Course Objective:
This course will educate the students about various aspects relating to labour legislations in India. The object of the course is to introduce the students to the provisions in the Trade Unions Act, 1926 and the Industrial Dispute Act, 1947. Industrial Employment (Standing Orders) Act, 1946 is also to be studied with a view to acquaint the students with the concept of misconduct and the procedure to be followed before imposing punishment for misconduct.

Part – A :

INDUSTRIAL RELATIONS: THE TRADE UNIONS ACT, 1926.

Module : 1: General – Evolution and Growth of Trade Unions in India
1.1 Historical reasons for the formation of combinations of workers, legal impediments
1.2 Constitutional freedom to form associations and unions – Constitution of India, Articles 19 (1) (c), (4) and 33
1.3 International Labour Organisation – its influence in bringing changes in national legislations.

Module :2: Trade Union – Definition, Registration and Recognition
Definitions of ‘trade union’, ‘workman’ and ‘trade dispute’ - The Trade Unions Act, 1926, sections 2 (g) and (h), 3-13, 15, 22

Module :3: Immunities in trade disputes : Criminal and Civil
3.1 The Trade Unions Act. 1926, sections 17 and 18
3.2 The Indian Penal Code, sections 120-A, 120 –B

Part B :

INDUSTRIAL RELATIONS: THE INDUSTRIAL DISPUTES ACT

Module : 4 : ‘Industry’ – Conceptual Analysis
The Industrial Disputes Act, 1947, section 2 (j)

Module : 5 : Industrial Dispute v. Individual Dispute – Contrast
Module : 6 : Concept of ‘Workman’

6.1 Distinction between contract for services and contract of service
6.2 Due control and supervision test
6.3 Predominant nature of duty test
6.4 The Industrial Dispute Act, 1947, section 2 (s)

Module : 7 : ‘Strike’ & ‘Lock out’

7.1 Concepts, legality and justification
7.2 The Industrial Disputes Act - Sections 2(q), 2(l), 2(n), 10 (3), 22-28, 10 A (3A),
7.3 The Industrial Employment (Standing Orders) Act, 1946
7.4 The Essential Services Maintenance Act, 1981

Module : 8 : ‘Lay off’ ‘Retrenchment’ & ‘Closure’

8.1 Analysis of the Concepts, Pre-requisites
8.2 The Industrial Disputes Act, 1947, sections 2(cc), 2(kkk), 2(oo), Chapters VA, VB
8.3 The Industrial Employment (Standing Orders) Act, 1946

Course Outcome: At the end of this course the students will be able:

1. To carry out research with a view to develop knowledge in the field of labour relevant to Indian conditions.
2. To understand various terms like strike, lock-out, workman, trade union, etc.
3. To impart legal awareness to prospective and practicing managers, administrators and office bearers of Trade Unions through teaching and training.
4. To identify the various contemporary issues relating to labour and being able to put forward views resolve that.

General Reading:


Prescribed Legislation: Industrial Relations are governed by the following enactment:

1. The Trade Unions Act, 1926
2. The Industrial Disputes Act. 1947
3. The Industrial Employment (Standing Orders) Act, 1946

Prescribed Books: