**Business and Allied Law**

**June 2023 Examination**

**Q1**. **Many employers abuse “fixed-term-contract” by rolling it over to a new period. This is being done to discriminate the fixed-term-employee in comparison with permanent-employee and yet get the same return as that of permanent-employee. Explain how the new Code on Labour Law addresses this problem.**

**Ans:**

**INTRODUCTION:**

After the amalgamation of labour laws in 2020, all previous acts were amalgamated into four vast codes: Code on business relations, Code on Social Safety and Employment benefits, Code on Wages, Code on occupational protection, fitness, and standards.

**Security AND blessings TO employees:**

Among these four codes, the code on social security deals with the safety and the benefits to be had to personnel. It highlights the extraordinary varieties of occupations that fall under the

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**Q2**. **Mr. ABC purchased varnish from M/s XYZ Ltd. While using the product, Mr. ABC contracted a health hazard. He filed a complaint in the consumer forum and the company submitted its reply saying that the “chemical composition is visible on the product package and the consumer knew exactly what he was buying”. Based on this ground, the company is seeking consumer forum to reject the complaint. Discuss the maintainability of company’s reply. (10 Marks)**

**Ans:**

**INTRODUCTION:**

The Indian Judiciary has repeatedly given numerous judgments where it has ensured personnel safety. It additionally enumerates the consequences or punishments that can be imposed on those employers and employees if they no longer abide by the law or provisions cited in the code. The employees are given a good deal of interest because they are in a disadvantageous or vulnerable function compared to the employers. They may be the people who're in immediate want of employment. They have been exploited by using that employer training for a few centuries—those laws intended to keep coherence and a peaceful courting

**Q3. The concept of “safe harbour” protects a party in good faith who might otherwise violate law(s) on technicalities beyond their reasonable control. In this background, imagine you are running a company which hosts an “online marketplace” website. An NGO has filed a case against our company alleging that few “sex-drugs” were sold without requisite license (which involves non-compliance of various laws).**

**a) Discuss whether the company can claim protection under the concept of “safe harbour”. (5 Marks)**

**Ans 3a.**

**INTRODUCTION:**

In India, the contracts are ruled through the Indian contract Act of 1872. The legislature enacted this regulation to monitor the contracts events enter into. It defines an agreement as an agreement among two or extra parties combined with the enforceability of law. The parliament made many meanings by enforceability, with the Age of Majority, loose consent,

**b) Discuss what measures can be taken by the company to prevent such abuse of the online marketplace.**

**Ans 3b.**

**INTRODUCTION:**

Indian legal device has characterized special rules for distinct issues or matters. All-purpose to maintain social justice and stability, the conflicting interest between the two possibly affected parties. Further, a whole magnificence of rules talks about the concept of