



ऑयल एण्ड नैचुरल गैस कॉर्पोरेशन लिमिटेड  
Oil and Natural Gas Corporation Limited,  
निगमित नीति विभाग

Corporate Policy Section,

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No. 17 (49)/2017/TA and Legal Fee/CP

Date: 03.01.2018

## OFFICE ORDER (01/2018)

**Sub: Legal assistance / travel & stay entitlements to ONGC employees (serving as well as retired) in connection with the case instituted against them in the Court of Law for official acts.**

Reference is invited to **Para (B)** of office order No. 17 (49) / 06 / TA and Legal Fee / CP dated 30.12.2006 (**copy enclosed**) regarding grant of travelling allowance and reimbursement of legal expenses (advocate fees) to an employee in connection with the case instituted against him in the Court of Law for their official acts. The issue has been reconsidered by Executive Committee (EC) in its 502<sup>nd</sup> meeting held on 09.11.2017 at New Delhi wherein it has been decided to modify the existing Para (B) of the above mentioned office order as under:

- a) If an ONGC employee is implicated in a legal case because of his / her official position / functions / decisions / commission / omission in discharge of his official duties and he / she is required to attend the Court in the interest of ONGC, then such cases will be treated as ONGC's own case and necessary legal assistance will be provided to the employee concerned. Expenditure on such cases shall be borne by ONGC, regardless of the outcome. The employee will unconditionally accept the decisions / actions taken by ONGC for conduct of the case and the subsequent outcome of the matter. However, if the employee insists upon appointing a particular advocate / chooses his own advocate, then he has to bear the expenses for the same and ONGC will not grant any reimbursement.
- b) If the employee is no more in service of ONGC and is required to attend the Court in ONGC's interest then he would be extended the travel / accommodation / TA / DA as per his entitlement for the level from which he ceased to be in service of ONGC.
- c) If the case has arisen because of some omission / commission by the employee in his private / individual capacity having no connection with official functions, then such cases should be dealt by the employee at his cost and consequences and the question of reimbursement by ONGC does not arise.
- d) The above modifications will be effective from the date of issue of this office order.

Encl: As per above.

  
(Alok Misra) 31/1/18  
ED-Chief, ER



OIL AND NATURAL GAS CORPORATION LIMITED  
DEPARTMENT OF EMPLOYEE RELATIONS  
TEL BHAVAN: DEHRADUN

No.17 (49)/06/TA&Legal Fee/CP

Dated December 30,2006

**OFFICE ORDER (76/2006)**

**Sub: Grant of Traveling Allowance and reimbursement of Legal Expenses (Advocate Fees) to an employee in connection with the case instituted against him in the Court of Law for their official acts.**

The issue regarding formulation of guidelines for grant of Travelling Allowance to employees under suspension and reimbursement of Legal Expenses (Advocate Fees) to employees in connection with the case instituted against them in the Court of Law for their official acts, has been considered by the Executive Committee in its 300<sup>th</sup> meeting held on 3.11.2006 at New Delhi, wherein following guidelines have been approved for regulating such cases.

**(A) Grant of Travelling Allowance to employees who undertake journey during suspension for appearing in a Court of Law, as an accused:**

(i) Such employees will be allowed travelling allowance from their Hqrs. to the place of judicial proceedings by the shortest route **only on conclusion of the case and in the event the employee is honorably acquitted by the Court.**

(ii) Daily Allowance will be admissible for the period of halt, at the place of judicial proceedings subject to production of proof of halt, along with the TA claim. Daily Allowance will, however, not be paid for the journey period.

(iii) The travelling allowance and daily allowance in such cases will be regulated in accordance with the level/pay being held/drawn immediately before suspension.

(iv) No advance against expenses on account of travelling allowance and daily allowance will be admissible in connection with such journeys.

(v) The employee should submit his travelling allowance claim upon his acquittal by the Court of Law. The claim should be accompanied by a copy of the Court's Judgement acquitting the employee, summons received by the

employee, proof of travel (Ticket/PNR No. in case of journey by rail/bus or air ticket in case of journey by air, as per entitlement).

(vi) No other facility will, however, be admissible to such employees.


(vii) The competent authority to allow the travelling allowance claim will be as under:-

- a) Employees of Board level - C&MD
- b) Employees of E-7/8/9 level- Director concerned
- c) Employees upto E-6 level - Officer of concerned Estt. not below E-7

(viii) Pending claims/cases shall also be regulated by the above dispensation.

**(B) Reimbursement of Legal Expenses (Advocate Fees) to an employee in connection with the case instituted against him in the Court of Law for his official acts:**

If such proceedings/case concludes in favour of the employee, ONGC may, if it is satisfied from the facts and circumstances of the case that the employee was subjected to the strain of proceedings without proper justification, reimburse the whole or any reasonable proportion of the expenses incurred by the employee for his defence. However, reasonability of reimbursement of whole or any proportion of legal expenses shall be determined on the merit and nature of each case in consultation with concerned Legal Department only on final conclusion of the case. Further, in case of engagement of any senior Counsel, prior approval of the Competent Authority i.e. HR-I level executive, in consultation with concerned Legal Department should be obtained by the employee. This dispensation shall be applicable to both serving as well as retired employees of ONGC. Pending claims/cases if any shall also be regulated by the above dispensation.

  
(Amarendra Sahu)<sup>30.12.2006</sup>  
Chief Manager (P&A)-Corp.Policy

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