PYQAir

EPFO Labour laws Edge

UPSC EPFO — APFC & EO/AO Examination

Assistant Provident Fund Commissioner • Enforcement / Accounts Officer

Concepts · Facts · Definitions + Solved PYQs (2015–2025)

42 solved PYQs • APFC 2015/2023/2025 • EO/AO 2017/2020/2023/2025 • Concept notes + options + answers + explanations

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	TOTAL	**42**	**40**

Chapter-wise PYQ Frequency

#	Chapter	PYQs	Priority
1	Labour Welfare, Theories & Administration	3	HIGH
2	Factories Act & Conditions of Employment	3	VERY HIGH
3	Wage Legislation	4	VERY HIGH
4	Protective Statutes & Gratuity	7	HIGH
5	Trade Unions & the IR Framework	9	HIGH (rising)
6	Standing Orders, Discipline & Domestic Enquiry	4	HIGH
7	Industrial Disputes — Strikes, Lay-off, Closure	12	VERY HIGH
8	The Four Labour Codes (2019–2020)	—	CORE (rising)
	TOTAL (mapped PYQs)	42	—

QUICK RECALL — How to use this document

- Read each chapter's **concept notes first** (definitions, tables and callout boxes) — they carry the statute numbers and thresholds EPFO tests; then work that chapter's **solved PYQs** at the end.
- **Factories Act and the Wage statutes are the heaviest tested areas**; the Welfare-theories and protective-statute facts are quick, reliable marks.
- **Legacy vs Code:** many answers depend on the era — e.g. gratuity ₹10 lakh vs ₹20 lakh, Chapter V-B threshold 100 vs 300. Fix the era before answering, and study the **four Labour Codes** in Chapter 8.
- **Negative marking:** −⅓ per wrong answer — attempt only when you can eliminate at least two options.

PART I · FOUNDATIONS OF LABOUR LAW

CHAPTER 1 · LABOUR WELFARE, THEORIES & ADMINISTRATION

About this chapter

The 'ideas' side of labour law — the theories that justify labour welfare, the concepts of labour, and the labour-administration machinery (National Commissions, wage boards). Definition-and-thinker matching is the tested format.

1.1 Theories of Labour Welfare

Theory	Underlying assumption
Policing theory	• Man is selfish • The State must POLICE employers to prevent exploitation
Religious theory	• Welfare is an act of charity/atonement (investment & atonement aspects)
Philanthropic theory	• Welfare flows from the employer's benevolence/humanity
Trusteeship (paternalistic)	• The employer holds industry in trust for the workers' welfare
Placating theory	• Welfare appeases a discontented and organised workforce
Functional / efficiency theory	• Welfare improves productivity and efficiency
Public-relations theory	• Welfare builds a good corporate image

QUICK RECALL — Theory-spotting cues

- '**Man is selfish and self-centred… achieves his own ends even at the cost of others**' → **Policing theory** (State as policeman).
- 'Welfare = the employer's benevolence' → **Philanthropic**; 'welfare = charity/atonement' → **Religious**; 'welfare = appeasing an organised workforce' → **Placating**.

1.2 Concepts of Labour

FACT — The 'citizen concept' & others

- **Citizen concept:** labour has a **right to be consulted on the terms and conditions** under which it works — a democratic voice in workplace decisions.
- **Commodity concept:** labour is bought/sold like any commodity (rejected by modern law).
- **Machine/cog concept:** labour is a mere factor of production.
- **Partnership/goodwill concepts:** labour is a stakeholder/partner in the enterprise.

1.3 Labour Administration & Commissions

Body / committee	Chairperson
First National Commission on Labour (1966, report 1969)	• P. B. Gajendragadkar
Second National Commission on Labour (report 2002)	• Ravindra Varma
Wage Board for Working Journalists (2009)	• G. R. Majithia
Index Review Committee (2009)	• G. K. Chadha

VALUE ADDITION — National Commissions — what they gave us

- The **First NCL (Gajendragadkar)** made comprehensive recommendations on the labour-law framework.
- The **Second NCL (Ravindra Varma)** recommended **consolidating the 40+ central labour laws into four Codes** — the basis of the current reform.
- Central labour institutions: the **Chief Labour Commissioner (Central)**, the **Labour Bureau**, and tripartite bodies like the **Indian Labour Conference**.

1.4 Approaches to Industrial Relations

Approach	Core idea
Unitary	• One source of authority • Management-led • Conflict seen as abnormal and unions as intrusive
Pluralist	• Many interest groups • Conflict is rational and inevitable • Collective bargaining & state intervention are legitimate
Radical / Marxist	• Conflict is rooted in unequal economic power and the structure of production • Mirrors wider social conflict
Systems (Dunlop)	• An IR system = actors + environmental contexts + shared ideology + a web of rules
Giri approach	• **V. V. Giri**: voluntary collective bargaining / bipartite negotiation as the first line of dispute settlement
Human-relations	• **Keith Davis**: emphasis on people, communication and the integration of worker effort

QUICK RECALL — IR approach cues

- 'One source of authority; conflict is abnormal' → **Unitary.**
- 'conflict is rational, bargaining legitimate' → **Pluralist.**
- 'conflict reflects unequal economic power' → **Radical/Marxist**.
- Dunlop's actors + contexts + ideology + rules → **Systems approach.**
- V. V. Giri championed voluntary/bipartite settlement (the **'Giri approach'**).
- Tripartite bodies — the **Indian Labour Conference** and **Standing Labour Committee** — seat government, employers and workers together.

1.5 Evolution of Labour Legislation & the Trade Union Movement

Year	Milestone (as tested)
1875	• First labour agitation at **Bombay** led by **S. S. Bengalee**. • First **Factory Commission** appointed (Lord Ripon's era)
1881	• **First Factories Act** — covered only power-using factories with **100+ workers**; children below **7** barred; ages **7–12** capped at **9 hours**
1885	• Second **Factory Commission** — president **Arbuthnott**
1890	• **N. M. Lokhande** founds the **Bombay Mill-Hands Association** — the **Father of the Trade Union Movement in India**
1918	• **Madras Labour Union** (**B. P. Wadia**) — **first organised trade union**; **Ahmedabad Textile Labour Association** founded by Gandhi with Anasuya Sarabhai and Shankarlal Banker
1919	• **ILO** established by the Treaty of Versailles after the Peace Conference
1920	• **AITUC** — **oldest trade union federation** in India; founders Lala Lajpat Rai (**first president**), Joseph Baptista, N. M. Joshi and Diwan Chaman Lal
1926	• **Trade Unions Act** — registration, corporate status and immunities for unions

Year	Milestone (as tested)
1929	• **Royal Commission on Labour** chaired by **J. H. Whitley** — its reports led to the Payment of Wages Act, 1936
1942	• First **Indian Labour Conference** (then the Tripartite National Labour Conference) — the **'labour parliament'**
1946	• **Industrial Employment (Standing Orders) Act**; Bombay Industrial Relations Act
1947	• **Industrial Disputes Act**; **INTUC** founded under Gulzarilal Nanda and Sardar Patel
1948	• **Factories Act**, **Minimum Wages Act** and **ESI Act**; **Hind Mazdoor Sabha** founded
1949 · 1955	• **UTUC** founded (Prof. K. T. Shah) · **Bharatiya Mazdoor Sangh** founded
1957–58	• The **15th session of the ILC** evolves the **Code of Discipline** — no strike or lock-out without notice, no unilateral action, no go-slow, no violence and no damage to plant

FACT — The 'firsts' EPFO keeps asking

- First agitation **Bombay 1875 (S. S. Bengalee)** · first Factories Act **1881** · first Factory Commission **1875**; president of the 1885 Commission — **Arbuthnott**.
- Father of the trade union movement — **N. M. Lokhande**; first **organised** union — **Madras Labour Union, 1918 (B. P. Wadia)**; oldest **federation** — **AITUC, 1920**.
- **Indian Labour Conference** = apex **tripartite** body of the Ministry of Labour & Employment, first held **1942**, called the **'labour parliament'**; the **ILO's** annual conference is the **'International Parliament of Labour'**.

1.6 Constitutional Basis of Labour Law

Provision	What it secures for labour
Article 14	• Equality before law — read in service law as **'equal pay for equal work'**
Article 16(2)–(4)	• No discrimination in public employment. • Residence may be prescribed as a condition (16(3)). • **Reservation** for backward classes (16(4))
Article 19(1)(c)	• Right to form **associations and unions** — the constitutional basis of the **Trade Unions Act, 1926**
Article 19(1)(g)	• Right to practise any profession or carry on any occupation, trade or business
Article 23	• Prohibits **traffic in human beings, begar and forced labour**. • In **PUDR v. Union of India (1983)** payment below the minimum wage was held to amount to **forced labour**; see the **Bonded Labour System (Abolition) Act, 1976**
Article 24	• No child below **14 years** in any factory, mine or hazardous employment
Arts 38 & 39 (DPSP)	• Minimise inequalities of income and status. • **39(a)** adequate means of livelihood. • **39(d) equal pay for equal work for men and women**. • **39A** free legal aid.
Arts 41–43A (DPSP)	• **41** right to work, education and public assistance • **42** just and humane conditions of work and **maternity relief** • **43 living wage** and a decent standard of life • **43A workers' participation in management**
Seventh Schedule	• **Labour is a Concurrent subject.** • Union List — **55** labour and safety in mines and oilfields, **61** industrial disputes of Union employees, **65** vocational training. • Concurrent List — **22** trade unions and industrial and labour disputes, **23** social security and insurance, employment and unemployment, **24** welfare of labour, provident funds, old-age pensions and maternity. • State List — **9** relief of the disabled and unemployable

1.7 ILO, UDHR & International Labour Standards

Point	Detail
Founded	• **October 1919** by the **Treaty of Versailles** under the League of Nations; became the **first and oldest specialised agency of the UN (1946)**; centenary **2019**
Structure	• The only **tripartite** UN agency — government, employer and worker representatives • **187 member states**; **India is a founder member**; HQ **Geneva**
Flagship reports	• **World Employment and Social Outlook** and the **Global Wage Report**
Declaration of Philadelphia	• Adopted **10 May 1944** at the **26th session** of the ILC and annexed to the ILO Constitution in **1946** at Montreal. • Core maxims — **'Labour is not a commodity'**, **'Poverty anywhere constitutes a danger to prosperity everywhere'**, and freedom of expression and association as essentials of sustained progress
Core conventions	• **8 fundamental conventions** • **India has ratified 6**. Not ratified — **No. 87** Freedom of Association (1948) and **No. 98** Right to Organise and Collective Bargaining (1949)
UDHR (1948)	• **30 articles**, of which **22–27** carry economic, social and cultural rights — **22** social security · **23** right to work, **equal pay for equal work** and the right to form trade unions · **24** rest, leisure and paid holidays · **25** adequate standard of living and security in unemployment, sickness, disability and old age

VALUE ADDITION — The eight fundamental ILO conventions

- Two each on four themes — **freedom of association** (Nos. **87**, **98**), **forced labour** (Nos. **29**, **105**), **discrimination** (Nos. **100** equal remuneration, **111** discrimination in employment and occupation) and **child labour** (Nos. **138** minimum age, **182** worst forms).
- India has ratified **six**; the two outstanding are the **freedom-of-association pair, 87 and 98** — the most tested fact in this block.
- Convention **numbers** are asked, not years: **100 → equal remuneration**, **138 → minimum age**, **182 → worst forms of child labour**.

1.8 Labour Administration — Bodies & Institutions

Body	Set up	Mandate / tested fact
Indian Labour Conference	**1942**	• Apex **tripartite** consultative body of the Ministry of Labour & Employment — the **'labour parliament'**; its **15th session (1957)** evolved the **Code of Discipline**
Chief Labour Commissioner	**April 1945**	• Also the **Central Industrial Relations Machinery (CIRM)** • Created on the **Royal Commission's** recommendation — prevention and settlement of disputes and enforcement of labour laws in the **central sphere**
DGFASLI	• **1945**	• **Directorate General, Factory Advice Service & Labour Institutes**, HQ **Mumbai** — advises on administration of the **Factories Act** and coordinates State factory inspectorates
DTNBWED	• **1958**	• **Dattopant Thengadi National Board for Workers Education & Development** — autonomous body registered under the **Societies Registration Act, 1860**
V. V. Giri National Labour Institute	• **July 1974**	• Premier institute of labour research, training and education, at **Noida**

Body	Set up	Mandate / tested fact
PDNASS	• **1990**	• **Pandit Deendayal Upadhyaya National Academy of Social Security** (earlier NATRSS), set up by **EPFO** — training and research in social security
ESIC	• **1952**	• Statutory corporation administering the **ESI Act, 1948**; HQ **New Delhi** — see **4.4**
Wage boards	• **2009**	• **Majithia Wage Board** for working journalists; **Index Review Committee** under **G. K. Chadha**
Digital platforms	• Current	• **SAMADHAN** — online filing and monitoring of industrial disputes and claims • **DigiSaksham** — digital-skills training through the **National Career Service** portal

Solved PYQs — Labour Welfare, Theories & Administration

Q 1 · 2012 EPFO · Q128 · Labour administration — NCL

Match Board committees with chairpersons --- First NCL 1969 / Wage Board for Working Journalists 2009 / Second NCL 2002 / Index Review Committee 2009 with G.K. Chadha, Ravindra Verma, P.B. Gajendragadkar, G.R. Majithia.

(a) A-3 B-4 C-2 D-1 (b) A-1 B-4 C-2 D-3 (c) A-3 B-2 C-4 D-1 (d) A-1 B-2 C-4 D-3

Answer: (a) A-3 B-4 C-2 D-1 — Standard chairperson pairings.

Q 2 · 2017 EPFO · Q122 · Labour welfare theories

The assumption that 'man is selfish and self-centred and always tries to achieve his own ends even at the cost of others' explains which theory of labour welfare?

(a) Placating (b) Police(ing) (c) Religious (d) Philanthropic

Answer: (b) Police(ing) — The policing theory sees the State as a policeman preventing exploitation by a self-interested employer.

Q 3 · 2017 EPFO · Q125 · Citizen concept of labour

Which one of the following explains the 'citizen concept' of labour?

(a) Labour is regarded as operating organisations (b) Labour is affected by demand & supply (c) Labour has a right to be consulted on its terms and conditions of work (d) Labour is a cog in the machine

Answer: (c) Labour has a right to be consulted on its terms and conditions of work — The citizen concept gives labour a democratic voice in decisions affecting it.

Practice MCQs — Foundations of Labour Law

MCQ 1 · Practice · Theories of labour welfare

Which theory of labour welfare treats welfare as an act of charity/atonement, with "atonement" and "investment" as its two aspects?

(a) Placating (b) Religious (c) Policing (d) Philanthropic

Answer: (b) Religious — Atonement and investment are the two co-equal aspects of the religious theory.

MCQ 3 · Practice · Dunlop's systems approach

In Dunlop's Systems approach, an industrial-relations system is made up of:

(a) Only employers and workers (b) Actors, contexts, a shared ideology and a web of rules (c) Wage boards alone (d) Courts and tribunals only

Answer: (b) Actors, contexts, ideology and rules — Dunlop models IR as actors interacting within contexts, bound by ideology, producing rules.

MCQ 6 · Practice · First organised trade union

The **first organised trade union** in India was the:

(a) Ahmedabad Textile Labour Association (b) Madras Labour Union (c) AITUC (d) Printers' Union, Calcutta

Answer: (b) Madras Labour Union (1918) — founded by **B. P. Wadia**. AITUC (1920) is the oldest **federation**, not the first union.

MCQ 8 · Practice · Declaration of Philadelphia

The maxim **'Labour is not a commodity'** is associated with the:

(a) Treaty of Versailles (b) Declaration of Philadelphia, 1944 (c) UDHR, 1948 (d) Code of Discipline, 1957

Answer: (b) Declaration of Philadelphia, 1944 — adopted at the **26th session** of the ILC and annexed to the **ILO Constitution in 1946**.

MCQ 10 · Practice · Code of Discipline

The **Code of Discipline** in industry was evolved at the:

(a) 15th session of the Indian Labour Conference, 1957 (b) First ILC, 1942 (c) Second National Commission on Labour (d) 26th session of the ILC

Answer: (a) 15th session of the ILC (1957) — it barred strikes or lock-outs without notice, unilateral action, go-slow tactics and violence.