

Equal Remuneration Act, 1976

Section 7 - POWER OF APPROPRIATE GOVERNMENT TO APPOINT AUTHORITIES FOR HEARING AND DECIDING CLAIMS AND COMPLAINTS

1) The appropriate Government may, by notification, appoint such officers, not below the rank of a Labour Officer, as it thinks fit to be the authorities for the purpose of hearing and deciding- (a) complaints with regard to the contravention of any provision of this Act; (b) claims arising out of non-payment of wages at equal rates to men and women workers for the same work or work of a similar nature; and may, by the same or subsequent notification, define the local limits within which each such authority shall exercise its jurisdiction. (2) Every complaint or claim referred to in sub-section (1) shall be made in such manner as may be prescribed. (3) If any question arises as to whether two or more works are of the same nature or of a similar nature, it shall be decided by the authority appointed under sub-section (1). (4) Where a complaint or claim is made to the authority appointed under sub-section (1) it may, after giving the applicant and the employer an opportunity of being heard, and after such inquiry as it may consider necessary, direct,- (i) in the case of a claim arising out of non-payment of wages at equal rates to men and women workers for the same work or work of a similar nature, that payment be made to the worker of the amount by which the wages payable to him exceed the amount actually paid; (ii) in the case of complaint, that adequate steps be taken by the employer so as to ensure that there is no contravention of any provision of this Act. (5) Every authority appointed under sub-section (1) shall have all the powers of a Civil Court under the Code of Civil Procedure, 1908 (5 of 1908), for the purpose of taking evidence and of enforcing the attendance of witnesses and compelling the production of documents, and every such authority shall be deemed to be a Civil Court for all the purposes of section 195- and Chapter 26 of the Code of Criminal Procedure, 1973 (2 of 1974)-. (6) Any employer or worker aggrieved by any order made by an authority appointed under subsection (1), on a complaint or claim may, within thirty days from the date of the order, prefer an appeal to such authority as the appropriate Government may, by notification/specify in this behalf, and that authority may, after hearing the appeal, confirm, modify or reverse the order appealed against and no further appeal shall lie against the order made by such authority. (7) The authority referred to in sub-section (6) may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the period specified in subsection (6) allow the appeal to be preferred within a further period of thirty days but not thereafter. (8) The provisions of sub-section (1) of section 33C of the Industrial Disputes Act, 1947 (14 of 1947)-, shall apply for the recovery of monies due from an employer arising out of the decision of an authority appointed under this section.