seriously and not handled correctly.

In the context of the above situation, outline the grievance handling procedure to be followed. (10)

Q3. Bidi rollers were formerly given the benefit of weekly holidays and wages in lieu of holidays. But as a result of the decision of this Court, the owners of bidi making establishments in the State of Maharashtra refused to give them those benefits. There was great unrest and consequently the State of Maharashtra issued a notification under section 85 of the Factories

Act which made bidi rollers in places set out in the Schedule "deemed workers" and on that account entitled to the benefits provided to workers under the Factories Act. The petitioners challenged before this Court the validity of section 85 of the Factories Act and the notification issued in exercise of the authority conferred thereby on the ground that the provisions of section 85 and the notification issued thereunder infringed the fundamental rights of the petitioner under Arts. 14 and 19 (1) (g) of the Constitution.

In the light of the above case, explain the provisions of annual leave with wages. (10)

Q4. EPF, generally known as PF (Provident fund) is a retirement savings fund to which both employers and workers contribute to the employees' retirement savings funds. It was established under The Employees' Provident Funds Act 1952. Employees' Provident Fund Organization (EPFO) manages the fund. Employers who have a minimum of 20 employees are required to have EPF accounts for their employees. However, some organizations with less than 20 employees may also help their employees open EPF accounts. For firms with over 20 employees, it is mandatory for employees with a salary of less than Rs.15,000 (basic salary and dearness allowance) to open an EPF account.

(Q4a) Shankar has joined a firm in September 2024. His basic monthly income including dearness allowance is Rs 58000/-. The EPF's interest rate is 8.25% for the current fiscal year. Calculate the total amount in Shankar's EPF account till December 2024. Compute the employer's total contribution and the total interest earned till December 2024. Explain the mode of calculation if the basic monthly income excluding dearness allowance is Rs. 20,000/-. (5)

(Q4b) About 8.33% of Shankar's employer's monthly contribution (up to Rs 1,250) will be redirected to the Employee Pension Scheme (EPS). This will help you get a monthly pension once you retire and fulfil certain conditions. However, Shankar decides to quit the job and withdraw money from his EPS account. Refer to the slab given below:

Number of Years of Service	Eligible Portion of EPS Withdrawal
1	1.02
2	1.99
3	2.98
4	3.99
5	5.02
6	6.07
7	7.13
8	8.22
9	9.33

If Shankar's last drawn salary is Rs 42,000 and he has worked for eight consecutive years, estimate the EPS amount that Shankar can withdraw. (5)