

PETROLEUM EMPLOYEES UNION

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To,
The Director (HR),
ONGC Ltd, N.Delhi.

**SUBJECT: FURTHER ENGAGEMENT OF MARINE SECURITY SUPERVISORS
(TERM BASED) ON ATTAINMENT OF 45 YEARS OF AGE.**

Respected Madam / Sir,

As you might be aware that, there are 80 sanctioned posts of MSSs in our organization. 10 MSSs were inducted in 2010 for onshore locations followed by induction of 48 MSSs for offshore locations (04 each per platform) in 2012. 22 posts are kept reserved for future projects. The engagement of MSSs is on '04 year term Basis' and is without any age cap of 45 years as per the advertisement notifications that were published till date in line with the R & P policy.

The present status of term based MSS manpower is tabulated below :-

Year Advertised / Engaged	No. of posts Advertised	Remarks	In service
2010	10	10 MSSs initially engaged. Those who remained in service got terminated in 2018 after serving for 2 terms of 4 year each	0
2012	48 (GEN-24, OBC-12, SC-8, ST-4)	48 MSSs engaged. Those who remained in service got terminated in 2020/21 after serving for 2 terms of 4 year each	0
2013/14	21 (GEN-7, OBC-4, SC-7, ST-3)	Got engaged on 01 st term of 4 years as term based engagement Those who remained in service (10 MSSs) granted 02 nd term in the form of fixed term contract of complete 4 years in 2018 without attainment of 45 years clause and with delay of nearly 08 to 10 months. Contract agreement vetted by legal & IR sections. Scheduled for termination in 2022/23 as per present trend	6
2015/16	18 (UR-9, OBC-2, SC-6, ST-1)	Got engaged on 01 st term of 4 years as term based engagement	

		Those who remained in service granted 02 nd term in the form of fixed term contract of 4 years OR attainment of 45 years whichever is earlier in 2021. Out of 07 MSSs 02 got terminated. 01 didn't opted owing to delay of 9 months in awarding 2 nd term especially during 2 nd wave of covid ordeal. Contract agreement vetted in 2018 is vetted again by legal & IR sections. Scheduled for termination in 2022/23	3
2017	21 (UR-11, OBC-5, SC-3, ST-2)	Got engaged on 01 st term of 4 years as term based engagement.	5
2018/19	25 (UR-5, OBC-5, SC-11, ST-4)	Got engaged on 01 st term of 4 years as FTC. 01 MSS engaged in Dec 20.	2

1. The requirement of MSS is of perennial in nature for reasons highlighted in chapter 3 of 24th Lok Sabha report published by standing committee of P & NG. Huge exchequer is spent in offshore internal security infrastructure under Comprehensive security solutions / surveillance systems. These infrastructure require continuous manning & availability of these trained manpower. They are integral part of exhaustive crisis management system for Onsite & offsite ERP / DMP. Rather than retaining the existing & experienced manpower i.e. the MSSs who remained in active service and continuing their term based engagements further, our organization has resorted to convenient termination from 2018 onwards by imposing the age cap of 45 years by unfair means.

2. The service after 45 years of age of any field going offshore / onshore employee is subject to medical fitness, satisfactory performance and based on company requirement. As per "medical and physical fitness criteria for offshore going personnel", the male offshore going personnel are permitted to perform offshore duties without any restrictions on age factor till superannuation age. At present the periodicity of conducting of PME is every 2 years for all employees including the tenure based offshore going employees. The upper age limit for woman employees who can be posted at offshore is 45 years. However, female employees after attaining the age of 45 years are also posted at offshore subject to medical clearance with maximum limit regulated by the age of 50 years (office order 43/2015, 28/2017 refers).

3. ONGC could engage specialists / experts on contract with G & G and engineering cadre for a pre-determined period of 4 years or up to an age of 60 years whichever is earlier on Tenure based contracts. It could also engage GDMO/FDMOs/ Boiler Engineers till the age of 60/65 years. Being a public entity and a model employer, the company had already acknowledged and concluded a MOU for service protection of 3rd party contractual employees to serve till the age of superannuation if the work with ONGC is existing.

4. As per the office order No. 58/2012 dated 22.08.2012 on the subject: Modifications in the terms & conditions of the tenure-based engagement "The ONGC board in its 233rd meeting held on 10 July 2012 has approved engagement for a final tenure period of four

years on attainment of 45 years of age subject to the final tenure period offered being regulated by the age limit of 50 years. The modifications were made applicable to Tenure based Executives and Tenure based Field operators and they are being permitted to serve the organization till attainment of 50 years. These disciplines have entered into their consecutive 6th term and are serving the organization for the last 25 to 30 years. Request to further engage them beyond 50 years is under pursuance.

5. It concludes that the age factor criteria applicable to offshore going woman employees has been made applicable to all secondary work force which is in gross violation of natural justice & law. The term based MSSs are being denied of the provision to serve till 50 years which is otherwise extended to other 4 year tenure based disciplines. Furthermore, restricting the service period of term based MSSs to 2 terms and deliberately causing numerous delays in awarding these 2 consecutive engagements, constitutes to highest discrimination and is seen as an invitation to many implications rather than avoiding them.

6. The secondary work force are already under privileged and are the victims of actions of management that conveniently ignores the legislations set by Amendment to employment standing orders. There is also disparity in effecting wage revision of these term based MSS employees which is long due since 01.06.2017 as compared to other 4 year tenure employees who are already in receipt of their revised wages. Issues like travel entitlement (MSSs is the only discipline which travels by sleeper class and continuously losing 5 days of Off time in every duty cycle for journey performed for attending their duties) acknowledging of contributions for doing extended duties during covid etc. also needs to be looked upon. The GIS ceilings for secondary workforce were revised only in 2019 from so many years and the value of their life now stands at 8 lakhs. The company could have allowed individuals to take term policies on premium reimbursement basis.

7. Due to this prolonged exploitation of their labour under the veil of term-based engagement, resignations followed-on & it is evident from the advertisements that backlog vacancies always existed and it is well established that our organization has always been requiring the manpower in fact it was never able to augment the same even after conducting of a total of 7 recruitment drives to date.

8. Rather than frustrating and playing with the lives of existing manpower and spoiling the careers of new entrants it would be more deserving and justifiable to retain the existing, offshore experienced manpower and especially when we are not able to fill up the vacant positions for the last 10 years. Finding, identifying, educating, motivating and retaining quality manpower has become more difficult now a days. Feasibility exists for extension of the terms till superannuation age for all the MSSs remaining in service side by side filling up of vacant positions within the sanctioned strength. Unlike tenure based engagements the Fixed Term Contracts are legalized by the union government gazette. As there is no limit on award of number of consecutive contracts to any person for any job, The Company can extend the 4 year terms of MSSs without inviting any legal implications as the work will

be existing. Arrangements akin to specialists, doctors etc. can very well be done with all other term based / Tenure based employees.

9. It may be noted that the denial of further engagement / discontinuation of services at the crucial juncture of life, when their social needs are at peak without providing sufficient compensation to this effect pushes them along with their dependent families into many problems. Further time and again inducting new manpower overthrowing the existing manpower, into the same post and statute, with the same intention of hire & fire corroborates to gross or willful negligence, recklessness in decision making, blatant violation of system and procedures connotes vigilance angle besides inviting legal implications.

Submitted to look into the matter for a mutually beneficial solution.

Thanking You.

Yours Sincerely,



(Santosh J. Patil)
General Secretary

Copy to :

1. ED- Chief ER, ONGC Ltd, N.Delhi.
2. ED- Head Security, ONGC Ltd, PDDU Bhavan, N.Delhi.
3. Head R&P, ONGC Ltd, N.Delhi.
4. GGM – HRO, NBP Green Heights, BKC, Mumbai.
5. Head Security, ONGC Mumbai Region, NBP, Mumbai.
6. Head Offshore Security, NBP Green Heights, BKC, Mumbai.
7. DGM(HR) – I/C IR, NBP Green Heights, BKC, Mumbai.
8. Incharge R&P, ONGC Ltd, Mumbai.
9. Dy. (CLC) – Shram Raksha Bhavan, Sion, Mumbai.