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Government Eases Labour Rules for Oil and Gas Workers

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The Ministry of Labour and Employment has by a notification relaxed the applicability of sections 28, 30 and 35 of the Mines Act, 1952, to persons employed in the exploration and production of oil and gas mines in India.

The aforesaid sections of the Mines Act, 1952 provide for (i) a 6 day working week in a mine, and (ii) a maximum of 48 hours of work in a week and 9 hours a day in "above ground" mines (subject to a total of 10 hours in a day inclusive of overtime), with a compulsory rest period of 30 minutes after 5 hours of work.

Workers in the exploration and production of oil and gas are now exempt from the applicability of the aforesaid sections of the Mines Act, 1952, subject to a number of conditions viz.:

- (a) no person is to be deployed for more than 12 hours on any one day;
- (b) no person is to be deployed for more than 21 days at a stretch with rest interval of the same number of days;
- (c) persons deployed for 21 days "on-and-off" work pattern should be provided with standard accommodation and welfare amenities/facilities at the site or camp, such as free boarding and lodging, transportation, medical, health and hygiene facilities, sanitation, recreation facilities, and other facilities as mutually decided;
- (d) the flexible 21 days "on-and-off" work patters should be adopted after written agreement between workers and employers' organisations; and

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(e) such persons so deployed should be paid allowances and other facilities amounting to not less than the extra wages or overtime which shall have been otherwise payable to them under the Mines Act, 1952 or other applicable law.

This exemption is to provide flexibility to oil and gas companies in deploying workers “on-and-off” offshore rigs or remote onshore locations. It is perceived that this exemption will act as a precedent for the Government to consider similar exemptions for sectors where workers require flexibility in working hours. It should be noted that this exemption is by way of notification under section 83 of the Mines Act, 1952, rather than by amendments to the Mines Act, 1952, which would have required approval of the Parliament.

Feedback

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