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**Subject - labour law II (equal remuneration act, 1976)**

**Unit-III (introduction,objects )**

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# **TOPIC**

**Introduction, objects &  
salient features of the (equal  
remuneration act, 1976 )**

# INTRODUCTION –

The doctrine of equal pay for equal work is not a **fundamental right** but a **constitutional right**. The Equal Remuneration Act, 1976 was enacted to comply with the provisions of the directive principle of state policy under **article 39**. The state policy article 39 of the constitution envisages that the state shall direct its policy, among other things, towards securing that there is equal pay for equal work for both men and women.

The principle of equal work for men and women workers has been gaining increasing acceptance all over the world. In many countries, laws have been passed **prohibiting discrimination between men and women** in matters relating to payment of wages for similar work.

The International Women's Year, the President of India promulgated the Equal Remuneration Ordinance, 1975 on 26<sup>th</sup> September, 1975 to provide for the payment of equal remuneration to men and women workers.

- **Article 39(a)** states that the citizens, men and women , equally, have the right to an adequate means of livelihood.
- **Article 39(d)** “that there is equal pay for equal work for both men and women”.
- **Article 16(2)** makes a specific mention that “no citizen shall on ground only of ...sex.. be ineligible for or discrimination against in respect of any employment or office under state”.

## **OBJECTIVE OF THE ACT -**

- The equal remuneration act,1976 aims :-
- To pay equal remuneration to men and women and workers.
- To prevent discrimination, on the ground of sex, against women in the matter of employment.
- To provide increasing opportunity to women.
- To set-up advisory committees to promote employment opportunities for women.

## **THE SALIENT FEATURES OF THE EQUAL REMUNERATION ACT, 1976 -**

1. The act is a central legislation and applies to the whole of India.
2. Restricts the employer to create terms and conditions in a contract of service or work of labour contrary to equal pay for equal work doctrine and the provisions of equal remuneration act.
3. The act applies to all workers even if engaged only for a day or few days.
4. The ministry of labour and the central advisory committee are responsible for enforcing this act.
5. When the employer doesn't comply with the provisions of the act , he will be liable to pay fine, imprisonment, or both.
6. Any settlement or any agreement with the employee that is harmful to the employee isn't allowed.