BLOGS

# Sectional Test on the Industrial Employment (Standing Orders) Act, 1946 for CLAT PG

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**1. The primary objective of the Industrial Employment (Standing Orders) Act, 1946, is to:**

a. Regulate trade unions

b. Define and standardize conditions of employment in industrial establishments

c. Provide compensation for workplace injuries

d. Regulate collective bargaining

**2. The Industrial Employment (Standing Orders) Act applies to industrial establishments employing:**

a. 10 or more workmen

b. 20 or more workmen

c. 50 or more workmen

d. 100 or more workmen

**3. Which of the following matters must be covered in Standing Orders?**

a. Retirement benefits

b. Classification of workmen

c. Provident fund contributions

d. Bonus payments

**4. The Certifying Officer, while certifying Standing Orders, primarily examines:**

a. Financial viability of the establishment

b. Fairness and reasonableness of provisions

c. Popularity among workers

d. Government industrial policy

**5. Standing Orders once certified can be modified:**

a. At any time by employer

b. Within six months from date of operation

c. After one year from date of operation

d. Only by Industrial Tribunal

**6. The term “workman” under the Act aligns closely with the definition under:**

a. Factories Act, 1948

b. Minimum Wages Act, 1948

c. Industrial Disputes Act, 1947

d. Payment of Wages Act, 1936

**7. Which of the following principles was emphasized by the Supreme Court in Bhartiya Kamgar Karmachari Mahasangh vs M/S. Jet Airways Ltd regarding Standing Orders?**

a. Standing Orders override constitutional rights

b. Standing Orders have statutory force

c. Standing Orders are mere contractual terms

d. Private agreement does not override certified standing orders

**8. Which of the following is not typically included in Standing Orders?**

a. Misconduct and disciplinary procedure

b. Shift working

c. Leave rules

d. Corporate social responsibility policy

**9. Non-compliance with certified Standing Orders may result in:**

a. Civil liability only

b. Criminal penalty

c. Dismissal of management

d. Automatic reinstatement of workers

**10. Model Standing Orders are framed by:**

a. Parliament

b. Supreme Court

c. Appropriate Government

d. Trade Unions

**11. A workman challenges termination on the ground that the employer did not follow the disciplinary procedure prescribed in Certified Standing Orders. The employer argues that the contract of employment permits summary dismissal. Which is correct?**

a. Contract prevails over Standing Orders

b. Standing Orders prevail over the contract

c. Both operate independently

d. Contract prevails if signed voluntarily

**12. Which of the following Labour Codes consolidates the Standing Orders Act along with other Acts?**

a. Industrial Relations Code

b. Code on Wages

c. Code on Social Security

d. Occupational Safety, Health & Working Conditions Code

**13. Assertion (A): Certified Standing Orders override inconsistent terms in an individual contract of employment.**
**Reason (R): Certified Standing Orders have statutory force once they come into operation.**

a. Both A and R are true, and R is the correct explanation

b. Both A and R are true, but R is not the correct explanation

c. A is true, R is false

d. Both A and R are false

**14. Assertion (A): The Certifying Officer cannot examine the fairness or reasonableness of draft Standing Orders.**
**Reason (R): The Certifying Officer performs only a ministerial function under the Act.**

a. Both A and R are true, and R is the correct explanation

b. Both A and R are true, but R is not the correct explanation

c. A is true, R is false

d. Both A and R are false

**15. Assertion (A): If an employer fails to frame Standing Orders, Model Standing Orders automatically apply.**
**Reason (R): The Act ensures that service conditions are never left undefined in industrial establishments.**

a. Both A and R are true, and R is the correct explanation

b. Both A and R are true, but R is not the correct explanation

c. A is true, R is false

d. Both A and R are false

## Answers

1. (B)
2. (D) According to Section 1(3), the Act applies to every industrial establishment wherein one hundred or more workmen are employed, or were employed on any day of the preceding twelve months. But the appropriate government may reduce the threshold.
3. (B) As provided in the schedule of the Act.
4. (B) According to Section 4 of the Act, it shall be the duty of the Certifying Officer or appellate authority to adjudicate upon the fairness or reasonableness of the provisions of any standing orders.
5. (B) According to Section 10 of the Act, Standing orders can be modified on agreement between the employer and the workmen or a trade union or other representative body of the workmen until the expiry of six months from the date on which the standing orders or the last modifications thereof came into operation.
6. C
7. (D)
8. (D) As provided in the schedule of the Act.
9. (B) Section 13 of the Act provides for criminal penalty.
10. (C)
11. (B) Certified Standing orders override contracts
12. (A)
13. (A)
14. (D) Certifying Officer examines the fairness and reasonableness of the Standing Order.
15. (A)