

# **LABOUR AND INDUSTRIAL LAWS- I**

## **LL.B. Three Years Programme (First Semester)**

### **Paper 1.5**

#### **Examination Scheme-**

- Total marks=100

End Term Examination-80 marks Internal Assessment-20 marks Out of 20 marks

Project-10 marks (5 marks for written submission and 5 marks for presentation)

Mid Term Examination-10 marks (covering 50% syllabus).

Paper pattern (Mid Term Examination) will as per following scheme-

(a) Section A -students are supposed to answer two (2) Short question out of three (3). Each carry equal marks 2 (Two)

(b) Section B- students are supposed to answer One (1) Long question out of two (2). It will be of 6 (six) marks

#### **Mid-Term examination shall be conducted by the College.**

End Semester Question paper pattern for UG will be as under:

Every question paper will be divided into two sections:

(a) Section A will consist of 7 short questions out of which 5 questions are to be attempted. Each question will carry 4 marks.

Out of 7 questions, at least 3 questions must be application based.

(b) Section B will contain 6 long questions out of which 4 are to be attempted. Each question will carry 15 marks.

Section A and Section B will respectively cover whole syllabus.

#### **INTRODUCTION:**

Labour and Industrial Laws I introduces students to the two foundational codes that today govern industrial relations and workplace safety in India. Enacted as part of the wider consolidation of twenty-nine central labour enactments into four unified Labour Codes. The course traces the legislative history of the erstwhile Trade Unions Act, 1926, the Industrial Employment (Standing Orders) Act, 1946 and the Industrial Disputes Act, 1947 as they now stand consolidated in the Industrial Relations Code, 2020, together with the clarificatory Industrial Relations Code (Amendment) Act, 2026, which addresses the repeal and continuity of these predecessor statutes with retrospective effect from 21 November 2025. It further

examines the amalgamation of thirteen central labour enactments—including the Factories Act, 1948, the Mines Act, 1952, the Contract Labour (Regulation and Abolition) Act, 1970 and the Building and Other Construction Workers Act, 1996 —into the Occupational Safety, Health and Working Conditions Code, 2020. The course envisages comparing the pre-2020 regime with the codified framework, to appreciate the continuing relevance of landmark judicial precedents, and to advise on compliance under the new statutory scheme.

### **COURSE OBJECTIVES:**

1. To recall and comprehend the legislative history, objects, and structural scheme of the Industrial Relations Code, 2020 and the Occupational Safety, Health and Working Conditions Code, 2020.
2. To apply the statutory framework governing trade union recognition, standing orders, strikes, lock-outs, lay-off, retrenchment and closure.
3. To analyse the registration, licensing, employer-employee duties, and health, safety and welfare provisions.
4. To evaluate the transition from the pre-2020 Labour law regime to the codified framework.
5. To critically assess its implications for industrial harmony, workplace safety and the balance between employer flexibility and worker protection.

### **LEARNING OUTCOMES:**

**After successful completion of this course, students will be able to: -**

1. Identify and explain the structure, key definitions, and consolidated enactments.
2. Apply the provisions relating to trade union recognition, negotiating unions and councils, standing orders, strikes, lock-outs, lay-off, retrenchment and closure to fact-based problems involving industrial disputes.
3. Analyze the duties of employers, employees, designers, manufacturers and suppliers, the registration and licensing framework, and the health, safety and welfare provisions under the Occupational Safety, Health and Working Conditions.
4. Evaluate the adequacy and continuing challenges of the codified Labour law framework.
5. Construct reasoned arguments on questions of compliance, worker welfare and industrial policy.

## **UNIT – I: The Industrial Relations Code, 2020 — Conceptual Framework, Trade Unions and Standing Orders**

- 1.1** Objectives, scope and applicability of the Industrial Relations Code, 2020 and Key Definitions
- 1.2** Trade Unions:- Registration of Trade Unions; Rights, Immunities and Liabilities of registered Trade Unions; Cancellation and Dissolution of registration; Recognition of a sole negotiating union or a negotiating council; Collective bargaining and workers' participation in management;
- 1.3** Standing Orders: - Applicability of Chapter IV to industrial establishments; Matters specified in the First Schedule; Model Standing Orders; Nature and effect of Certified Standing Orders; Modification and interpretation of Standing Orders
- 1.4** Unfair Labour Practices
- 1.5** 1.5 Legal Framework and Implications- Strikes, Lockouts, Lay-off, Retrenchment and Closure

## **UNIT – II: The Industrial Relations Code, 2020 — Industrial Disputes, Dispute Resolution Machinery and the 2026 Amendment**

- 2.1** Industrial Disputes — Meaning, Scope and Reference
- 2.2** Works Committee and Grievance Redressal Machinery
- 2.3** Conciliation and Voluntary Arbitration
- 2.4** Adjudication- Industrial Tribunal and National Industrial Tribunal
- 2.5** Offences, Penalties and Enforcement

## **UNIT – III: The Occupational Safety, Health and Working Conditions (OSH) Code, 2020- Framework, Registration and Duties**

- 3.1** Objectives, applicability and constitutional foundations of OSH Code 2020: Key definitions; Factory, Establishment, Manufacturing Process, Occupier, Employer, Employee, Worker, etc.
- 3.2** Registration, Licensing and Regulatory Administration
- 3.3** Duties and Responsibilities of Employers, Employees, Designers, Manufacturers and Suppliers
- 3.4** Occupational Safety, Health and Working Conditions
- 3.5** Welfare Facilities and Regulation of Working Hours

**UNIT – IV: The Occupational Safety, Health and Working Conditions Code, 2020 —  
Special Categories of Workers, Inspection Machinery and Enforcement**

**4.1 Contract Labour**—Applicability; obligations of the principal employer; welfare facilities to be provided to contract labour; provision for abolition of contract labour in specified processes; licensing of contractors through a common license.

**4.2 Inter-State Migrant Workers and Audio-Visual Workers**

**4.3 Working Journalists, Plantation and Mine Workers**

**4.4 Provisions related to Employment of Women**

**4.5 Inspection Machinery, Enforcement and Penal Framework**

**SUGGESTED READINGS:**

**A. Primary Sources (Bare Acts):**

- I. The Industrial Relations Code, 2020 (Act No. 35 of 2020), Ministry of Law and Justice, Government of India.
- II. The Industrial Relations Code (Amendment) Act, 2026 (Act No. 1 of 2026), Ministry of Law and Justice, Government of India.
- III. The Occupational Safety, Health and Working Conditions Code, 2020 (Act No. 37 of 2020), Ministry of Law and Justice, Government of India.
- IV. The Industrial Disputes Act, 1947; The Trade Unions Act, 1926; The Industrial Employment (Standing Orders) Act, 1946 (repealed enactments — for comparative study).
- V. The Factories Act, 1948; The Contract Labour (Regulation and Abolition) Act, 1970 (repealed enactments — for comparative study).

**B. REFERENCE BOOKS:**

- I. S.N. Misra, Labour and Industrial Laws, Central Law Publications, Allahabad, latest edition.
- II. O.P. Malhotra, The Law of Industrial Disputes (2 Volumes), LexisNexis, latest edition.
- III. V.G. Goswami, Labour and Industrial Laws, Central Law Agency, latest edition.
- IV. S.C. Srivastava, Industrial Relations and Labour Laws, Vikas Publishing House, latest edition.
- V. P.L. Malik, Handbook of Labour and Industrial Law (2 Volumes), Eastern Book Company, latest edition.
- VI. Taxman's Labour Codes Ready Reckoner-Industrial Relations Code and OSH Code, Taxman Publications, latest edition.
- VII. Bhagyashree A. Deshpande, Textbook on New Labour and Industrial Laws, latest edition
- VIII. K.D. Srivastava, Commentary on the Factories Act, 1948, Eastern Book Company, latest edition (for comparative reference).