



# OIL & NATURAL GAS COMMISSION (B.O.P.) KARMACHARI SANGHATANA

Regd. No. (By-II-8268)

Tel No. 26599775

Address : Flat No.102, 1st Floor, Acme Harmony -I, Poonam Nagar, Off JVC  
Link Road, Jogeshwari (E), Mumbai : 400 102

REF. : ONGC/KS/231/2007

DATE : 22/08/07

To,  
The Chief Labour Commissioner (CL),  
Shram Shakti Bhavan,  
Rafi Marg,  
New Delhi.

*e/c*

Subject: Committee constituted by management to decide regularization of Direct Employees not consenting ONGC (BOP) Karmachari Sanghatana even though being a party to the reference pending before Hon. CGIT-II.

Respected Sir,

I, the undersigned General Secretary of ONGC (BOP) Karmachari Sanghatna would like to bring certain facts on the above issue, and management's unconstitutional steps, hand in gloves with certain collectives, towards resolving the same outside the framework of judiciary.

- Direct Employees a perception twisted by our IR department, was conceived in reference to the order passed by Hon'ble High Court, Mumbai, dated 31/08/1996. Please find a copy attached for your perusal. (Annexure 'A')
- 365 Contractual Labour working in various ONGC installations, under 13 categories having permanent, regular and perineal nature of job, had to be abolished as per the directives of Ministry of Labour, Govt. of India. Copy to the said circular is attached for your perusal. (Annexure 'B')
- Management decided to remove these employees who are serving in ONGC today for 15 to 20 years, as an when the Contract tenure was terminating. At this juncture certain collectives approached the Hon'ble High Court, Mumbai. After long deliberation, their lawyer failed to defend the case, accordingly the case was dismissed.

- The effected employees and ONGC (BOP) Karmachari Sanghatna, fully knowing the fact that the merit of the case was not projected properly, became a party to the reference and approached the apex court and rightly got the judgment of the Hon'ble High Court, Mumbai reversed. The Hon'ble Apex Court thus directed the Hon'ble CGIT-II to look into the merit of the case, as on date the reference is pending before the Hon'ble CGIT-II for final judgment and disposal.
- Regularization of the above direct employees was taken up at the other forums also, like the "Parliamentary Committee on Labour Welfare".

With the request of the management to all collectives, not only the issue of Direct Employees, but also other 18 categories of Permanent, Regular & Perineal nature whose references are either pending in CGIT or Apex Court to settle outside the frame work of judiciary, we have submitted our draft, which quotes :

- (1) Regularizing all Direct Employees w.e.f. January 1997, resulting arrears which will amount to more than 6 lakhs per employee will be negotiated less than the same.
- (2) Others to be treated as Tenure based employees, with certain changes in the service condition already existing. Please find copy enclosed for your perusal.(Annexure 'C')

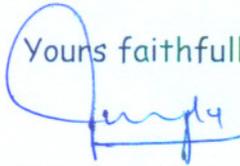
Overlooking all our efforts most unconstitutionally management has constituted a committee making PEU (Petroleum Employees Union) party to the same to resolve the issue. We have brought to the notice of the management including General Manager (HR)-IR, negotiations towards resolving the issue is not extended to us, when we are a party to the said reference. This will have widespread repercussions. Management will be solely responsible for the same.

In the interest of equity and fair play, we are bringing it to the notice of your esteemed authority. Beyond this we will be left with only option of resorting to direct action in all installations (Onshore-Offshore) after two weeks from issuance of this letter.

With regards,

Thanking you,

Yours faithfully,



(Pradeep Mayekar)  
General Secretary



**Copy to:**

- 1) Director (HR), Jeevan Bharti-II, New Delhi-110001
- 2) ED, Chief -ER, Tel Bhavan, Dehradun, Uttaranchal.
- 3) ED -MH Asset, MR, Vasudhara Bhavan, Bandra, Mumbai-51 - *3/23/07*
- 4) ED-(HUP), URAN, Dronagiri Bhavan, Uran Plant, Uran
- 5) ED-(HHP), Hazira Plant, Surat
- 6) GGM-Head (HRD) ONGC Negi Bhavan, Dehradun, Uttaranchal
- 7) GGM (HR/ER), WOU, MR, NSE Plaza, BKC, Mumbai-51
- 8) GGM-I/C Nhava Supply Base, Nhava.
- 9) GM (HR)-IR, MR, NSE Plaza, BKC, Mumbai-51
- 10) GM-RTI, Panvel.
- 11) DGM-Legal, MR, NSE Plaza, BKC, Mumbai-51
- 12) RLC (CL), Shramraksha Bhavan, Sion, Mumbai

RECEIVED  
BY No. *Received*  
DATE *23/8/07*  
DATE OUT

*AV*  
*23/8/07*

*Legal Section*  
*23/8*

*File*  
*24/8/07*

Office of the Dy. CLC (C) / Bombay