

THE EQUAL REMUNERATION RULES, 1976

CHAPTER I

Preliminary

1. Short title, and commencement. -- (1) These rules may be called the Equal Remuneration Rules, 1976.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. -- In these rules, unless the context otherwise requires: -

(a) “Act” means the Equal Remuneration Act, 1976 (25 of 1976);

(b) “Authority” means an authority appointed by the appropriate Government under

sub-section (1) of Section 7;

(c) “Form” means a form appended to these rules;

(d) “section” means a section of the Act;

(e) “registered Trade Union” means a Trade Union registered under the Trade Unions

Act, 1926 (16 of 1926).

CHAPTER II

Complaints and Claims under the Act

3. Complaints regarding contravention of the Act. -- (1) Every complaint under clause

(a) of sub-section (1) of Section 7 shall be made in triplicate, in Form ‘A’ to the

Authority.

(2) A single complaint may be made by, or on behalf of, or in relation to, a group of

workers, if they are employed in the same establishment and the complaint relates to the

same contravention.

(3) A complaint may be made by the workers himself or herself or by any legal

practitioner, or by any official of a registered Trade Union, authorized in writing to

appear and act on his or her behalf or by any Inspector appointed under Section 9 or by

any other person acting with the permission of the Authority.

4. Claim regarding non-payment of wages etc. -- (1) Every claim under clause (b) of

sub-section (1) of Section 7 shall be made y petition in triplicate, in Form 'B' to the Authority.

(2) A single petition may be made by, or on behalf of, or in relation to, a group of

workers, if they are employed in the same establishment and their claims are of the same nature.

(3) A claim may be made by the worker himself or herself or by any legal practitioner, or

by any official or a registered Trade Union, authorized in writing to appeal and act on his

or her behalf or by any Inspector appointed under Section 9 or any other person acting

with the permission of the Authority.

5. *Authorization.* -- The authorization referred to in Sub-rule (3) of Rule 3 or Sub-rule (3)

of Rule 4 shall be in Form 'C' which shall be presented to the Authority to whom the

complaint or the claim as the case may be, is made along with such complaint or claim

and shall form part of the record.

CHAPTER III

Registers to be Maintained

6. *Registers to be maintained by the employer.* -- Every employer shall maintain a

register in relation to the workers employed by him in Form 'D'.

FORM A

(To be submitted in triplicate)

[See Rule 3(1)]

Complaint under clause (a) or sub-section (1) of Section 7 of the Equal Remuneration

Act, 1976 (25 of 1976)

To

The Authority appointed under sub-section 91) of Section 7

_____ Address.

A. _____ Complainant(s) Full Address.

Versus

B. _____ Opposite Party Full Address.

The Complaint(s) begs/beg to complain that the opposite party has been guilty of a

contravention(s) of the provisions of the Equal Remuneration Act, 1976 (25 of 1976) as

shown below: -

(Here set out briefly the particulars showing the manner in which the alleged

contravention(s) has/have taken place and the grounds supporting the complaint).

The complainant(s) accordingly prays/pray that the Authority _____ may be

pleased to decide the complaint set out above and pass such order or orders there on as it

may fit and proper.

The number of copies of the complaint (along with its annexures) as required under subrule

1) of the Equal Remuneration Rules, 1976 are submitted herewith.

The complainant(s) does/do solemnly declare that the facts stated in this complaint are

true to the best of his/her/their knowledge, belief and information.

Signature(s)/Thumb impression(s)

of the Complainant(s)a

* I have been duly authorized in writing by _____ (here insert the name

of the worker(s) to appear and act on his/her/their behalf.

Signature of the legal practitioner/

Official of a registered Trade Union

duly authorized.

Station _____

Date_____

*Strike out which ever is inapplicable.

FORM B

(To be submitted in triplicate)

[See Rule 4(1)]

Claim under clause (b) of sub-section (1) of Section 7 of the Equal Remuneration Act,

1976 (25 of 1976).

To

The Authority appointed under sub-section (1) of Section 7

_____ Address.

A _____ Petitioner(s)

Full Address.

Versus

B _____ Opposite Party

Full Address.

The petitioner(s) above named states/state as follows:-

(1) The petitioner(s) was/were/is/are employed

from _____ to _____ as _____
employed

(Category)

in _____

(Name of establishment) of _____

Shri/Messrs _____

(Name of the employer and address).

(2) The opposite party is the employer within the meaning of clause (c) of
Section 2 of

the Equal Remuneration Act, 1976 (25 of 1976).

(3) The petitioner(s) was/were/has/have not been paid wages at rates
equal to those of

workers of the opposite sex for the same work or work of a similar nature
for the period

from _____ to _____.

(4) The petitioner(s) was/were/has/have not been paid wages at the rate of

whereas workers of the opposite sex for the same work or work of similar
nature were

paid/have been paid at the rate of _____ during the said
period.

(5) The petitioner(s) estimates/estimate the values of relief sought by
him/them at

Rs. _____ (Rupees _____ in words).

(6) The petitioner(s), therefore, prays/pray that the Authority may be
pleased to decide

the claim set out above and pass such order or orders thereon as it may
deemed fit and

proper.

(7) The petitioner(s) begs/beg leave to amend or add to or make
alternations in the

petition, if and when necessary, with the permission of the Authority.

The petitioner(s) does/do solemnly declare that the facts stated in this petition are true to

the best of his/her/their knowledge belief and information.

* I have been duly authorized in writing by _____ (here insert the name

of worker(s) to appear and act on his/her/their behalf.

Signature of the legal practitioner/Official of

a registered Trade Union duly authorized.

Station _____

Date _____

*Strike out which ever is inapplicable.

FORM C

[See Rule 5]

Form of authority in favour of legal practitioner or any official of a registered Trade

Union.

I/We hereby authorize Shri/Shrimati/Kumari* _____ a legal practitioner/an

official of _____ which is a registered Trade Union to appear

_____ and act on my/our behalf, under *sub-rule(3) of rule3/sub-rule(3)

of rule 4 in respect of the *Complaint/claim against _____ (mention name of

employer) on account of _____ (mention violation of the Act).

Signature(s)/thumb impression(s)

of the worker(s).

Station _____

Date _____

Witness

(1)

(2)

(3)

I accept the authorization.

Station _____

Date _____

Legal practitioner/

Official of a registered Trade Union

*Strike out whichever is inapplicable.

FORM D

[See Rule 6]

Register to be maintained by the employer under Rule 6 of the Equal
Remuneration

Rules, 1976.

Name of the Establishment with full address _____

Total number of workers employed _____

Total number of men workers employed _____

Total number of women workers employed _____

Components of remuneration

Category Brief No. of No. of Rate of

of workers Description men women remuneration

of work emplo- emplo- paid

yed yed

1 2 3 4 5

Components of remuneration

Basic wage Dearness House Other Cash value of

of salary allowance Rent Allow- Concessional supply

allowance ance of essential

commodities

6 7 8 9 10