
THE EQUAL REMUNERATION RULES, 1976⁵

In exercise of the powers conferred by Section 13 of the Equal Remuneration Act, 1976 (25 of 1976) and in 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 the 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 the 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 worker himself or herself or by any legal practitioner, or by any official of a registered Trade Union, authorised in writing to appear 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.

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 of a registered Trade Union, authorised in writing to appear 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. Authorisation:-The authorisation 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 alongwith such complaint or claim and shall form part of the record.

CHAPTER III REGISTERS TO BE MAINTAINED

6[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, in Form 'D', at the place where workers are employed.]

FORM A (TO BE SUBMITTED IN TRIPLICATE) [SEE RULE 3(1)]

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 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 place and the grounds supporting the complaint.]

The complainant(s) accordingly prays/pray that the Authority.....maybe 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 (alongwith 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 complaint(s)

7I have been duly authorised 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 authorised.

Station:

Date:

6 Subs. by G.S.R. 4095, dated 24th October, 1983.
7 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.

.....Petitioner(s)

A.....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 the rate
of.....during the said 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 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)

⁸I have been duly authorised 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 authorised.

Station:

Date:

FORM C
(SEE RULE 5)

**FORM OF AUTHORITY IN FAVOUR OF LEGAL PRACTITIONER OR ANY
OFFICIAL OF A REGISTERED TRADE UNION**

I/We hereby authorise Shri/ Shrimati/ Kumari.....a legal practitioner/an official of.....which is a registered trade Union to appear and act on my/our behalf, under⁹ sub-rule (3) of rule 3, sub-rule (3) of rule 4 in respect of the ¹⁰complaint/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 authorisation.

Station:

Date:

¹¹Legal practitioner

Official of a registered Trade Union.

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.....

Cate- gory of wor- kers	Brief Des- crip- tion of work	No. of men emplo- yed	No. of wo- me n em- plo- yed	Rate of remu- nera- tion paid	Components of remuneration				
					Basic wage or salary	Dear- ness allow- ances	House Rent allow- ance	Other allow- ances	Cash value of concess- ional supply of essential commo- dities
1	2	3	4	5	6	7	8	9	10

⁹ Strike out whichever is inapplicable.

¹⁰ Strike out whichever is inapplicable.

¹¹ Strike out whichever is inapplicable.