

**GOVERNMENT OF INDIA
PETROLEUM AND NATURAL GAS
LOK SABHA**

UNSTARRED QUESTION NO:3270
ANSWERED ON:30.08.2013
CACHAR PROJECT OF ONGC
Purkayastha Shri Kabindra

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

- (a) whether the Government is aware of dispute between the Oil and Natural Gas Corporation Limited (ONGC) and contractual workers] engaged in Cachar project;
- (b) whether the Industrial Tribunal, Guwahati High Court and the supreme Court have given their verdicts in favour of contractual workers;
- (c) if so, whether the ONGC complied with the verdicts of the courts;
- (d) if not, the reasons therefor; and
- (e) the corrective measures taken by the Government in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF PETROLEUM & NATURAL GAS (SMT. PANABAACA LAKSHMI)

(a)to (c): Yes, Madam. It is fact that ONGC contractual Workers Union, Silchar raised industrial dispute for 290 workmen under reference No. 6(c) of 1990 before Industrial Tribunal(IT), Guwahati. IT passed the award dated 11.07.1994. IT, inter-alia, held that 'As the workmen are in continuous service since 1987, having requisite qualification and experiences they are entitled to regularization in their respective posts as per Clause (2) of the certified standing order of the contingent employee of ONGC'.

ONGC filed Writ Petition in Guwahati High Court which by its order dated 08.09.1998 set aside the award of Central Government Industrial Tribunal(CGIT). Union filed appeal before Division Bench of the High Court which by its order dated 24.12.1999 restored the CGIT Award.

ONGC filed Special Leave Petition(SLP) before Hon'ble Supreme Court. During pendency of the SLP, ONGC offered "Goodwill Package Scheme" (GPS) in lieu of benefits under the Award which was accepted by 176 workmen. The SLP of ONGC was dismissed by Supreme Court on 16.5.2008 upholding CGIT award. ONGC has complied with the verdicts of the Courts in the following manners:-

(i) 176 workmen accepted the GPS. However, upon dismissal of ONGC's SLPO, these workers also wanted benefits under CGIT Award and filed I.A. No. 8/2008 before Hon'ble Supreme Court. Supreme Court rejected their plea vide order dated 15.3.2011 observing that, "that some of the applicants have voluntarily opted out of service and accepted the "Golden Package Scheme" and filed affidavits to the effect as well, no further clarification is required"

(ii) 109 workers, who did not opt for GPS, have been appointed by ONGC as contingent workers vide O.O. NO. CFB/HR/Contingent/2008 dated 20.09.2008 under Clause (2) of the Certified Standing Order of the Contingent employees of ONGC in terms of the Award date 11.07.1994 passed by the Industrial Tribunal.

(iii) Five Workmen remained absent.

(d) and (e): Does not arise in view of reply to (b) and (c) above.