

## **THE EQUAL REMUNERATION RULES, 1976**

G.S.R. 119(E), New Delhi, the 11<sup>th</sup>. March, 1976. – In exercise of the powers conferred by Section 13 of the Equal Remuneration Act, 1976 (25 of 1976) and the Supersession of Equal Remuneration Rules, 1975, the Central Government hereby makes the following rules, namely: -

### **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 by 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

<sup>1</sup>[ **6. Registers to be maintained by the employer. --** Every employer shall maintain up to date a register in relation to the workers employed by him, <sup>2</sup>[in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017], at the place where the workers are employed.]

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1. Subs by GSR 4095, dated 24<sup>th</sup> October, 1983

2. Subs by GSR 154 (E), dated 21<sup>st</sup> February, 2017, for "in Form D" (w.e.f. 21.02.2017)

**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 (1) 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 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(s)/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.

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

Station \_\_\_\_\_

Date \_\_\_\_\_

\*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 \_\_\_\_\_ 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.

Signature(s)/thumb impression(s)  
of the Petitioner(s).

\* 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 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).

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.

<sup>1</sup> [\*\*\*]