



**POST GRADUATE TEACHING  
DEPARTMENT OF LAW  
RASHTRASANT TUKADOJI MAHARAJ  
NAGPUR UNIVERSITY**



“(Established by Government of Central Provinces Education Department by Notification No. 513 dated the 1st of August, 1923 & presently a State University governed by Maharashtra Public Universities Act, 2016 (Mah. Act No. VI of 2017)”

**Notification NO. \_\_\_\_ of 2023**

**ADMISSIONS LEADING TO THE AWARD OF DIPLOMA IN LABOUR  
AND INDUSTRIAL LAWS (AUTONOMOUS) (PGDLIL) IN  
POST GRADUATE TEACHING DEPARTMENT OF LAW, RTMNU  
UNDER THE FACULTY OF INTERDISCIPLINARY**

The Post Graduate Diploma in Labour and Industrial Laws Programme is governed by the RTM Nagpur University, through Post Graduate Teaching Department of Law imparts course leading to award of Post Graduate Diploma in Labour and Industrial Laws framed by considering the NEP 2020 and the Program is governed by Rules and Regulations for autonomous departments of RTM Nagpur University.

Interpretation Clause: Unless the context otherwise require, the following words shall have the meaning as assigned to them in this clause.

- a. Academic Year: One odd and one consecutive even semester together.
- b. Programme: It means the One Year Post Graduate Diploma in Labour and Industrial Laws Programme of study conducted in hybrid mode (both online & offline) and will have 2 Semester Pattern Examination, the successful completion of which would lead to the award of Post Graduate Diploma in Labour and Industrial Laws.
- c. University: - It means Rashtrasant Tukadoji Maharaj Nagpur University.
- d. Course: It is equivalent to a paper/subject in a programme. It is a complete unit of learning which will be taught and evaluated within semester. All courses need not carry the same weightage. A course may be designed to comprise lecturing/tutorial/laboratory work/ fieldwork/ outreach, activities/ projects work/

vocational training/ viva/ seminars/ term papers/ assignments/ presentations/ self - study etc. or a combination of some of these.

- e. Credit: Credit means the unit by which the course work is measured. It is measured in terms of weekly clock hours assigned to a Course. One Credit is equivalent to one hour of teaching work (Lecture or tutorial) or two hours of practical work/field work per week.

### **Admission and Intake:**

The Post Graduate Diploma in Labour and Industrial Laws is a self-finance Program of the Post Graduate teaching Department of Law. Admissions shall be secured through the rules laid down by RTM Nagpur University, Nagpur.

<b>Post Graduate Diploma in Labour and Industrial Laws (PGDLIL)</b>	<b>Intake Capacity</b>
Post Graduate Diploma in Labour and Industrial Laws	25 Seats

### **Intake and Reservation:**

The total number of students' intake is 25 students in Post Graduate Diploma in Labour and Industrial Laws (PGDLIL) Program. The number of students to be admitted in Post Graduate Diploma in Labour and Industrial Laws Program is limited to 25. No reservation policy adopted by the Post Graduate Teaching Department of Law, it means that the admissions are open for all categories.

### **Eligibility for Post Graduate Diploma in Laws:**

Every Candidate seeking admission to the Post Graduate Diploma in Labour and Industrial Laws (PGDLIL) must have passed any Graduation Degree. Graduation Course of this University or its equivalent degree of another statutory University recognized as equivalent to said degree of this University.

## **ADMISSION:**

1. Eligibility Criteria for Admission: An applicant for admission to Post Graduate Diploma in Labour and Industrial Laws programme should have obtained Bachelor's Degree in faculty or any other equivalent degree by whatever name called either of Rashtrasant Tukadoji Maharaj Nagpur University or any other recognized University in India or abroad.
2. Procedure of Admission: - The admission to the Post Graduate Diploma in Labour and Industrial Laws Program will be prescribed by the University from time to time.
3. The admission process will be completed only after the student make the payment of fees and submission of required documents prescribed by RTMNU.
4. Medium of Instructions and Examination: The medium of instruction and examination for Post Graduate Diploma in Labour and Industrial Laws (PGDLIL) Program shall be English only.
5. A student admitted to Post Graduate Diploma in Labour and Industrial Laws program shall abide by the code of conduct for students issued by the PGTD of Law from time to time. This code of conduct deals with the discipline of the students in the departments and the University premises and outside. It may also deal with such other matters as are considered necessary for the general conduct of the students.
6. Withdrawal/Cancellation- Withdrawal/Cancellation will not result in the refunding of admission fees under any circumstances. The admission fee is absolutely non-refundable.

Dr. Payal Thaorey  
Head, PGTD of Law,  
RTM Nagpur University Nagpur.

**EXAMINATIONS LEADING TO THE AWARD OF POST GRADUATE  
DIPLOMA IN LABOUR AND INDUSTRIAL LAWS (PGDLIL)**

1. **Duration of the Programme:** The duration of the Post Graduate DIPLOMA IN LABOUR AND INDUSTRIAL LAWS programme shall be of ONE academic year with the Departmental Examinations at the end of each semester.
2. The academic session will commence as per the calendar prescribed by PGT Department of Law, RTMNU.
3. An examination shall be held after the completion of each semester, and shall be held at such places and on such dates as may be notified by the PGT Department of Law, RTMNU from time to time. The fees for the examination shall be as prescribed by the University from time to time.
4. **Interpretation Clause:** Unless the context otherwise require, the following words shall have the meaning as assigned to them in this clause.
  - a. **Academic Year:** ONE year, two semesters constitute one academic year.
  - b. **Choice Based Credit System (CBCS):** Choice Based Credit System provides Choice for students to select from the prescribed courses (core, elective or minor or soft skilled courses).
  - c. **Course:** It is equivalent to a paper/subject in a programme. All courses need not carry the same weight. A course may be designed to comprise lecturing/ tutorial/ laboratory work/ fieldwork/ outreach, activities/ projects work/ vocational training/ viva/ seminars/ term papers/ assignments/ presentations/ self-study etc. or a combination of some of these.
  - d. **Credit:** Credit means the unit by which the course work is measured. It is measured in terms of weekly clock hours assigned to a Course. One Credit is equivalent to one hour of teaching work (Lecture or tutorial) or two hours of practical work/field work per week.
  - e. **Credit Point (CP):** It is the value obtained by multiplying the Grade Point by the Credit i.e. No. of Credits assigned for the course x Grade Points secured for that course.
  - f. **Cumulative Grade Point Average (CGPA):** CGPA means the value obtained by dividing total number of credit points in all the semesters by the total number of

credits in all the semesters. It is a measure of overall cumulative performance of a student over all semesters.

- g. **Grade Letter:** Grade Letter means an index to indicate the performance of a student in a particular course/ Paper. It is the transformation of actual marks secured by a student in a course/paper into a letter grade. There shall be a range of marks for each Grade.
- h. **Grade Point:** Grade Point means weightage allotted to each grade letter.
- i. **Programme:** One Year **POST GRADUATE DIPLOMA IN LABOUR AND INDUSTRIAL LAWS** Programme of study will have two semesters. The successful completion of Semester pattern examination would lead to the award of POST GRADUATE DIPLOMA IN LABOUR AND INDUSTRIAL LAWS.

## **5. Examination Scheme**

**The student shall be evaluated for his/her academic performance in a theory (Lecture/ Tutorial) course through Continuous Assessment, Final Examination in each semester.**

**The examinations shall be conducted as per the syllabi of POST GRADUATE DIPLOMA IN LABOUR AND INDUSTRIAL LAWS Programme.**

- a) Continuous assessment of students' performance through 'activity based learning' on the basis of heads such as projects, assignments, tutorials, open book tests, seminars, group discussions, quizzes, journal notes, library notes etc.
- b) Semester Pattern Examination shall be conducted as per schedule in academic calendar of the University for autonomous departments.
- c) End Semester Examination shall be conducted as per schedule in academic calendar of the University for autonomous departments.
- d) End semester examinations will be of three-hour duration. The duration of examination may vary as per the need of the theory course.

## **6. Withdrawals**

- a) A student who wants to withdraw from a Program shall apply through the HOD to the Dean, on a prescribed format. The student will be awarded a withdrawal grade 'W' at the end of the session. However, such application shall be made as early as possible and latest before the start of the End Examination.

- b) In case a student is unable to attend the weekly interaction sessions for more than two weeks, it will affect their internal assessment.
- c) In case the period of absence on medical grounds is more than two weeks, he/she shall inform to the HOD as soon as possible in written format with Medical Certificate.
- d) The Examination of each theory paper of POST GRADUATE DIPLOMA IN LABOUR AND INDUSTRIAL LAWS programme shall be conducted at end of each semester. The scheme of theory examination will be decided from time to time. The theory examination shall comprise of 60 marks while the internal assessment for 40 marks which shall include tutorial/fieldwork/outreach, activities/projects work/ vocational training/ viva/ seminars/ term papers/ assignments/ presentations/ self –study, Publications/ subject knowledge enhancement/ library notes/case studies etc.
- e) Standard of Passing the Semester Examinations: In order to pass a particular examination, a candidate shall have to secure at least 50% of marks (theory and internal assessment individually) in each course in the end semester examination. However, to be successful in the end semester examination the candidate needs to secure at least 50% marks from the aggregate marks of the semester. Where a candidate, therefore, fails in the end semester examination he/she will get exemption in only those passing heads in which he/she has secured 50% or more marks.
- f) ATKT Rules: - Rules of promotion of students from the lower to the higher semester shall be as prescribed by the University from time to time.
- g) Calculation of SGPA and CGPA for each semester will be done as per the RTM Nagpur University policy from time to time.
- h) Supplementary Exam Rules: - Supplementary Exam Rules shall be as prescribed by the University from time to time.
- i) Improvement of Grade/CGPA for each semester will be done as per the RTM Nagpur University policy from time to time.
- j) The credit of individual course can be allotted to the candidates after the completion of the POST GRADUATE DIPLOMA IN LABOUR AND INDUSTRIAL LAWS Programme.

## **AWARD OF POST GRADUATE DIPLOMA IN LABOUR AND INDUSTRIAL LAWS (PGDLIL)**

- a) The award of POST GRADUATE DIPLOMA IN LABOUR AND INDUSTRIAL LAWS Programme, to an eligible candidate shall be made in accordance with the procedure laid down by the University. A student shall have to fulfill all the requirements for the award of the Diploma within such period as may be specified by the university.
- b) The date of initial registration for the program shall normally be the date, on which the student formally registers i.e., takes final admission for the first time. This date shall be considered as the date of joining the program for all intents and purposes.
- c) A student shall be required to attend every lecture, tutorial and practical class. However, for late registration, sickness or other such exigencies, absence may be allowed as provided by the university policy.
- d) Indication of Attempt on Grade Card: The POST GRADUATE DIPLOMA IN LABOUR AND INDUSTRIAL LAWS (PGDLIL) certificate will not have any such indication. Single Grade Card will be provided for the regular examinations. The Grade Cards of successive attempts will be separately provided. But it will be marked 'N' as already said.

N - Not in the First Attempt

- e) Incentive credits to the students participating in Technical / NCC / NSS / Games & Sports / Cultural Activities/ Skill courses for each semester will be done as per the RTMNU policy time to time.
- f) Attendance and Absence and Leave Rule for academic session will be done as per the university policy from time to time.
- g) Equivalence and Absorption of students: The students from previous batches of PGTDs of University of Non-autonomous pattern desirous of seeking admission to any PG Diploma / Degree in autonomous pattern, has to fulfill the prevailing ATKT norms of the PGTDs of University, to become eligible for admission. However, such students have to clear backlog courses if any, by appearing for the respective examinations of University. In addition, the student also has to register and pass new courses, if any, introduced in earlier Post Graduate Diploma in Labour and Industrial Laws Program of the autonomous pattern of the PGTDs.

Dr. Payal Thaorey  
Head, PGTD of Law, RTMNU.

**POST GRADUATE DIPLOMA IN LABOUR AND INDUSTRIAL LAWS (PGDLIL)**

**OUTLINE OF THE PROGRAM:**

**SEMSTER-I**

<b>Sr. No.</b>	<b>Name of the Paper</b>	<b>Maximum Marks</b>	<b>Minimum Marks</b>	<b>CREDITS</b>
<b>1.</b>	<b>LAWS RELATED TO INDUSTRIAL RELATION</b>	<b>Theory 60</b> <b>I.A. 40</b>	<b>30</b> <b>20</b>	<b>04</b>
<b>2.</b>	<b>LAWS RELATING TO WAGES</b>	<b>Theory 60</b> <b>I.A. 40</b>	<b>30</b> <b>20</b>	<b>04</b>
<b>3.</b>	<b>SOCIAL SECURITY LAWS-I</b>	<b>Theory 60</b> <b>I.A. 40</b>	<b>30</b> <b>20</b>	<b>04</b>
<b>4.</b>	<b>LAWS RELATED TO OCCUPATIONAL SAFETY &amp; WORKING CONDITION</b>	<b>Theory 60</b> <b>I.A. 40</b>	<b>30</b> <b>20</b>	<b>04</b>
<b>5.</b>	<b>SEMINAR PAPER</b>	<b>Theory 60</b> <b>I.A. 40</b>	<b>30</b> <b>20</b>	<b>04</b>
<b>TOTAL</b>		<b>500</b>	<b>250</b>	<b>20</b>

**SEMESTER-II**

<b>Sr. No.</b>	<b>Name of the Paper</b>	<b>Maximum Marks</b>	<b>Minimum Marks</b>	<b>CREDITS</b>
<b>1.</b>	<b>INDUSTRIAL ADJUDICATION</b>	<b>Theory 60</b> <b>I.A. 40</b>	<b>30</b> <b>20</b>	<b>04</b>
<b>2.</b>	<b>SOCIAL SECURITY LAWS-II</b>	<b>Theory 60</b> <b>I.A. 40</b>	<b>30</b> <b>20</b>	<b>04</b>
<b>3.</b>	<b>LAWS RELATED TO EMPLOYMENT REGULATION</b>	<b>Theory 60</b> <b>I.A. 40</b>	<b>30</b> <b>20</b>	<b>04</b>

<b>4.</b>	<b>PRACTICAL:</b>			
	<b>1. Project Work/Dissertation</b>	<b>60</b>	<b>30</b>	<b>04</b>
	<b>2. Viva-voce</b>	<b>40</b>	<b>20</b>	
<b>5.</b>	<b>FIELD WORK:</b>			
	<b>1. Visits to various Labour and Industrial Courts, EPFO Office, ESIC Office etc.</b>	<b>20</b>	<b>10</b>	<b>04</b>
	<b>2. Report on Visit Submission</b>	<b>20</b>	<b>10</b>	
	<b>3. Group Discussion &amp; Presentation</b>	<b>60</b>	<b>30</b>	
<b>TOTAL</b>		<b>500</b>	<b>250</b>	<b>20</b>

# **SYLLABUS**

## **POST GRADUATE DIPLOMA IN LABOUR AND INDUSTRIAL LAWS**

### **SEMESTER-I**

#### **PAPER – I (PGDLIL-01)**

#### **LAWS RELATING TO INDUSTRIAL RELATIONS**

#### **(CREDITS-4)**

#### **COURSE OBJECTIVE:**

1. The primary objective of this course is to draw attention of the students briefly to the march of the industrial society from laissez faire era to the dawn of the concept of welfare state.
2. To understand the need for state intervention in the area of employer-employee relationship for achieving higher economic growth tempered with social justice.
3. To study various forms of dispute such as protests, strikes, demonstrations, lock-outs, retrenchment, dismissal of workers, etc.
4. To understand the mechanics of dispute resolutions and set up.

#### **LEARNING OUTCOME:**

The students will be able to understand-

1. The role of state in providing legal framework which establishes general ground rules for Unions' management interaction and purposes of bringing out amicable settlement of industrial conflicts.
2. How to further promote the legitimate trade union objectives in a peaceful manner.
3. The students will be acquainted with the historical perspective relating to the development of trade unions of workers in various countries which has been more or less the same.

#### **MODULE I: Introduction**

- A. Evolution of the concept of Industrial Relations
- B. Impact of Globalization & Liberalization on Labourers
- C. Freedom of Association
  1. Constitutional and Legal aspects of right to form association, union in India.
  2. International norms- Right to form association of industrial and unorganized Labour
  3. History of Industrial Adjudication
- D. Constitutional perspective and industrial adjudication-Constitutional goals protecting labour and capital enshrined in Part-II, IV and IVA of the Constitution, Art. 300A and Art. 323A and B.

#### **MODULE II: Trade Union & Industrial Relations**

- A. Historical development of Trade Union movement in India
- B. Role of Trade Unions in the changing atmosphere of Globalization, Privatization and Liberalization
- C. Need, objectives and functions of Trade Union
- D. Trade Union Act, 1926
  - 1. Recognition of Trade Union
  - 2. Rights and liabilities of Registered Trade Unions
  - 3. Liabilities and Immunities of registered Trade Union
  - 4. Role of State in Workers Participation and Management
  - 5. Multi-Unionism
- E. Bombay Industrial Relation Act, 1946
- F. MRTU and PULP Act, 1971

### **MODULE III: Collective Bargaining**

- A. Concept-
  - 1. Nature, Definition and theories of collective bargaining.
  - 2. Advantages, Disadvantages, comparative appraisal.
- B. Process- Types of bargaining at different levels –
  - 1. Plant level
  - 2. Industry level
  - 3. National level
- C. Prerequisites of Collective Bargaining & its application in Industrial Relation
- D. Role of ILO in promoting Collective Bargaining

### **MODULE IV:**

- A. Strikes and Lockouts
  - 1. Prohibition of strikes and lockouts
  - 2. Illegal Strikes and lockouts
  - 3. Punishment
- B. Layoff, Retrenchment, Transfer And Closure
  - 1. Continuous service
  - 2. Layoff
  - 3. Retrenchment
  - 4. Compensation to workmen in case of transfer of undertaking
  - 5. Closure and compensation
  - 6. Writ remedy

**SUGGESTED READING:**

1. ILO-Collective Bargaining.
2. Otto Kahn Freund-Labour and the Law (1977).
3. ILI-Labour Law and Labour Relations (1987).
5. Kothari - Industrial law, Vol. I & II.
6. Mary Sur-Collective Bargaining.
7. Russel A., Smith et. al-Collective Bargaining and Labour Arbitration (1970).
8. Rideont-Principles of Labour Law, Chap. 8,9 & 10 (1983).
9. Shrivastava S. C. –Industrial and Labour Relations.
10. R. Dayal, MRTU and PULP Act, 1971 (Act and Rules).
11. Abdul Majid – Legal Protection to unorganized labour 2000, Deep & Deep Publications Pvt.
12. S. N. Mishra: Labour and Industrial Law, Central Law Publication, Allahabad
13. Khan & Khan: Labour Law, Asia Law House, Hyderabad
14. C. S. Venkata Ratnam, Industrial Relations, Oxford

**PAPER – II (PGDLIL-02)**  
**LAWS RELATING TO WAGES**  
**(CREDIT-04)**

**COURSE OBJECTIVE:**

1. The objective of this study lesson is to thoroughly acclimatize the students with the law relating to Minimum Wages and Payment of Wages.
2. To make the students understand the procedure for fixation and revision of minimum wages of the workers engaged in the scheduled employments.
3. To make the students familiarize with the constitutional provisions relating to payment of wages.

**LEARNING OUTCOME**

The students will be able to understand-

1. The changing definition of wages including national and international perspective.
2. About the various facets and theories of wages.
3. Awareness about the minimum wage fixed by the Central Government from time to time and many other such changes made through amendments.
4. The Indian constitutional aspect and rights relating to payment of wages.

**MODULE I: Introduction to Wages**

- A. Historical Evolution of Concept of Wages

- B. Theories of Wages
- C. Wage Concept- Living, Fair & Minimum Wage
- D. International Labour Standards on Wage
- E. Code on Wage, 2019

#### **MODULE II: Payment of Wages Act, 1936**

- A. Responsibility for payment of wages
- B. Wage periods- Time for payment, deductions & fines
- C. Claims arising out of deductions and delay of payments
- D. Procedure for filing and disposal of appeals
- E. Enforcement machinery under the Act- Powers and Functions

#### **MODULE III: Minimum Wages Act, 1948**

- A. Minimum Wages Act 1948 and Maharashtra Amendment Act, 1992
- B. Power of State Government to fix different rates for certain employment
- C. Procedure for fixation of wages
- D. Procedure for disposal of claims
- E. Concepts of Dearness allowance and principles for determination of DA

#### **MODULE IV: Facets of Wages**

- A. National Wage Policy & Wage Board
- B. Constitutional Perspective on Wages-
  - (i) Right to Work
  - (ii) Equal Pay for Equal Work
- C. Equal Remuneration Act, 1976-
  - (i) Duty of Employer to pay equal remuneration
  - (ii) No Discrimination in remuneration
  - (iii) Advisory committee.
  - (iv) Authorities for hearing and deciding complaints and claims.

#### **SUGGESTED READING:**

1. Raghuraj Singh- Movement of Industrial Wages in India (1995).
2. J.C. Sandersara & L.L.Deshpande, Wage Policy and Wage Determination in India.
3. R.B.Sethi- Payment of Wages Act and Minimum Wages Act
4. G.L.Kothari-Wages, Dearness Allowance and Bonus.
5. S.B.L.Nigam-State Regulation of Minimum Wages (1955).
6. Menon- Foundations of Wage Policy.
7. K. D. Srivastava, Payment of Wages Act

**PAPER – III (PGDLIL-03)**  
**SOCIAL SECURITIES LAW-I**  
**(CREDIT-04)**

**COURSE OBJECTIVE:**

1. To understand that Social Security for employees is a concept which over time has gained importance in the industrialized countries.
2. With reference to India, how the Constitution levies responsibility on the State to provide social security to citizens of the country.
3. As per the Constitution of India and ILO Convention on Social Security (ratified by India in 1964), to study some of the legislations that have been enacted for social security

**LEARNING OUTCOME:**

The students will be able to understand-

1. The evolving concept of social security policy in India.
2. The legal framework concerning various social security protections.
3. Various laws relating to remuneration, bonus, disablement compensation, retirement benefits, maternity benefits and their enforcement mechanisms.

**MODULE I: Introduction**

- A. Meaning and Concept of Social Security
- B. Indian Constitutional Framework
- C. UN Conventions on Social Security
- D. Role of ILO in promoting Social Security
- E. The Code on Social Security, 2020- Overview

**MODULE II: Employees Provident Fund Act 1952**

- A. Scope & Objectives of the Act
- B. Authorities- Powers & Functions
- C. Contribution to the Fund
- D. Deposit Linked Insurance scheme
- E. Employee's Pension scheme 1995- Scope & Significance

**MODULE III: The Employees Compensation Act 1923**

- A. Aims & Objectives of the Act
- B. Employers liability for compensation.
- C. Determination of Amount of Compensation in case of various injuries
- D. Payment of compensation & Procedure

E. Commissioner- Duties & Powers

**MODULE IV: Employees State Insurance Act, 1948**

- A. Authorities under the Act – their powers and functions.
- B. Employees state insurance fund contribution
  - (i) By employers
  - (ii) By employees
  - (iii) Grant by Central and State Governments
- C. Purposes for which fund may be expended
- D. Benefits available & eligibility to avail such Benefits
- E. Adjudication of dispute and claim

**SUGGESTED READING:**

1. Dr. Vivek Bhattacharya- Social Security Measures in India.
2. Bakshi and Mitra- Workmen's Compensation Act and other Social Insurance Legislation.
3. K.D. Shrivastava- Commentaries on Employees State Insurance Act.
4. Larson- Workmen's Compensation Law.
5. Dr. C. B. Mamoria- Principles of Social Security.
6. V.R. Bhattacharya, Some Aspects of Social Security Measures in India ( 1970).
7. S.C. Shrivastava, Social Security and Labour Laws ( 1985).
8. R.N. Choudhary, Commentary on the Workmen's Compensation Act 1923 (2000), Orient.
9. S. C. Srivastava, Commentaries on Payment of Gratuity Act, Universal Book Co. Ltd
10. S. C. Srivastava, Employees Provident & Miscellaneous Provisions Act, Eastern Book Company

**PAPER-IV (PGDLIL-04)**  
**LAWS RELATED TO OCCUPATIONAL SAFETY & WORKING CONDITION**  
**(CREDITS-4)**

**COURSE OBJECTIVE:**

1. To gain a comprehensive understanding of the legal framework governing occupational safety and working conditions.
2. With reference to India, to study the mechanisms through which laws related to occupational safety are enforced.
3. To study some of the legislations that have been enacted for social welfare revolving around occupational safety and working conditions.

**LEARNING OUTCOME:**

The students will be able to understand-

1. The evolving concept of social Welfare policy in India.
2. The basic understanding of the legal framework concerning occupational safety and working conditions..
3. Constitutional aspect with respect to Contract Labour (Regulation & Abolition)

**MODULE I: The Factories Act 1948**

- A. Applicability of the Act
- B. Powers of inspectors
- C. Health, safety and welfare measures
- D. Responsibility of the occupier in relation to hazardous processes
- E. Prohibition of employment of children
- F. Offences by workers
- G. Penalties procedure and exemption

**MODULE II: Contract Labour (Regulation & Abolition) Act, 1970**

- A. Aims & Objectives of the Act
- B. Advisory Board- Powers & Functions
- C. Registration of Establishments Employing Contract Labour
- D. Licensing of Contractors
- E. Welfare and Health of Contract Labour
- F. Penalties & Procedures

**MODULE III: Social Welfare & Legislative measures**

- A. Social Security Five Year Plan Commission on Labour
- B. The Code for Occupational Safety, Health and Working Conditions, 2020-Overview

- C. The Plantation Labour Act 1951-Provisions relating to women
- D. Mines Act, 1952- Provision Relating to women
- E. Child Labour (Prohibition and Regulation) Act, 1986- Salient features
- F. Child and Adolescent Labour (Prohibition and Regulation) Act, 1986-Salient Features

**SUGGESTED READING:**

1. Kharbanda & Kharbanda: Commentaries on Contract Labour (Regulation & Abolition) Act, 1970
2. S. C. Shrivastava: A Review on Contract Labour (Regulation & Abolition) Act, 1970 and other applicable Labour Laws
3. S. N. Mishra: Labour and Industrial Law, Central Law Publication, Allahabad
4. Khan & Khan: Labour Law, Asia Law House, Hyderabad
5. C. S. Venkata Ratnam, Industrial Relations, Oxford

**PAPER-V (PGDLIL-05)**

**SEMINAR COURSE- I**

**(CREDIT-04)**

**Course Objective:**

In order enhance the legal drafting and analysis skill this paper is introduced in the 1st semester. The students will learn the recent advances in research and the recent developments in the concerned subject, the seminar course is conducted through discussion and presentation by the students. Seminar shall be done under the personal guidance of the Mentor under the mentor-mentee scheme of the department.

During semester 1, the seminar topic can be selected from any legal subject.

**Learning Outcomes:**

- The students will be able to write research papers and interpret it in a logic manner in the presentation.
- The students will be able to apply research techniques

The students are required to undertake a research on any relevant law topic under the supervision of the mentor allotted by the department. The time frame to complete this research project is 16 weeks from the commencement of the academic session. RTMNU PGTD Law. The topic and title for the research paper will be finalized by the guide in consultation with the Head of the Department in the beginning of 1st semester. The mentor will monitor the progress and process of research executed by the students for the internal assessment of this course. During submission, the seminar paper must be of 3000 words excluding footnotes. This course includes submission of seminar paper followed by presentation before the panel appointed by the Head of the Department.

<b>SR. NO.</b>	<b>ACTIVITY</b>	<b>CREDITS</b>	<b>MAXIMUM MARKS</b>	<b>MINIMUM MARKS</b>
1.	Seminar Paper Submission & Presentation	2 Credits	IA 20 Th. 30	IA + T = 25

**GENERAL INSTRUCTIONS:**

- Students shall submit at least one hard copy along with softcopy in pdf format of their seminar paper and Power Point Submission is required for presentation of seminar paper.
- The seminar paper shall be approved and duly signed by their respective mentor. Seminar

paper without the mentor's signature will not be accepted.

- For SLR Format -- Times New Roman, Font 12, 1.5 spacing, Font size 10 (for footnotes, without spacing), Margin- 1.5cm left, 1-1-1 cm on the remaining sides.
- Standard Indian Legal Citation to be used for inserting the footnotes.
- As the submission of seminar paper is made for the partial fulfilment of Post Graduate Diploma in Labour and Industrial Laws Programme, the copyright of the paper will remain with RTM Nagpur University.
- For seminar presentation viva- each student will get 15 minutes to present the seminar paper followed by the question and answer session.

**Seminar Paper shall have the following structure:**

- ♣ Cover page
- ♣ Certificate
- ♣ Acknowledgement
- ♣ Research Methodology
  - Objective of the paper
  - Rationale of the paper
  - Hypothesis of the paper
  - Research questions
- Introduction
- Contents (Can be included through various heading & sub-headings)
- Conclusion
- Recommendations
- Bibliography

**SEMESTER-II**  
**PAPER – VI (PGDLIL-06)**  
**INDUSTRIAL ADJUDICATION**  
**(CREDITS-4)**

**COURSE OBJECTIVE:**

1. To understand the basics of Alternative Dispute Mechanism
2. To understand the mechanics of dispute resolutions and set up under various acts.
3. To study as per the new Codes.

**MODULE I: Introduction to Alternative Dispute Mechanism**

- A. Alternative Dispute Resolution – Definition, Scope and Genesis
- B. Overview of Alternative Dispute Resolution Process -Arbitration, Mediation, Conciliation, Lok Adalat and Judicial Settlements
- C. Evolution of the concept of ADR with historical prospective -Position of ADR in Ancient India, Position of ADR in Mughal period, Position of ADR during British Period, Position after Independence

**MODULE II: Industrial Dispute Resolution Methods**

- A. Conciliation under Industrial Dispute Act, 1947
  1. Conciliation Officer
  2. Board of Conciliation
  3. Legal Status of Conciliation Settlements
- B. Voluntary Arbitration- Arbitration award and its binding effect
- C. Power of Reference by Government

**MODULE III: Industrial Dispute Courts/Tribunals**

- A. Labour courts
- B. Industrial Courts
- C. National Tribunal
- D. Reference of Disputes to Boards, Courts and Tribunals
  1. Notice of change
  2. Condition of service etc. to remain unchanged under certain circumstances during pendency of proceedings

E. Exclusion of jurisdiction of civil courts and machinery under special statutes

**SUGGESTED READING:**

1. ILO-Collective Bargaining.
2. Otto Kahn Freund-Labour and the Law (1977).
3. ILI-Labour Law and Labour Relations (1987).
5. Kothari - Industrial law, Vol. I & II.
6. Mary Sur-Collective Bargaining.
7. Russel A., Smith et. al-Collective Bargaining and Labour Arbitration (1970).
8. Rideont-Principles of Labour Law, Chap. 8,9 & 10 (1983).
9. Shrivastava S. C. –Industrial and Labour Relations.
10. R. Dayal, MRTU and PULP Act, 1971 (Act and Rules).
11. Abdul Majid – Legal Protection to unorganized labour 2000, Deep & Deep Publications Pvt.
12. S. N. Mishra: Labour and Industrial Law, Central Law Publication, Allahabad
13. Khan & Khan: Labour Law, Asia Law House, Hyderabad
14. C. S. Venkata Ratnam, Industrial Relations, Oxford

## **SEMESTER-II**

### **PAPER – VII (PGDLIL-07)**

#### **SOCIAL SECURITIES LAW-II (CREDITS-4)**

##### **MODULE I: Maternity Benefit Act, 1961-**

- a. Objectives & Applicability of the Act
- b. Nature of benefits and rights available under the act.
- c. Procedure for claiming payment.
- d. Inspector- powers and functions
- e. Penalties & Offences

##### **MODULE II: Payment of Gratuity Act, 1972**

- b. Concept of gratuity
- c. Eligibility for gratuity and amount payable under the act.
- d. Nomination facility
- e. Duties of employer
- f. Procedure for settlement of disputes as to amounts
- g. Exemptions and Penalties
- h. Enforcement machinery- powers and functions

##### **MODULE III: Payment of Bonus Act, 1965-**

- a. Historical Evolution of Concept of Bonus
- b. Types of Bonus
- c. Eligibility, Bonus formula: Minimum & Maximum
- d. Principle of Set on and Set off
- e. Available and Allocable Surplus.

##### **SUGGESTED READING:**

1. Dr. Vivek Bhattacharya- Social Security Measures in India.
2. Bakshi and Mitra- Workmen's Compensation Act and other Social Insurance Legislation.
3. K.D. Shrivastava- Commentaries on Employees State Insurance Act.
4. Larson- Workmen's Compensation Law.
5. Dr. C. B. Mamoria- Principles of Social Security.
6. V.R. Bhattacharya, Some Aspects of Social Security Measures in India( 1970).
7. S.C. Shrivastava, Social Security and Labour Laws ( 1985).
8. R.N. Choudhary, Commentary on the Workmen's Compensation Act 1923 (2000), Orient.
9. S. C. Srivastava, Commentaries on Payment of Gratuity Act, Universal Book Co. Ltd
10. S. C. Srivastava, Employees Provident & Miscellaneous Provisions Act, Eastern Book Company

**SEMESTER-II**  
**PAPER – VIII (PGDLIL-08)**  
**LAWS RELATED TO EMPLOYMENT REGULATION**  
**(CREDITS-4)**

**COURSE OBJECTIVE:**

1. Students must be conversant with the terms and conditions of the industrial employment standing orders which the employees must know before they accept the employment.
2. To make the students understand that Contract labour have a very little bargaining power, have little or no social security and are often engaged in hazardous occupations endangering their health and safety.
3. To familiarize the students with the employment exchanges registration, placement of job seekers, career counseling, and vocational guidance and collection of employment market information.
4. Accustom that the training of apprentices in the actual workplace is necessary for the up gradation and acquisition of skills.

**LEARNING OUTCOME**

The students will able to understand-

1. Understand the need for providing uniform statutory conditions of service in the form of certified standing orders under the industrial employment (Standing Order) Act, 1946.
2. Familiarize with the implementation of the compulsory notification of vacancies to employment exchanges.
3. Understand the need for course of training in any industry and establishment undergone in pursuance of a contract of apprenticeship.

**MODULE I: The Industrial Employment (Standing Orders) Act, 1946**

- A. Concept of Standing Orders
- B. Objective & Significance of Standing Orders
- C. Conditions for Certification of Standing Orders
- D. Authorities- Powers & Functions
- E. Penalties & Grievance procedure under the Act

**MODULE II: Employment Exchange (Compulsory Notification of Vacancies) Act, 1959**

- A. Meaning & Applicability of the Act

- B. Compliance Requirement
- C. Penalties for Offences under the Act
- D. Employment Exchange (Compulsory Notification of Vacancies) Act, Rules, 1960

### **MODULE III: The Apprentices Act, 1961**

- A. Scope & Objective of the Act
- B. Provisions related to Apprentice Training
- C. Authorities- Powers & Functions
- D. Offences and Penalties

### **SUGGESTED READING:**

1. S. N. Mishra: Labour and Industrial Law, Central Law Publication, Allahabad
2. Khan & Khan: Labour Law, Asia Law House, Hyderabad
3. S. C. Shrivastava: Industrial Relations and Labour Law, Vikas Publishing House
4. V. G. Goswami: Labour and Industrial Laws, Central Law Agency, Allahabad 2011
5. Taxmann's New Labour & Industrial Laws

**SEMSTER-II**  
**PAPER (PGDLIL-09)**  
**DISSERTATION**  
**(CREDITS-04) (MARKS – 100)**

**COURSE OBJECTIVE:** Students are required to submit a dissertation of ATLEAST in the Range of minimum 80 pages on a topic from the optional group offered by them. The dissertation is expected to be an in depth, analytical or critical analysis of a legal problem of contemporary significance in the field chosen by the student and must incorporate copious reference to judicial decisions, law review articles, books, monographs relevant to the topic in the form of footnotes and bibliographical references.

**LEARNING OUTCOME:**

- The students will be able to develop analytical skill towards understanding the rationale behind the contemporary trends in the field of law.
- Students will be able to undertake law-based analysis and interpretation of the secondary data through doctrinal/qualitative/multi-model research.
- Students will get acquaint with the analysis and interpretation of secondary data.
- Students will be able to figure out the major findings and propose recommendations based on their research.

**REQUIREMENTS:**

The students shall be examined at an oral examination (viva) on the strength of the dissertation (written work.) The dissertation will carry 100 marks and it should be submitted (one hard copy and a soft copy in pdf form) to Head of the Department one month before the Semester ends i.e., the Second Semester. The viva exam shall be held as per the examination schedule of every year. The supervisor for dissertation shall be the teaching member of the Dept. of Law. The students shall need to finalize the topic for dissertation in consultation with the supervisor and the Head of the Department within a month after the Semester has started. The topic and title of dissertation must be approved by the Department Research Committee.

After the dissertations have been submitted, they shall be evaluated by the external examiner along

with the Head of the Department and/or internal examiner. The examiner will evaluate the dissertation taking into account the following points:

- a) Coverage of subject matter.
- b) Arrangement and presentation.
- c) Research Methodology
- d) Nature of references and materials used.
- e) Critical appreciation and original contribution of the Candidate.

SR. NO.	ACTIVITY	MAXIMUM MARKS	MINIMUM MARKS
1.	DISSERTATION Written Submission	60	30
2.	VIVA VOCE INTERNAL EXAM	40	20
	TOTAL	100 Marks	50 Marks

The students have to write their dissertations as per the guidelines of Research Methodology given below.

**GENERAL INSTRUCTIONS:**

- Students shall submit at least one hard copy along with softcopy in pdf format of their dissertation.
- The dissertation shall be approved and duly signed by their respective guides and the Head of the department. Dissertation without the guide's signature will not be accepted.
- For Dissertation Format -- Times New Roman, Font 12, 1.5 spacing, Font size 10 (for footnotes, without spacing), Margin- 1.5cm left, 1-1-1 cm on the remaining sides.
- Standard Indian Legal Citation to be used for inserting the footnotes.
- As the submission of Dissertation is made for the partial fulfilment of Post Graduate Diploma in Labour and Industrial Laws Programme, the copyright of the Dissertation work will remain with RTM Nagpur University.

Students are required to follow the steps given below for preparation of Doctrinal Research

A. Step by step procedure to be followed for Doctrinal Research:

A. Approval of the title

B. Collection of material

C. Review of literature

D. Problem

E. Objectives

F. Rationale

G. Hypothesis

H. Chapterization

I. Collection of Data

J. Analysis and Interpretation of data

K. Report Writing

L. Preparation of Bibliography

M. Preparation of List of cases

N. Abbreviation

**B. Doctrinal Research shall have the following structure:**

- Cover
- Cover page
- Certificate
- Acknowledgement
- List of Case Laws.
- List of Tables
- Abbreviations
- Contents

SCHEME OF CHAPTERISATION:

INTRODUCTION

♣ Part A- Theoretical Background

♣ Part B- Research Methodology

Chapter I

Chapter II

Chapter III

Chapter

IV MAJOR FINDINGS

CONCLUSION

SUGGESTIONS.

Bibliography

**Annexures:**

- Acts, Bills, Maps, etc.
- Case laws

**C. Research Methodology:**

1. Title of the Study
2. Problem of the study
3. Rationale of the study
4. Objectives of the study
5. Hypothesis
6. Review of Literature
7. Operational concepts & Variables of the study
8. Research Design
  - i) Nature/ Type of the study
  - ii) Method of Data Collection
  - iii) Sources of Data Collection
9. Limitations of Study
10. Chapterisation
11. Time Schedule
12. Possible contribution of the study

**SEMESTER – II**  
**COURSE- (PGDLIL-10)**  
**FIELD WORK**  
**(CREDIT-04)**

**LEARNING OBJECTIVES**

- The subject of Labour and Industrial Laws is inherently complicated and is subjected to constant refinement through new primary legislations, rules, regulations made thereunder. By visiting the Labour and Industrial Courts, EPFO Office, ESIC Office etc, the students will be able to understand the practical approach of the subject.

<b>SR. NO.</b>	<b>ACTIVITY</b>	<b>Maximum Marks</b>	<b>Minimum Marks</b>
<b>1.</b>	<b>Visits to various</b> Labour and Industrial Courts, EPFO Office, ESIC Office etc, (Includes, Report Writing on the Visit and PPT Presentation on the same).	<b>60</b>	<b>30</b>
<b>2.</b>	Group Discussion and Assignments	<b>40</b>	<b>20</b>
<b>TOTAL</b>		<b>100</b>	<b>50</b>