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From: Sandeep Bhagwan Revandkar/ONGCL

To: C MATHAVAN/ONGCL

Cc:

Subject: OT order 2013

Date: Wed, May 12, 2021 6:02 PM

Hello sir,

kindly go through point no. 2 (f) on page no. 3 (highlighted).

Overtime is calculated on actual working hours which exclude lunch break and absence (TEA TIME) of any kind including weekly off/holidays.

TX.

(See attached file: OTA Order 25.07.2013-1.pdf)



OIL AND NATURAL GAS CORPORATION LIMITED
Office of Chief-ER

Corporate Policy Section
II Floor, B. S. Negi Bhavan
Tel Bhavan, Dehradun – 248003

O.O. No. ONGC/ER/CP/ALL/011
Last Updated on: 25.07.2013

OFFICE ORDER (ALL-011)

Sub: OVERTIME ALLOWANCE

In supersession to all the earlier instructions on the subject, the payment of Overtime Allowance will be regulated as follows:

1. SCOPE :

Overtime Allowance (OTA) is payable to all the employees of unionized category as compensation for putting in extra hours of work, beyond normal duty hours.

2. ELIGIBILITY:

The entitled employees are paid OTA as per the following eligibility:

- a) Employees covered by the Mines Act, 1952, Factories Act, 1948 and the Shops and Commercial Establishments Acts of the respective State Governments will be paid Overtime Allowance as per the applicable Acts and the Rules made there under.
- b) The various restrictions regarding maximum working hours and payment of Overtime per day/per week as mentioned in the respective Acts shall be followed. In case, where it is impractical to follow these instructions, necessary exemption shall be obtained from the Centre/State Government by the Establishments concerned if not already obtained. The OTA payable to an employee in any month shall not exceed 1/3rd of his monthly emoluments on which overtime is calculated provided such payment is not covered under any statutory provisions. However, wherever such payment is covered under any statutory provision, the afore-said restrictions/limitations shall not apply and instead the provisions of the relevant Act/Rules shall prevail.

Note: In case of operations that are periodic and continuous in nature like cementing, logging operations, casing running in operations or case of shift disruptions, Key Executives may take decisions going beyond 1/3rd of monthly Pay + DA provided it is not possible to improve the situations through other means like redeployment of manpower and planned approach etc. Key executives should record each situation warranting relaxation of the ceiling, before according approval for which database be maintained. However, EC in its 390th meeting held on 4th March, 2011 at New Delhi decided that the limit prescribed for overtime payment at 1/3rd of (Basic+DA) be strictly adhered to. Due justification be recorded in the system wherever overtime exceeds 1/3rd of (Basic+DA). All Key executives

are requested to record and maintain data base for monitoring overtime more than 1/3rd of (Basic+DA) before according approval.

(Issued vide Office Order no. 18(3)/06-OTA/CP, dated, 28th July, 2011)

- c) Unionized category of employees who perform normal shift duty in round the clock 8 hours shift duty pattern on a Gazetted Holiday may be paid Overtime Allowance
- d) These provisions shall not apply to the following category of employees:-
 - i) Employees specifically exempted from working hours/overtime restriction by the Mines Act, Factories Act and Shops and Commercial Establishment Acts of the respective State Governments and Rules there under.
 - ii) Employees whose work is of intermittent nature; field/inspection staff while on field duty; persons not in whole time employment; employees while on tour.
- e) As per the Factories Act, 1948, Overtime allowance shall be calculated on Basic pay plus Dearness Allowance and also the following allowances (if being drawn by employees) in addition to Basic Pay plus DA:
 - i) DSCA
 - ii) HRA
 - iii) Operational allowance
 - iv) Performance & Productivity Allowance

Note: If HRA & Operational Allowance is not being drawn by the employee due to allotment of colony accommodation or nature of duty in the office; then such allowances shall not form basis for calculation of Over Time Allowance.

However, consequent upon wage revision of executives and unionized category of employees w.e.f. 1.1.2007, DSCA has been discontinued and Underground Mining Allowance has been introduced w.e.f. 26.11.2008. Further, consequent upon introduction of PRP for unionized categories of employees, payment of Performance and Productivity Allowance to unionized categories of employees has been discontinued.

In view of above developments, it has been decided that employees working at Uran and Hazira plants shall be paid OTA taking into consideration following allowances (if drawn by employees) in addition to Basic Pay plus DA for calculation of OTA w.e.f. 26.11.2008:

- i. House Rent Allowance (where paid)
- ii. Operational Allowance
- iii. Underground Mining Allowance

However, if any of the above mentioned allowance is not being drawn by the employee due to allotment of colony accommodation or nature of duty in the office then such allowance shall not form basis for calculation of Overtime Allowance.

(Issued vide Office Order no. 18(3)/11/CP, dated, 28.07.2011 and 23.03.2012)

Central Workshop, Vadodara and Tatipaka Mini-refinery are also covered under Factories Act, 1948. As such, the employees eligible for overtime and working at these locations shall also be paid Overtime Allowance w.e.f 26.11.2008 taking into consideration the following allowances:

- (i) Basic Pay
- (ii) DA
- (iii) House Rent Allowance
- (iv) Operational Allowance
- (v) Underground Mining Allowance

However, if any of the above mentioned allowance is not being drawn by the employee due to allotment of colony accommodation or nature of duty in the office then such allowance shall not form basis for calculation of Overtime Allowance. This has the approval of Director (HR).

(Issued vide Office Order (32/2013) No. 18(3)/11/CP dated 12.07.2013)

- f) **Overtime is calculated on actual working hours which exclude lunch break and absence of any kind including weekly off/holidays.**
- g) Subject to the restrictions laid down in the relevant Act regarding payment of OTA, the employee will be paid OTA for the actual hours of work put in on National/Closed Holidays. For working overtime on weekly rest day, the employee may be granted Compensatory Off (in lieu of Overtime Allowance) in terms of the provisions of relevant Act, wherever feasible. The employee may also opt for availing Compensatory Off in lieu of work performed on Saturday/ Sunday/Closed Holiday. This is further subject to the provisions of the relevant Act.

3. GENERAL CONDITIONS:

The necessity of economizing the operations to reduce costs and becoming competitive, and to this end, optimum utilization, amongst others, of manpower and improvement in productivity have been well appreciated by the recognized Unions as well, and they have agreed to jointly work towards these common objectives. Accordingly, Overtime Allowance is to be reduced to the tune of 50% to 75% in the overall interest of the organization. Sanctioning authorities should be judicious and objective in sanctioning payment of overtime allowance.



(S K Tomar)
DGM (HR)-Corp. Policy