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## WAGE DISPARITIES IN INDIA AND BRIDGING THE GENDER GAP: ROLE OF JUDICIARY AND STATUTORY SAFEGUARDS

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**Abstract:** Wage disparities refer to the unequal distribution of wealth among citizens of a country. There are many factors which contribute to wage disparities like huge population working in unorganized sectors, prevailing economic conditions like poverty, unemployment. There is gender gap pertaining to wage disparities where women are paid less for the same amount of work men perform. Globalization and Privatization worsened the wage inequalities. World has witnessed the rise of the gig economy coupled with low paying jobs, lack of incentives from the government for employment. Workers must balance their wages with the increasing inflation rates of essential commodities. There are statutory safeguards pertaining to securing the prices of essential commodities like Essential Commodities Act of 1955, but these statutes have implementation gaps. Modern economies of the world are shifting towards promoting the interests of capitalists, imposing a toll on welfare of workers. Capitalists maximize the profits by reducing the wages paid to workers. This paper explores the urban- rural divide pertaining to wages and what safeguards should be ensured to protect their socio- economic status. Wage disparities is a multifaceted issue and solutions must be based on a multidisciplinary approach. In India, rural populations depend on agriculture, horticulture, pisciculture which are low paying in nature and there is no job security for them. This paper focuses on how statutes like Equal Remuneration Act, 1976, Minimum Wages Act, 1948 and other statutes ensure safeguards for employment in various sectors, the constitutional mechanism and role of judiciary in upholding the socio-economic rights of workers.

**Keywords:** Wage inequality, labor laws, informal sector, socio-economic Justice.

### I. INTRODUCTION

Poverty is an economic condition in which the person is unable to meet the basic amenities required for life. One of the main causes of poverty are low wages, and wealth inequality existing in India. More than 50% of people in India engage in self-employment and the rest in wage work. To analyze wage disparities in India, one must look at urban and rural populations which give different perspectives. In the USA labour is expensive, i.e, employers must give more wages to workers compared to workers in developing nations. In India many workers are dependent on the primary sectors like agriculture, where more than 50% of the workforce is employed in this sector. There are distinctions pertaining to types of workers, for example differences between regular labour and casual labour, urban labour and rural labour, divide between men and women labour.<sup>2</sup> There are various factors contributing to wage disparities like geography, religion and sectors of

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<sup>2</sup> Menon, *Determinants of Inequality in India Regular Wage Employment*, 160 International Labour Review 477 (1993).

employment. This persists because of inequalities in the labour market. Inequality in wages could be minimized by collective efforts of the Central and State Government. One of the main causes of poverty is low wages and the wealth inequality existing in India. In socialist countries like India, the rich tend to become richer and the poor become poorer. The gap between incomes of the working class must be minimized. Equal pay is not only about wages but respecting the contribution of both genders to the economy. The World Economic Forum ranks India 135 out of 146 in the Index of Global Gender Gap which was released in 2022<sup>3</sup>. Women in India are mostly employed in social work and health care, whereas businesses, jobs in financial Institutions prioritize men over women. Despite having Constitutional provisions like Article 14 (Right to Equality) and Article 16 (Right to employment), implementation drawbacks in Government policies are rising. Research by McKinsey suggests that gender inequalities have persisted in the world since times immemorial.<sup>4</sup> Women who are in the stage of education work for part- time jobs which are low- paying in nature and they are not provided with monetary benefits like pension, post- retirement nonmonetary benefits, medical leaves etc.

The National Institution for Transforming India suggests that if women keep taking leaves for their children and maternity leaves it impacts the working efficiency of women when they continue their jobs.<sup>5</sup> Women do not have equal say compared to men in negotiating their wages, this is predominantly seen in construction activities. Lack of adequate representation of women in law making bodies portrays policies lacking the ascent of women. There are laws specific to women like POSH (2013), Domestic Violence Act (2005), Dowry Prohibition Act (1961) are existing but there are laws lacking to discuss protection of women employment. Companies Act, 2013 has mandated companies to compulsorily have a woman director but questions persist regarding consideration of opinions of women directors.<sup>5</sup> The lack of adequate representation of women in law-making bodies results in policies that fail to reflect women's perspectives.

## II. LEGAL POSITION AND LITERATURE REVIEW

K.P. Kannan<sup>6</sup> in his research paper titled —Wage Inequalities in India: Structural and Social Dimensions| highlights how wage inequality in India is deeply rooted in the country's economic and social structure. In a nation where most people rely on any available work to survive, nearly half the workforce is in wage employment, while the rest are self-employed. Rather than a single, unified wage system, India has fragmented labour markets divided between casual and regular work, and between rural and urban areas. These divisions lead to multiple layers of wage disparity, further influenced by factors like gender, education, and most strikingly, social group identity. Kannan's study, covering 1993 to 2012, reveals that while wage inequality slightly declined in the later years of this period, the overall picture remains grim, especially for the bottom half of workers who continue to earn well below even the modest national minimum wage. Despite strong

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<sup>3</sup> World Economic Forum, *Global Gender Gap Report 2022* (13 July 2022), <https://www.weforum.org/publications/global-gender-gap-report-2022/> accessed 21 July 2025/

<sup>4</sup> Mekala Krishnan, Kweilin Ellingrud, *Ten Things to know about gender equality*, (McKinsey & Company, 2018), accessed on 17 February 2025.

<sup>5</sup> Sunita Sanghi, 'Youth: A Change agent' (June 2017) *Yojana*, NITI Aayog, <https://www.niti.gov.in/sites/default/files/2019-01/article-skill.pdf> accessed on 11 September 2024/

The Companies Act, § 149.

<sup>6</sup> K P Kannan, *Wage Inequalities in India* (Centre for Development Studies, December 2018).



economic growth during this time, the benefits have not trickled down to those at the bottom of the wage ladder, exposing a persistent and unjust —long tail of wage inequality.

In their 2018 study on —Gender Wage Gap: Some Recent Evidences from India, Somasree Poddar Roychowdhury<sup>7</sup> and Ishita Mukhopadhyay explore the stubborn persistence of gender wage inequality in India. Using advanced statistical methods on NSSO employment data, they break down the gender wage gap into two key elements: occupational segregation (based on economic factors) and direct discrimination (not justified by such factors). Their findings reveal that discrimination is most severe in areas controlled by employers, especially in decisions related to industry type pointing to deep-rooted biases in hiring and wage practices. Notably, since most employers in India are men, this could explain the ongoing neglect of gender-based pay disparities. The study also shows that part of the wage gap is due to lower skills and experience among women, suggesting that legal reforms alone will not be enough. For real change, they argue, India needs active policies that empower women through skill development and entrepreneurship opportunities.

Saloni Khurana<sup>8</sup>, Kanika Mahajan, and Kunal Sen in their research paper titled —Minimum Wages and Changing Wage Inequalities in India examine the decline in wage inequality in India over the past two decades and explore how rising minimum wages have contributed to this change. By analyzing employment and earnings data from 1999 to 2018, they found that increasing minimum wages significantly raised earnings for the lowest-paid workers. Specifically, a 1% rise in minimum wages resulted in a 0.17% wage increase for those in the bottom 20% of earners, with minimal impact on higher wage groups. Through counterfactual analysis, they estimate that around 26% of the total reduction in wage inequality during this period can be attributed to increases in minimum wages. Their study highlights how minimum wage policy has played a meaningful role in reducing wage disparities, especially for the most vulnerable workers.

Mitali Chinara's<sup>9</sup> 2018 study titled —Gender Discrimination in Wage Earnings: A study of Indian Wage Market explores the persistent issue of gender discrimination in wage earnings across India. Despite some progress globally and in India particularly in education the economic gender gap remains wide. India has managed to reduce its overall gender gap by 2% in one year, but major inequalities continue in employment and earnings. Chinara focuses on the differences in wages between men and women that arise either from differing characteristics (like education and experience) or from discrimination, where men are paid more even when their qualifications are like women's. Using the Blinder Oaxaca decomposition method, she breaks down these wage gaps into their explained and unexplained components, and uniquely applies this analysis across

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<sup>7</sup> Somasree Poddar Roychowdhury and Ishita Mukhopadhyay, Gender Wage Gap: Some Recent Evidences from India (2018) 17, *Journal of Quantitative Economics* 3.

<sup>8</sup> Khurana Saloni, Mahajan Kanika and Sen Kunal, *Minimum Wages and Changing Wage Inequality in India* (UNUWIDER Working Paper 2023/67, United Nations University World Institute for Development Economics Research 2023).

<sup>9</sup> Mitali Chinara, 'Gender Discrimination in Wage Earnings: A Study of Indian Wage Market' (2018), *Indian Journal of Labour Economics* (Indian Society of Labour Economics).

different Indian states. The paper also compares gender wage gaps in urban and rural labour markets, highlighting the uneven nature of wage discrimination across regions.

### **III. LEGAL FACTORS AND ANALYSIS A. Factors Contributing to Wage Disparities**

Wage disparities in India arise from a multifaceted interplay of structural, economic, cultural, and policy-related factors. A thorough understanding of these factors is imperative to assess the effectiveness of existing statutory safeguards and to design comprehensive reform measures. India's unorganized sector absorbs a large portion of the workforce, including agricultural laborers, construction workers, daily wage earners, domestic helpers, and small-scale vendors. This sector is typified by the absence of formal contracts, ambiguous job roles, and highly variable wage structures.

Without the protection of formal labour contracts, workers are often unable to claim statutory benefits, making them susceptible to wage theft, irregular payments, and exploitation by employers. The diffuse nature of the unorganized sector complicates systematic monitoring. Regulatory agencies face challenges in data collection, standard-setting, and enforcement of minimum wage laws. The Ministry of Labour & Employment has introduced several schemes including skill development programs and social security measures to integrate these workers into the formal economy. Nonetheless, a persistent implementation gap continues to undermine these efforts. Wage disparities are closely linked to broader economic conditions. Areas with high poverty and unemployment levels exhibit lower wage ceilings due to an oversupply of labour and limited alternative employment opportunities. Rapid demographic growth and inadequate job creation have led to a labour surplus, where workers are forced to compete for limited opportunities, often resulting in lower wages.

Escalating prices of essential commodities erode the real value of wages, thereby deepening the disparity between nominal earnings and living costs. Statutory instruments such as the Minimum Wages Act (1948) mandate periodic revisions in wage rates to mitigate the impact of inflation. However, inconsistencies in policy implementation and regional disparities persist across different states. Despite progressive legislation like the Equal Remuneration Act (1976), gender wage discrimination continues to be a significant challenge. Historical biases and deeply ingrained societal norms contribute to persistent inequities between male and female workers. Women are often confined to roles and sectors that are traditionally lower paid or less valued, despite having comparable qualifications and competencies. Systemic practices such as the —glass ceiling‖ limit women's access to higher-paying, senior-level positions and curtail career progression opportunities. Judicial interventions have reinforced the legal doctrine of —equal pay for equal work. Nevertheless, proving discrimination in informal or loosely regulated sectors remains an ongoing challenge.

### **B. Impact of Globalization and Privatization**

The liberalization policies of the 1990s fundamentally reshaped India's economy. Globalization and privatization have brought about structural changes that, while fostering competition and efficiency, have also led to wage suppression, especially in sectors prone to cost-cutting measures.



Companies exposed to global competition may standardize compensation at lower levels to remain competitive, particularly impacting workers in developing markets. The shift from public to private ownership often entails restructuring efforts geared toward profitability.

Such transformations can reduce job security and erode established wage and benefit structures.<sup>10</sup> The challenge for policymakers is to balance the benefits of economic liberalization with the need to protect vulnerable workers.

International labour standards, as advocated by the ILO, emphasize the importance of integrating robust social safety nets within economic reforms.<sup>11</sup> The advent of the gig economy represents a significant paradigm shift in work patterns. Characterized by freelance, contract-based, and on demand engagements, this sector offers flexibility at the expense of stability and traditional labour rights. Gig workers often face unpredictable and fluctuating incomes, making financial planning and economic stability difficult. These workers are typically excluded from standard benefits such as health insurance, pension schemes, and statutory wage protections, leaving them more exposed during economic downturns. Existing labour laws inadequately address the rights of gig workers. There is a critical need for comprehensive legal reforms to redefine employment relationships and extend statutory safeguards to this increasingly.

### C. Gender Wage Gap: Causes and Impacts

The gender wage gap in India is a complex phenomenon shaped by historical injustices, entrenched cultural norms, and systemic labour market biases. This section analyzes the roots of gender-based wage disparities and examines their far-reaching consequences. From colonial times to the modern era, gender roles have been rigidly defined. Women have traditionally been relegated to domestic roles, restricting their access to quality education and competitive job markets.<sup>12</sup> The resultant labour market segmentation continues to influence wage disparities. This landmark legislation was designed to ensure equal pay for equal work, providing a legal basis for challenging discriminatory wage practices. Despite its clear mandate, deep-seated biases and implicit discrimination have limited its full effectiveness in practice. Courts have continually reinforced the principle of equal pay and provided redress in cases of clear wage discrimination. These judicial decisions have contributed to shaping labour laws and societal expectations regarding fairness. The persistence of gender stereotypes has led to occupational segregation, with women often confined to lower-paid administrative, service, or care giving roles.<sup>13</sup> This segregation results not only in lower wages but also in fewer opportunities for advancement.

Cultural expectations regarding family responsibilities disproportionately affect women, limiting their availability for full-time or higher-paying roles. The absence of sufficient childcare support and flexible working arrangements further exacerbates these disparities. The cumulative effect of

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<sup>10</sup> ABRAHAMSON MARK, *Urban Sociology* 123, (Published Online, 1st edn., 2013).

<sup>11</sup> Parthasarathi Shome, *The Creation of Poverty and Inequality in India*, (Bristol University Press, Bristol, 1st edn., 2023).

<sup>12</sup> G. Findlay, —India in Convalescence 4, *Foreign Affairs Journal* 648 (1926)

<sup>13</sup> Elisabetta Basile & Ishita Mukhopadhyay, —The Changing Identity of Rural India 63- 64, (Cambridge University Press, Online, 2012).



the gender wage gap often results in reduced household income, affecting access to education, healthcare, and overall quality of life for entire families.<sup>14</sup> At a macroeconomic level, underutilizing the potential of half the population hinders overall economic growth. Gender-based wage gaps limit consumer spending and contribute to long term inequities in wealth distribution. While judicial interventions have paved the way for redress, social acceptance of discriminatory practices remains a barrier. Effective judicial enforcement combined with proactive government policies and corporate responsibility is essential to narrow the wage gap.

#### **D. Bridging Wage and Gender Gaps**

The judiciary has been central in interpreting labour laws and ensuring that statutory protections are enforced to safeguard worker's socioeconomic rights. This section delves into the evolving judicial landscape as it pertains to wage and gender equity. The Indian judicial system has played a pivotal role in reconciling statutory provisions with contemporary social realities. By interpreting key legal provisions such as those under the Equal Remuneration Act and Minimum Wages Act, the courts have underscored the importance of fairness, equity, and compliance with international labour standards. Judges have consistently emphasized the need to balance employer prerogatives with worker's rights. This approach has often resulted in landmark decisions mandating periodic wage reviews and adjustments, particularly in the face of economic volatility. Several high-profile cases have reinforced the concept of —equal pay for equal work, compelling employers to rectify wage disparities in both private and public sectors. These cases have led to heightened awareness, prompt remedial measures, and have sometimes served as a catalyst for legislative amendments.<sup>15</sup> The ripple effect of these judicial decisions extends beyond individual cases. They inform broader policy debates and encourage systemic reforms that progressively align statutory frameworks with the evolving needs of a modern, equitable labour market.

The Supreme Court and various High Courts have frequently intervened in wage disparity cases by enforcing stricter compliance, ordering wage adjustments, and directing enhanced monitoring by regulatory bodies. Judicial decisions have not only provided immediate relief to aggrieved workers but have also influenced legislative amendments and executive actions.<sup>16</sup> The court's steadfast position on safeguarding socio-economic rights reinforces the necessity for proactive enforcement of wage policies. Despite the comprehensive legislative framework designed to promote wage equality, several critical gaps persist in actual implementation. This section assesses the root causes of these challenges and highlights the areas requiring urgent reform. Regulatory bodies tasked with enforcing wage laws often operate under significant resource limitations. These include inadequate manpower, technological shortcomings, and insufficient infrastructural support, all of which diminish their effectiveness.<sup>16</sup>

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<sup>14</sup> KOHLI ATUL, Democracy, and Inequality in India (In Press, 2025).

<sup>15</sup> Sairam Patro, Wage Discrimination on the Basis of Gender: An Analysis of Indian Legal Position, 9, *Indian Journal of Law and Human Behaviour* 105 (2023). <sup>16</sup> CASSON CATHERINE, Evolutions of Capitalism 212- 236, (Bristol University Press, Bristol, 2022).

<sup>16</sup> Rashmi U Arora, Regional financial disparity in India: Can it be measured?, 17, *Journal of Institutional Economics* 836 (2021).

## E. Cultural and Societal Resistance

The slow pace of judicial processes in addressing wage-related disputes further compounds the problem. Protracted litigation not only delays compensation but may also disincentivize workers from seeking legal redress. Due to its very nature, the informal sector eludes systematic monitoring. The absence of comprehensive data hampers the development of targeted interventions and accurate policy reviews. Fragmented and region-specific enforcement practices lead to inconsistencies in the application of statutory protections. Bridging these gaps requires both technological innovation in data collection and stronger coordination among local, state, and national agencies.<sup>17</sup> Persistent societal beliefs and cultural norms that undervalue certain types of labour especially work performed by women or in rural areas pose significant challenges to reform. Changing these entrenched attitudes necessitates long-term educational and advocacy initiatives. A lack of awareness among workers about their legal rights further perpetuates wage inequities. Grassroots campaigns and community-based legal aid services are crucial in remedying this situation.

## F. Statutory Laws on Wage Disparities

The Constitution of India<sup>18</sup>, which is regarded as Grundnorm places Fundamental Rights at a higher pedestal. Article 23 of Part- III of Constitution impliedly says that everyone has —equal pay for equal work which works in consonance with Article 14 (Right to equality). Denial of equal pay for equal work would infringe Article 21 of Constitution. There is duty vested upon State to enforce this right by virtue of Article 39 sub- clause (d). Article 47 ensures that State shall provide nutrition, public health and improve standard of living, without this Article eliminating wage disparities would be difficult for the State. In case law *Randhir Singh vs Union of India*, SC held that —interpretation of equal pay for equal work should be done in a holistic way considering other provisions of Constitution. Central Government has enacted Equal Remuneration Act, 1976<sup>19</sup> which aims to eliminate all forms of discrimination in various processes like recruitments, trainings in job, job promotions etc. Companies and its Directors can be held accountable for violations of principles of this statute. Supreme Court of India in plethora of cases has held that an approach which is inclined towards flexibility must be adopted in determining —equal pay for equal work.

Women are also entitled to Maternity leaves which ranges from 20- 26 weeks depending on Organization and nature of work. During this leave, they shall be provided wages which are like days of work. In case of labor-intensive works, the maternity leave could be extended to 30 weeks. The Workmen's Compensation Act provides relief to any person injured during time of work. This injury may be a result of Employer's negligence. This act was criticized for being gender bias as the act suggests only —Workmen, but Supreme Court and High Courts gave purposive

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<sup>17</sup> Thomas, —The Agrarian Situation in India, 50, *International Labour Review*, 451 (1944).

<sup>18</sup> The Constitution of India 1950,  
[https://cdnbbsr.s3waas.gov.in/s380537a945c7aaa788ccfdcf1b99b5d8f/](https://cdnbbsr.s3waas.gov.in/s380537a945c7aaa788ccfdcf1b99b5d8f/uploads/2024/07/20240716890312078.pdf)

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<sup>19</sup> Equal Remuneration Act 1976, India, [https://samadhan.labour.gov.in/whatsnew/equal\\_remuneration\\_act\\_1976.pdf](https://samadhan.labour.gov.in/whatsnew/equal_remuneration_act_1976.pdf)

interpretation to include women under the umbrella of —Workmen, Minimum Wages Act, 1948<sup>20</sup> ensures minimum wages to be paid to workers in certain employments. Section 3 of this Act talks about how minimum wages shall be calculated, the section has segregated wage periods by hours, days, and month. Every State Government has authority to fix minimum wages from time to time. This act did not expressly talk about —Equal pay for equal work.

### **G. New Wages Code, 2019:**

Earlier the Equal Remuneration Act had no express provision pertaining to —Equal pay for equal work, it was supplemented by Article 14, 23 and 39 (d) of Indian Constitution. Section 2 (ii) of New Wages Code<sup>21</sup> states that there shall not be any form of discrimination during recruitment process except in places of employment where women is expressly prohibited to work by Authority of Law. Section 42 (2) of the New Code states that 1/3rds of members of Central Advisory Board shall be women. Section 42 (3) (b) states that the Central Advisory Board can make recommendations to increase employment opportunities for women. Section 42 (3) (c) states that the Board can issue a notification mentioning what kinds of workplaces women may be employed. Section 42 (4) (b) states that every State Government must establish a State Advisory Board to increase opportunities for Women. Proviso of Section 2 (k) states that there shall be equal wages for men and women when accumulating allowance, travelling concession, house rent, remuneration and overtime allowance. This provision is criticized for its limited scope of applicability and its silence on various other aspects of salary like Dearness allowance. The New Code is silent on —Eliminating discrimination against women pertaining to salaries.

### **H. Wage Disparities in International Perspective**

India has signed the International Labour Organization (ILO)<sup>22</sup> in 1922. 29 years later in 1951, India signed Convention on Equal Remuneration which focuses equal wages for men and women if they are employed in doing similar work. Article 2 of UDHR<sup>23</sup> (1948) safeguards Individual rights by eliminating discriminations on basis of race, religion, sex etc. Article 7 of International Convention on Economic, Social and Cultural Rights provides concessions for Women who are employed in work places. Unequal pay for equal work would amount to direct discrimination where employers are categorizing women on basis of gender. India has ratified Convention on Elimination of all forms of Discrimination against women in 1993. This convention ensures that women are provided with same rights to that of men. Article 11 of CEDAW<sup>25</sup> states that member countries shall take necessary means to bring equality between men and women in matters of employment. Article 11 (d) states that there shall be equal remuneration and benefits between men

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<sup>20</sup> Minimum Wages Act 1948, India, <https://clc.gov.in/clc/sites/default/files/MinimumWagesact.pdf>

<sup>21</sup> The Code on Wages 2019, [https://labour.gov.in/sites/default/files/the\\_code\\_on\\_wages\\_as\\_introduced.pdf](https://labour.gov.in/sites/default/files/the_code_on_wages_as_introduced.pdf)

<sup>22</sup> International Labour Organization Ratifications for India 1993, [https://normlex.ilo.org/dyn/nrmlx\\_en/f?p=NORMLEXPUB:11200:0::NO::p11200\\_country\\_id:102691/](https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:11200:0::NO::p11200_country_id:102691/)

<sup>23</sup> Universal Declaration of Human Rights 1948, <https://www.un.org/en/about-us/universal-declaration-of-humanrights/>

The Convention of Elimination of all forms of Discrimination against Women 1979, <https://www.un.org/womenwatch/daw/cedaw/>





and women. Article 13 states that member countries shall make laws which gives women the right to loans, mortgages and credits from banks and financial Institutions.

### **I. Judicial Pronouncements on Wage Disparities**

In case law *Mackinnon Mackenzie & Co vs Audrey D' Costa*<sup>24</sup> Supreme Court was considering whether denial of equal remuneration would amount to violation of Article 14 (Right to equality) and whether men and women who are doing same work or work of similar nature be getting equal wages? The case involved male and female stenographers who have same skill and similar work. Supreme Court held that India being a signatory of International Labour Organization (ILO) and ratified it makes it relevant for the case to be considered. There is an underlying obligation upon State to eliminate discrimination on basis of gender in matters relating to wages. In case law *Randhir Singh vs Union of India*<sup>25</sup>, the petitioner is an ex- army man who voluntarily retired from service to join as driver in Delhi police force, The pay scale of driver in Police force ranged from 200- 230 rupees, whereas salaries of Drivers in other departments of Government ranged from 300- 450 rupees. The nature of work and duration of work was similar but pay scale was different. The petitioner invoked jurisdiction of court by filing a Writ Petition under Article 32 where his rights under Article 14 (Right to equality) and Article 16 (Equality in matters of Public Employment) is violated. Supreme Court held that it is inherent duty of State to ensure that all drivers shall get equal pay for equal work. The Apex Court directed the Third Pay Commission to revise the wages and bring coherence to driver wages in other departments of Delhi Government.

In case law *State of Madhya Pradesh and Another vs Pramod Bhartiya and Another*<sup>26</sup>, Supreme Court was considering whether classification of workers into various groups and paying different wages based on those groups, would it violate Article 14 of Constitution and whether such classification is reasonable in nature? SC held that if classification is unreasonable then Article 14 would be violated. In this case there were differences between pay scales of technical schools and Higher Secondary Schools. SC relied on Article 2 of Equal Remuneration Convention where it is duty if state to employ necessary means to ensure adherence to the convention. In case law, *Union of India vs Indian Navy Civilian Design Officers*<sup>29</sup>, there were differences in pay scales between Civil Technical Officers of Design (7500- 12000). Junior Design Officers had requested Ministry of Finance to bring their pay scales like that of Civil Technical Officers, but their concerns were rejected by tribunals. Supreme Court held that the quantity of the work may be same but quality of work is different for the two posts. Hence Supreme Court had set aside the order of High Court and Tribunal and allowed the appeal.

### **IV. RECOMMENDATIONS AND POLICY SOLUTIONS**

Regularly update the Equal Remuneration Act (1976) and the Minimum Wages Act (1948) to address new economic realities, close regulatory loopholes, and ensure that wage standards keep

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<sup>24</sup> *MacKinnon Mackenzie & Anr.*, A.I.R 1987 S.C. 1281 (India).

<sup>25</sup> *Randhir Singh v. Union of India & Ors.*, A.I.R 1982 S.C. 879 (India).

<sup>26</sup> *State of Madhya Pradesh & Anr vs Pramod Bhatiya & Ors.*, (1992) 1.S.C.C. 714 (India). <sup>29</sup>

*Union of India v. Indian Navy Civilian Design Officers*, 2023 SCC OnLine SC 173.



pace with inflation. Institute dedicated training programs for judges, legal practitioners, and labour inspectors to ensure that wage-related disputes are handled with sensitivity and precision, considering evolving social norms and economic conditions. Encourage periodic audits of wage structures across various sectors, with particular attention to the informal economy, to ensure that statutory safeguards are adhered to. Provide tax breaks and subsidies for companies that implement transparent, equitable pay structures. Incentivize best practices that promote gender neutrality and fair labour practices.

Invest in modern data collection and analysis tools to monitor wage trends accurately and to enforce compliance in both urban and rural settings. Foster collaborations between the government and corporate sector aimed at comprehensive wage audits, certification for fair-paying employers, and targeted programs for the vulnerable workforce. Encourage organizations to conduct regular wage audits, develop transparent pay scales, and institute robust performance evaluation systems that prioritize fairness. Strengthen policies that empower women and other marginalized groups through mentorship, leadership training, and dedicated career advancement programs. Launch nationwide public awareness initiatives to inform workers about their statutory rights and available avenues for redress. training programs that enhance employability in higher-paying sectors, particularly for workers in rural and informal settings. Strengthen community-based legal support structures to ensure that workers, especially those in remote areas, can exercise their certification for fair-paying employers.

## V. CONCLUSION

In summary, wage disparities in India are the product of a confluence of factors ranging from the dominance of unorganized labour and adverse economic conditions to systemic gender discrimination and the disruptive effects of globalization and emerging work models. The judiciary, in combination with robust statutory safeguards like the Equal Remuneration Act (1976) and the Minimum Wages Act (1948), has played a significant role in addressing these inequities. However, persistent implementation gaps, inadequate enforcement mechanisms, and cultural barriers continue to challenge the quest for socio economic justice. To bridge these wage disparities, a multidisciplinary approach is imperative one that blends legislative reform, proactive government policies, corporate accountability, and community empowerment. The evolution of labour laws and judicial decisions must be complemented by concerted efforts in public awareness and economic support structures to safeguard the socioeconomic rights of all workers, particularly the vulnerable in rural and informal sectors. Future research and policy development should focus on leveraging technological advancements for better monitoring, fostering international cooperation on labour standards, and ensuring that the push for economic growth does not come at the cost of worker welfare. A multidisciplinary approach is imperative one that blends legislative reform.