



OIL & NATURAL GAS CORPORATION (WOU) KARMACHARI SANGHATANA

AFFILIATED TO - PETROLIUM & GAS WORKERS' FEDERATION OF INDIA

Reg. No. (By - II - 8268)

Tel. : 022-26274102

Flat No.102, 1st Floor, Acme Harmony-I, Poonam Nagar, Off. JV Link Road, Andheri (E), Mumbai - 400 093.

Website : www.ksmumbai.com

REF. : ONGC/KS/194/2021

DATE : 11/10/2021

To
The ED-Plant Manager,
ONGC, WOU,
LPG Plant, Hazira,
Surat,
Gujarat.

e/c

Subject: Request to sanction overtime for 4 hours extra duty performed after 8 hours regular shift duty, during COVID-19 pandemic from April 2020 till date.

Respected Sir,

This has reference to our earlier letter **ONGC/KS/89/2021 dated 01/03/2021** regarding sanction of overtime, of 4 hours extra duty performed after 8 hours regular duty during covid-19 pandemic from April 2020 till date. Our letter on the subject cited above is self-explanatory.

Unfortunately, 12 hours pattern is still continuing in **LPG plant Hazira**, let me take the opportunity to bring to your notice, same 12 hours pattern duty was performed in **HPCL and BPCL** refinery Mumbai, but HPCL has discontinued the 12 hours duty pattern in the month of Aug 2020 and BPCL have done so in the month of July 2020.

For sanctioning the overtime of 4 hours, above 8 hours regular duty performed in HPCL refinery, **HPCL Karmachari Sena** the union in HPCL refinery raised the dispute in **Dy. Labour Commissioner's office**. Management of HPCL Refinery ultimately agreed in conciliation meetings held by **Regional labour commissioner Shri. B V S Rathod**. Please find enclosed all the copies of conciliation proceeding for your perusal. BPCL management has already paid 4 hours overtime for extra duty performed beyond 8 hours to their employees in BPCL refinery Mumbai for the period of March 2020 to July 2020.

It needs no elaboration how our employees are working hard maintaining mental resilience for 12 hours every day risking their own and family's life putting aside all personal safety and attending duty punctually.

As mentioned above all employees in shift duty are still continuing 12 hours duty pattern in LPG plant, Hazira, they are entitled to get overtime as per provisions in "**Labour law/factory act**". Your esteemed authority is requested to kindly look into the matter as BPCL & HPCL has already paid the amount of overtime for extra work as explained above.

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We expect positive approach from your authority for accepting the legitimate demand of our employees, resolving the issue amicably. It will definitely raise their moral and encourage to give better service to the organization, simultaneously it will help to maintain cordial and conducive atmosphere in the plant, and will not necessitate us to raise a dispute with the **Labour Commissioner's office**.

Thanking you,
Yours faithfully,

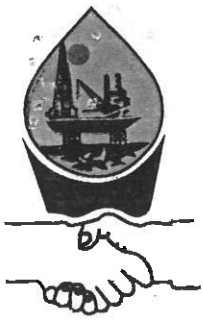
O/C



(Pradeep Mayekar)
General Secretary

Copy to:

1. GM-I/c, HR/ER, LPG Plant Hazira. ONGC, WOU, Surat, Gujarat.
2. DGM-IR, LPG Plant Hazira. ONGC, WOU, Surat, Gujarat.
3. Dy. CLC, (Central), Shramraksha Bhavan, Chunabhatti, Sion, Mum-22.



OIL & NATURAL GAS CORPORATION (WOU) KARMACHARI SANGHTANA

AFFILIATED TO - PETROLIUM & GAS WORKERS' FEDERATION OF INDIA

Reg. No. (By - II - 8268)

Tel.: 022-26274102

Flat No: 102, 1st Floor, Acme Harmony-I, Poonam Nagar, Off. JV Link Road, Andheri (E), Mumbai - 400 093.

REF. : ONGC/KS/ 89 /2021

DATE : 01/03/2021

To
The ED-Plant Manager,
ONGC WOU,
LPG Plant, Hazira
Surat, Gujarat.

O/C

Subject: Request to sanction overtime of 4 hours extra duty performed after 8 hours regular duty during COVID-19 pandemic from April 2020 to February 2021.

Respected Sir,

We feel proud to be a part of **ONGC**, a **Maharatna** company, who along with their real ground warriors, worked untiringly 24 x 7 in a very difficult situation of **COVID 19** pandemic, assuring uninterrupted supply of fuels to our society ultimately to our nation. **ONGC** was also the part of big donors to strengthen "**PM Care fund**" serving entire community during this difficult situation and time.

On the real front in LPG Plant Hazira, our employees toiled hard performing 12 hours duty every day, risking their own and family's life putting aside all personnel safety and attending duty punctually, so that essential services are not hampered and service to our company and nation remains uninterrupted. Despite the selfless contribution, management has failed to acknowledge them. They were neither being encouraged nor rewarded suitably.

While we do not seek any reward, this unwarranted attitude of the management compels us to bring to your notice that we have legitimate rights to receive 4 hours overtime for working beyond eight (8) hours out of 12 hours duty rendered from April 2020 to February 2021. Kindly refer **Factory Act**, chapter-vi, section 59.

Sir our employees worked for 12 hours for the period mentioned above and still continuing to work, they are entitle to get overtime as per provisions in "**Labour law/Factory Act**". Kindly note that not sanctioning of overtime performed by the employees pertains to unfair labour practice and it attracts legal action also by the labour authority.

It is pertinent to mention here that Management of **BPCL Refinery, Mumbai** has already paid overtime for extra 4 hours performed after regular 8 hours duty. So also Management of **HPCL Refinery, Mumbai** is also in the process to pay the overtime of 4 hours performed after 8 hours regular duty in month of March-2021 salary.

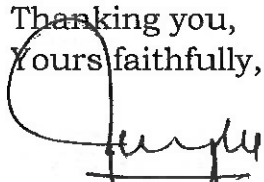
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Your esteemed authority is requested to kindly look into the matter for amicable solution. We hope your authority will not compel us to raise the issue before labour authority for our legitimate dues and justice.

We anticipate positive approach from your authority and reward the true warriors, by extending what is rightfully due to them, raising their morals and encourage to give better service to our company, society and to nation. So also it will help to maintain cordial and conducive atmosphere in the entire LPG Plant at Hazira.

Thanking you,
Yours faithfully,



(Pradeep Mayekar)
General Secretary

a/c

Copy to:

- 1) GGM – HRO, ONGC, WOU, Green Heights, BKC, Bandra (E), Mumbai 51.
2) GM - I/c IR, ONGC, WOU, Green Heights, BKC, Bandra (E), Mumbai 51.
3) GM-I/c, HR/ER, LPG Plant Hazira. ONGC, WOU, Surat Gujarat.
4) DGM-IR, LPG Plant Hazira. ONGC, WOU, Surat Gujarat.

m White
5/3/2024



No. B.8(29)/2020-B.I

भारत सरकार/ Government of India
श्रम और रोजगार मंत्रालय / Ministry of Labour & Employment
कार्यालय: उप मुख्य श्रम आयुक्त (केन्द्रीय)
Office of the Deputy Chief Labour Commissioner (Central)
"श्रम रक्षा भवन", शिव श्रुति मार्ग, पूर्वी एक्सप्रेस राजमार्ग,
सायन (पूर्व), मुंबई - 400 022/ Sion (East), Mumbai - 400 022

SPEED POST

13 JAN 2021
dt: 12-01-2021

To,

1. The Chairman & Managing Director,
Hindustan Petroleum Corporation Limited,
Petroleum House,
Jamshedji Tata Marg,
Mumbai - 400020

2. The General Secretary,
Hindustan Petroleum Karmachari Sena,
C/o Hindustan Petroleum Corporation Limited,
Petroleum House,
Jamshedji Tata Marg,
Mumbai - 400020

Subject: Industrial Disputes Act, 1947 - Demand over the issue of sanction of pending overtime of 4 hours extra duty performed during Covid-19 pandemic from April to Sept, 2020.

Dear Sir(s),

Please refer to the industrial dispute raised by the General Secretary, Hindustan Petroleum Karmachari Sena over the demand over the issue of sanction of pending overtime of 4 hours extra duty performed during Covid-19 pandemic from April to Sept, 2020. Accordingly, I would like to inform you that the matter has been seized as industrial dispute under Section 12 of the Industrial Dispute Act, 1947 and conciliation has been fixed on **27-01-2021 at 1530 hrs**, in the office of the undersigned at Shram Raksha Bhavan, Shiv Shrusti Marg, Eastern Express Highway, Sion (East), Mumbai - 400 022 with a view to bring about an amicable settlement of the dispute so that conducive working atmosphere can be maintained in the establishment.

You are advised to attend the Conciliation Proceedings in person or through a duly Authorised Representative who is competent to settle the issue with all relevant records and papers connected with the dispute, failing which the matter will be proceeded ex-parte/ closed as the case may be.

Yours faithfully,

(B.V.S. Rathore)

Conciliation Officer under ID Act, 1947
& Regional Chief Labour Commissioner (Central)
Mumbai

dt: 27/01/2021

Both the parties to the dispute attended the conciliation proceeding. Management of HPCL, HR, Mumbai is represented by Shri Amit D. Bhaskar, Sr. Mgr. HR.

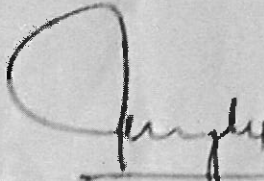
Representative of HPCL submitted that due to lockdown and imposition of Sec 144 by the District Administration, the management had a joint discussion with the two recognised union to work for 12 hours a day. However, they added that the applicant union was not operative at the time of discussion. The management further submitted that the overtime of 4 hours of extra duty shall be paid within this fiscal year, after revision of NDM Act, 2005.

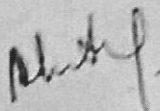
Union also submitted that their sanction was existed from Sept '20 and as no OT was paid, the issue was raised before the CO.

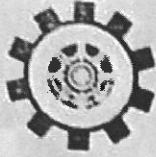
Since, the management agreed to make payment of OT within this fiscal year, the matter is adjourned. Next date is fixed for 10/02/2021 at 1500 hrs.

1202.

Amit D. Bhaskar
Sr. Manager - HR
HPCL, Mumbai Refinery


27/01/2021
(Poo Deep Mayekar)
General Secretary
Hindusthan Petroleum


27/01/2021
P.D. Mayekar
HCL



भारत सरकार / Government of India
श्रम और रोजगार विभाग / Ministry of Labour & Employment
कार्यालय: उप मुख्य न्यायाधीश (केन्द्रीय)

Office of the Deputy Chief Labour Commissioner (Central)

"श्रम रक्षा भवन", शिव श्रुति मार्ग, पूर्वी एक्सप्रेस राजमार्ग,

श्रम रक्षा भवन, शिव श्रुति मार्ग, Eastern Express Highway,
सायन (पूर्व), मुंबई - 400 022 / Sion (East), Mumbai - 400 022

No. B.8(29)/2020-B.I

dt: 05-07-2021
- 9 JUL 2021

To:

1. The Chairman & Managing Director,
Hindustan Petroleum Corporation Limited,
Petroleum House,
Jamshedji Tata Marg,
Mumbai - 400020

✓ The General Secretary,
Hindustan Petroleum Karmachari Sena,
C/o Hindustan Petroleum Corporation Limited,
Petroleum House,
Jamshedji Tata Marg,
Mumbai - 400020

Subject: Industrial Disputes Act, 1947 - Demand over the issue of sanction of pending overtime of 4 hours extra duty performed during Covid-19 pandemic from April to Sept, 2020.

Dear Sir(s),

Whereas the conciliation proceeding was fixed on 10-03-2021 and the same was adjourned. You are, therefore, once again given an opportunity to submit your comments on the subject matter and advised to attend the conciliation which is now fixed for **22-07-2021 at 1400 hrs** in the office of the undersigned at **Shram Raksha Bhavan, Shiv Shrushti Marg, Eastern Express Highway, Sion (East), Mumbai - 400 022** with a view to bring about an amicable settlement of the dispute so that conducive working atmosphere can be maintained in the establishment.

You are advised to attend the Conciliation Proceedings in person or through a duly Authorised Representative who is competent to settle the issue with all relevant records and papers connected with the dispute, failing which the matter will be proceeded ex-parte/ closed as the case may be.

Yours faithfully,

(B.V.S. Rathore)

Conciliation Officer under ID Act, 1947
& Regional Chief Labour Commissioner (Central)
Mumbai

(2)

No. B-8(29)/2020-BI
Dt. ~~23/01/2021~~ 10/03/2021

Minutes

Both the Union and the management of HPCL, M.R. attended the conciliation proceeding. Management of HPCL, M.R. submitted that the payment of OT wages is under process and shall be completed by end of March, 2021 and requested to adjourned the matter till then. Union agreed for the same.

Accordingly, matter is adjourned. Next date shall be intimated after hearing for both the parties.

Amrit

Amrit D. Bhaskar
Sr. Manager - HR
HPCL, Refinery, Mumbai
10/03/2021

Rajesh G. Chavan
RAJESH G. CHAVAN
DEPUTY GENERAL SECRETARY
HINDUSTAN PETROLEUM CORPORATION SEWA
10/03/2021

[Signature] 10/03/2021
क्षेत्रीय श्रम समिति (केन्द्रीय)
Regional Labour Commission (Central)
मुंबई (अ. नं. 22)



हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड

(भारत सरकार उपक्रम) मंचीकृत कार्यालय : 17, जमशेदजी टाटा रोड, मुंबई - 400 020.

HINDUSTAN PETROLEUM CORPORATION LIMITED

(A GOVERNMENT OF INDIA ENTERPRISE) REGISTERED OFFICE : 17, JAMSHEDJI TATA ROAD, MUMBAI - 400 020.

मुंबई रिफाइनरी, पो. ऑ. नॉक्स भं. 10020, बी. डी. पाटील मार्ग, माहुल, मुंबई - 400 074.

MUMBAI REFINERY, P.O. BOX NO. 10020, B. D. PATIL MARG, MAHUL, MUMBAI - 400 074.

टेलीफोन : TELEPHONE : 2507 6000, फॅक्स : FAX : 2554 2008, तार - हिमरिफ, TELEGRAM - HINREF

CIN : L23201MH1952GOI008858

HR MR/

July 16, 2021

To,
The Conciliation Officer &
Regional Labour Commissioner (Central), Mumbai
Office of Dy. Chief Labour Commissioner (Central)
Shram Raksha Bhavan, Shiv Shushti Road,
Eastern Express Highway, Slon(East), Mumbai - 400 022
(Kind Attn: B.V.S. Rathore)

Sub: "Industrial Disputes Act, 1947 - Demand over the issue for sanction of pending overtime of 4 hours extra duty performed during Covid-19 pandemic from April to September 2020".

Dear Sir,

This has reference to letter bearing No. B.8(29)/2020-B.I dated 09/07/2021 with regard to subject matter directing us the attend the matter on 22/07/2021 at 14:00 Hours.

In this regard, we wish to request you to kindly grant fifteen days adjournment for furnishing our comments.

We shall be very thankful for your kind co-operation.

Thanking you,

Very truly yours,

S H Mehdi
Chief General Manager-HR
Mumbai Refinery

Dt. 22/07/2021

Union protest. Management- remained absent but with estimation. Management- vide their email dt. 20/07/2021 has sought adjournment. Since the C.O. is on official tour and not available, the conciliation is adjourned. Next date of conciliation is fixed for 10/08/2021 at 1500 hrs.

Notices shall be send to management.

Gurpreet

(Pradeep Mangrkar)
General Secretary
HPCL Karmachari Sanghathan.