

CHAPTER-9
MANUAL-8

(The procedure followed in the decision making process, including channels of supervision and accountability)

9.1 What is the procedure followed to take a decision for various matters 7 (A reference to Secretariat Manual and Rules of Business Manual and other rules/ regulations etc. can be made).

As regards service matters decision are based upon provisions enshrined in Punjab Civil Services Rules ,Punjab Financial Rules and instructions issued by State Government from time to time are followed.

As regards quasi judicial functions the provision of relevant act and rules thereunder are follows. Many provisions of Code of Civil Procedure 1908 are followed. The Assistant Labour Commissioners and Labour-cum-Conciliation Officers exercise quasi judicial powers under Workmen Compensation Act 1923 .The Payment of Wages Act,1936 ,The Minimum Wages Act,1948 , The Payment of Gratuity Act,1972 and Equal Remuneration Act,1976 .

9.2 What are the documented procedures/ laid down procedures/ Defined Criteria/ Rules to arrive at a particular decision for important matters? What are different levels through which a decision process moves?

All the decisions in important matters are taken by the competent authority as per the instructions /rules and regulations made by the State Government under Punjab Civil Services Rules, Punjab Financial Rules and instructions issued by State Government from time to time.

9.3 What are the arrangements to communicate the decision to the public?

All the decisions are conveyed to concerned parties as per provisions of rules under various labour laws.

9.4 Who are the officers at various levels whose opinions are sought for the process of decision making?

In the case of Industrial Disputes the conciliation officers under the Industrial Disputes Act,1947 are consulted . In the case of quasi judicial functions the concerned parties lead evidence and no consultation as such is required from any other party. In case of Administrative functions if the competent authority is Government then opinion of Labour Commissioner is sought and if the competent authority is labour Commissioner then opinion of concerned Controlling Authority in field (Assistant Labour Commissioner and Labour-cum-Conciliation Officer) ,Assistant Labour Commissioner Head quarter and Additional Labour Commissioner is taken.

9.5 Who is the final authority that wets the decision?

In case of group A and B employees Government is the final authority and in case of Group C and D employees Labour Commissioner, Punjab is the final authority .

9.6 Please provide information separately in the following format for the important matters on which the decision is taken by the public authority.

The important matters on which the decision is taken by the Department.

Sr. No.1	
Subject on which the decision is to be taken	Registration of Trade Union under the Trade Unions Act 1926
Guideline/ Direction, if any	Provision of the Trade Unions Act 1926 and rules made thereunder.
Process of Execution	Through the Registrar of Trade Unions cum Labour Commissioner, Punjab
Designation of the officers involved in decision making	The Registrar of Trade Unions cum Labour Commissioner, Punjab
Contact information of above mentioned officers	The Detailed information given at contact us
If not satisfied by the decision, where and how to appeal	To the Hon'ble High Court as per provisions of section 11 of the Trade Unions Act 1926

Sr. No.2	
Subject on which the decision is to be taken	Demand Notices and claims of workers and their unions
Guideline/ Direction, if any	Provision of Industrial Disputes Act,1947 and rules made thereunder.
Process of Execution	Through Assistant Labour Commissioner and Labour-cum-Conciliation Officer
Designation of the officers involved in decision making	Presiding Officers Industrial Tribunal/Labour Courts
Contact information of above mentioned officers	The Detailed information given in Chapter 10
If not satisfied by the decision, where and how to appeal	To the Hon'ble High Court as per provisions of the Industrial Disputes Act.1947

Sr. No.3	
Subject on which the decision is to be taken	Claims under The workmens' Compensation Act 1923
Guideline/ Direction, if any	Provision of The workmens' Compensation Act 1923 and rules made thereunder.
Process of Execution	Through the Commissioner for workmen's Compensation cum Assistant Labour Commissioner/ Labour-cum-Conciliation Officer

Designation of the officers involved in decision making	The Commissioner for workmen's Compensation cum Assistant Labour Commissioner/ Labour-cum-Conciliation Officer
Contact information of above mentioned officers	The Detailed information given at contact us
If not satisfied by the decision, where and how to appeal	To the Hon'ble High Court as per provisions of the workmen's Compensation Act 1923

Sr. No.4	
Subject on which the decision is to be taken	Registration/License under Contract Labour (Regulation and Abolition) Act 1970
Guideline/ Direction, if any	Provision of the Contract Labour (Regulation and Abolition) Act 1970 and rules made thereunder.
Process of Execution	Through the Registering/Licensing Officers under the Contract Labour (Regulation and Abolition) Act 1970 cum Assistant Labour Commissioner/ Labour-cum-Conciliation Officer
Designation of the officers involved in decision making	The Registering/Licensing Officers under the Contract Labour (Regulation and Abolition) Act 1970 cum Assistant Labour Commissioner/ Labour-cum-Conciliation Officer
Contact information of above mentioned officers	The Detailed information given at contact us
If not satisfied by the decision, where and how to appeal	To the Appellate Officer as per provisions of section 15 of the Contract Labour (Regulation and Abolition) Act 1970

Sr. No.5	
Subject on which the decision is to be taken	Claims under the Payment of Gratuity Act 1972
Guideline/ Direction, if any	Provision of the Payment of Gratuity Act 1972 and rules made thereunder.
Process of Execution	Through the Controlling Authority cum Assistant Labour Commissioner/ Labour-cum-Conciliation Officer
Designation of the officers involved in decision making	The Controlling Authority cum Assistant Labour Commissioner/ Labour-cum-Conciliation Officer
Contact information of above mentioned	The Detailed information given at contact

officers	us
If not satisfied by the decision, where and how to appeal	Appellate Authority as per provisions of subsection 7 of section 7 of the Payment of Gratuity Act 1972

Sr. No.6	
Subject on which the decision is to be taken	Claims under the Minimum Wages Act 1948
Guideline/ Direction, if any	Provision of the Minimum Wages Act 1948 and rules made thereunder.
Process of Execution	Through the Authority under the Minimum Wages Act 1948 cum Assistant Labour Commissioner/ Labour-cum-Conciliation Officer
Designation of the officers involved in decision making	The Authority under the Minimum Wages Act 1948 cum Assistant Labour Commissioner/ Labour-cum-Conciliation Officer
Contact information of above mentioned officers	The Detailed information given at contact us
If not satisfied by the decision, where and how to appeal	

Sr. No.7	
Subject on which the decision is to be taken	Claims under the Payment of Wages Act 1936
Guideline/ Direction, if any	Provision of the Payment of Wages Act 1936 and rules made thereunder.
Process of Execution	Through the Authority under the Payment of Wages Act 1936 cum Assistant Labour Commissioner/ Labour-cum-Conciliation Officer
Designation of the officers involved in decision making	The Authority under the Payment of Wages Act 1936 cum Assistant Labour Commissioner/ Labour-cum-Conciliation Officer
Contact information of above mentioned officers	The Detailed information given at contact us
If not satisfied by the decision, where and how to appeal	Before the District Court as per provisions of section 17 of the Payment of Wages Act 1936

Sr. No.8	
Subject on which the decision is to be taken	Claims under the Equal Remuneration Act, 1976
Guideline/ Direction, if any	Provision of the Equal Remuneration Act, 1976 and rules made thereunder.
Process of Execution	Through the Authority under the Equal Remuneration Act, 1976 cum Assistant Labour Commissioner/ Labour-cum-Conciliation Officer
Designation of the officers involved in decision making	The Authority under the Equal Remuneration Act, 1976 cum Assistant Labour Commissioner/ Labour-cum-Conciliation Officer
Contact information of above mentioned officers	The Detailed information given at contact us
If not satisfied by the decision, where and how to appeal	The Appellate Authority as per provisions of subsection 6 of section 7 of the Equal Remuneration Act, 1976