



ASSOCIATION OF SCIENTIFIC & TECHNICAL OFFICERS

Registered with the Registrar of Societies Uttarakhand Govt., Registration No. 172 (1967-68)

OIL AND NATURAL GAS CORPORATION LTD.

Room No. 2016, 2nd Floor, Tower-A, Vasant Kunj, New Delhi-110070

Telefax : 011-26129070 Email : amitkumar@ongc.co.in



CENTRAL WORKING COMMITTEE

No. ASTO/CWC/Field Allowances/2018-21/33

05.02.2022

To,
Chairman and Managing Director
ONGC,
5th Floor, Deendayal Urja Bhawan
New Delhi - 110070

Sub: Payment of Field Allowances to officers working in field Operations in ONGC

Respected Madam,

We would like to bring to your notice non-payment of compensation to the officers working in the field operations. Kindly refer to our earlier letters which are as follows:

1. ASTO's report on field allowances submitted to ONGC on 05.09.2018.
2. Joint working group of representatives from ASTO and Management met twice in December'2018/January'2019. Management representatives could not come to a common conclusion.
3. The issue was again discussed in detailed during 1st bilateral meeting with Management and ASTO CWC held on 05.02.2019.
4. ASTO vide its letter dated 27.02.2019 communicated that other PSUs are continuing to compensate their officers working in field operations even after pay revision guidelines of DPE w.e.f. 01.10.20217. ASTO provided the order of other PSUs as well as Pay slips to show, payment being made by them.
5. ASTO vide its letter dated 11.03.2019 provided legal opinion of Senior Advocate of Hon'ble Supreme court regarding statutory payments to be made under the relevant statutes of Mines Act 1952 for compensating the class of officer engaged in hard duty and under considerable stress and hazardous working conditions and also working overtime and extended duty beyond regular shift schedule without any additional benefits.
6. ONGC had also sought legal opinion from Shri. Jamshed P Cama, Senior Advocate of Hon'ble Supreme Court of India. Sh. Cama provided a written advice dated 30.04.2019 to ONGC where the learned senior advocate has clearly mentioned that the conditions imposed for employing persons in exploration and production in Oil and gas mines in India are applicable up to the Indian territorial waters. Beyond territorial waters, GOI is signatory to Marine Labour Convention since 2016, which becomes applicable. This convention also specifies payment of additional compensation.
7. Vide letters No ASTO/CWC/Field Allowances/2018-20 dated 27th June 2019 and 19th July 2019, we had submitted documents related to compensation to be paid to our officers working in field operations as per the provision of Acts and Regulations.
8. ASTO as part of delegation from Federation of Oil PSUs Officers (FOPO), had met Secretary, Ministry of Petroleum and Natural Gas, GOI and had submitted a letter bringing out violations of provisions of Mines Act, exemptions as per Act, vide letter no. ASTO/MoPNG/Field Allowances/2018-20 dated 22nd July 2019.



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9. After continuous persuasion by ASTO, the meeting of Joint Working Group was again held at Chennai in December 2019 where again management representatives could not come to a common conclusion. ASTO had requested that statutory payments do not require any clarifications. However nothing positive happened in this regard.
10. Vide our letter dated 25.02.2021, ASTO had again brought out the statutory requirements for payment of field allowances and enclosed RTI queries raised to DGMS which ASTO was in possession of. The reply to RTI query sought by Shri Mukesh Jain, Ankleshwar clearly bring out the applicability of the Gazette Notification dated 30.06.2014 regarding conditions for persons employed in Exploration and Production Oil and Gas mines and the statutory conditions to be enforced by Mine Management.
11. In the same letter ASTO enclosed the RTI query to DPE sought by Shri Rahul, Rajasthan specifically asking whether statutory payments shall be part of 35% perks and allowances. DPE vide their reply dated 27.11.2020 have clarified that DPE OMs dated 03.08.2017, 04.08.2017 and 07.09.2017 are the applicable circulars and are self-explanatory and may be referred to. Needless to say that none of these circulars restrict statutory payments.
12. ASTO's letter dated 25.09.2021 after meeting of ASTO Units of Western Region and CWC members from Agartala, Mumbai, Delhi and Dehradun at Ahmedabad.
13. Core committee of ASTO and units at work centres have also personally met you and Directors on several occasions for resolving this most important issue and every time we have been assured of the same.

Madam, from the above it is amply clear that payment of additional compensation to our officers working in field operations is statutory payment and legally valid. Non-payment of legitimate compensation to the Officers undergoing hard duty, violates the provisions of Article 14, 16 and 21 of the Constitution of India. Furthermore, this has effectively resulted in the creation of a class within a class, since now there are two sets of officers who are at the same level, earning the same amount of remuneration/compensation but one class of Officers are engaged in hard duty at far off areas and under considerable stress and hazards and also working overtime without any additional benefits whereas the other class of Officers is engaged in duty with reasonable working hours supporting these officers.

Madam, we have been updating you on this issue for last three years. We are therefore once again approaching you for the resolution of this important issue. We therefore again request that the statutory payments be made to the officers working in field operations w.e.f. 01.01.2017.

With warm Regards

Amit Kumar
President-CWC

Copy to:

1. Dir(HR)/Dir(Expl)/Dir(T&FS)/Dir(Onshore) & Dir(Finance)/ Dir(Offshore)
2. ED-Chief ER, ONGC
3. President/Secretary – All ASTO Units