

The Equal Renumeration Rules, 1976

PUNJAB

India

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Rule THE-EQUAL-RENUMERATION-RULES-1976 of 1976

- Published on 11 March 1976
- Commenced on 11 March 1976
- [This is the version of this document from 11 March 1976.]
- [Note: The original publication document is not available and this content could not be verified.]

The Equal Renumeration Rules, 1976Published vide Notification Punjab Government Notification No. GSR 119(E), dated 11.3.1976

Chapter I Preliminary

1. Short title and commencement.

- 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 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 employed 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 registered Trade Union authorised 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 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 by 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 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) 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) _____ Complaint(s) Full Address versus B _____ Opposite Party Full Address The Complainant(s) begs/beg to complaint 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 ground 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 thereon as it may deem 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 of the complainant(s)*I 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 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 rate equal to those of workers of the opposite sex for the same work or work in 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 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 that that 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 authorised 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 authorised Station Date Form C 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, under sub-rule 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 authorisation. Station Date *Legal practitioner Official of 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 _____

Category of Workers	Brief description of work	No. of men employed	No. of women employed	Rate of remuneration paid
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The Equal Remuneration Rules, 1976

1	2	3	4	5
Components of remuneration				
Basic wages of salary	Dearness allowance	House rent allowance	Other allowances	Cash value of concessional supply of essential commodities
6	7	8	9	10