

THE EQUAL REMUNERATION RULES, 1976

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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 the 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 to the same contravention.

(3) A complaint may be made by the worker 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 in triplicate, in Form 'B' to the Authority.

(2) A single application 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.

(3) A claim may be made by the worker 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.

5. Authorization

The authorization referred to in sub-rule (3) of rule 3 or sub-rule (3) of rule 4 shall be in Form 'G' 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. Every employer shall maintain up to date a register in relation to the workers employed by him in Form 'D' at the place where the workers are employed.

Registers to be maintained by the employer—Every employer shall maintain a register of workers in Form 'D'.

FORM-A

(To be submitted in Triplicate)

Complaint under clause (a) 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.....Complainant (s)

Full address

Versus

B.....Opposite Party

Full address

The complainant (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 Authoritymay be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The number of copies of the complaint (along with its Annexure) as required under sub-rule (1) of rule 3 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/Thumb impression(s)
of the Complainant(s)

*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.

Station :

Signature of the legal practitioner/Official

Date :

of a registered trade union duly authorized

*Strike out this portion if 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 (category) in
..... (name of the 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 been paid wages at the rate of.....whereas workers of the opposite sex for the same work or work of a similar nature were paid/have been paid at the rate of.....during the same period.

(5) The petitioner(s) estimates/estimate the value 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 deem fit and proper.

(7) The petitioner(s) begs/beg leave to amend or add to or make alterations in the petition, if and when necessary, with the permission of the Authority.

The complainant(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.

Signature/Thumb impression(s) of the Petitioner(s)

*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]

Station :

Signature of the legal Practitioner/Official
of a registered Trade Union duly authorized

Date :

*Strike out this portion if 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 rule 3/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).

Station & Date Signature/Thumb impression of the Worker(s)

Witness : (1)

(2)

(3)

I accept the authorization

Station :

*Legal practitioner

Date :

Official of a registered 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

Category of workers	Brief description of work	No. of men employed	No. of worker employed	Rate of remuneration paid	Basic wage or salary
(1)	(2)	(3)	(4)	(5)	(6)

Components of remuneration

Dearness allowance	House rent allowance	Other allowances	Money value of concessional supply of essential commodities
(7)	(8)	(9)	(10)