

Compliance Inspection under the Equal Remuneration Act, 1976

The Equal Remuneration Act, 1976 mandates payment of equal remuneration to men and women workers for 'Same work or work of similar nature' and to prevent discrimination on the ground of sex against women in the matters of employment and the matters incidental thereof.

Inspection Procedure :

- i) Sec. 9 of the E.R. Act prescribes appointment of Inspectors by the appropriate Government and their functions. Accordingly, Inspectors have been notified by the State Government with local limits.
- ii) Inspections are conducted under the Composite Inspection Scheme schedule of the Labour Directorate and under the Central Inspection Framework scheme schedule generated by Industries Department.
- iii) Under the Composite Inspection Scheme different establishments in a district are identified for inspection under various labour laws and monthly schedule of inspection allocating different Inspectors are prepared. The final annual schedule of inspection is approved by the District Collector or by the Labour Commissioner, Odisha.
- iv) Under the Central Inspection Framework, on-line inspection schedules are generated in GO-SMILE Portal for synchronized inspection by the Central Inspection Co-ordination Group (CICG), where in all concerned including the employers are intimated regarding date of inspection.
- v) Inspector conducts visit to the establishment for inspection and examines any register/record any person in the premises whom he has reasonable cause to believe, is an employee, require the employer to produce any register or other document related to compliance inspection.
- vi) Makes copies of or take extracts from any register, record, notice or other relevant documents.
- vii) Inspector validates the following documents/ records and collects copy of the same if required.
 - Register in Form-D
 - Any other queries relating to compliances of the Act
- viii) In case of detection of discrepancy in payment of remuneration made by an employer the differential amount to be claimed before Authority appointed by the appropriate Government under Section 7 of the E.R. Act
- ix) After completion of the inspection, Inspector prepares an Inspection Report in the Composite Inspection Scheme format on the basis of available information and sends to the concerned employer on-line or off-line endorsing copy to the next higher authority.
- x) Inspection Report is uploaded in the GO-SMILE Portal if inspection is conducted under CICG schedule. Facility for uploading the inspection reports pertaining to Composite Inspection Scheme will be available after completion of the e-Governance project of the Labour & ESI Department.
- xi) For any non-compliance the Inspector issues show-cause notice to the employer for necessary rectification within the prescribed timeline.
- xii) Employer/Management submits compliance report with documents within prescribed timeline.
- xiii) If the concerned Inspector finds the compliance satisfactory after assessment of the documents, then the file is closed following due procedure.
- xiv) If the rectifications/ documentations are not found proper/sufficient, Inspector will initiate action for filing prosecution in court of Sub-Divisional Judicial Magistrate (SDJM) / Judicial Magistrate First Class (JMFC) following due procedure.

FORM D

(See rule 6)

**REGISTER TO 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	Components of remuneration				
					Basic wage or salary	Dearness allowance	House Rent allowance	Other allowances	Cash value of concessional supply of essential commodities
1	2	3	4	5	6	7	8	9	10