

ALL INDIA BHARAT SANCHAR NIGAM LIMITED RETIRED EXECUTIVES' ASSOCIATION

SECOND ALL INDIA CONFERENCE, MADURAI

HELD ON 12th & 13th NOVEMBER, 2019

RESOLUTIONS PASSED

ACTION BY DOT/BSNL

1. (a) Revision of Pay Scales of BSNL employees following issue of DPE OM dated 03.08.2017

The All India Conference of AIBSNLREA, which met on 12th and 13th November, 2019 at Madurai, noted with great concern that though the Department of Public Enterprises, with the approval of Cabinet, has issued guidelines for revision of Pay Scales and other allowances of the Board level and below Board level Executives and Non-Executive Supervisors of all CPSEs w.e.f. 1.1.2017 based on the recommendations of 3rd Pay Revision Committee, the pay scales of the BSNL Executives have not been revised so far which is the main cause of demoralization and frustration in them. Consequently, the pension of the absorbed BSNL pensioners is also not revised. This has caused serious erosion in the monthly income of the pensioners who are finding it difficult to manage their livelihood. Non-revision of pay scales and pension for long 13 years, despite availability of Orders, is certainly a matter of serious concern and unacceptable. The Conference also noted with deep regret that the Administrative Department i.e. the Department of Telecommunications is not taking any positive move to revise the pay scales by finding solutions for the stated additional financial burden on BSNL on account of revision of pay scales.

The House unanimously resolved that the Administrative Department of Bharat Sanchar Nigam Limited i.e. Department of Telecommunications take immediate steps to revise the pay scales of Board level and below Board level Executives and Non-Executive Supervisors of BSNL w.e.f. 1.1.2017 by restricting the additional financial burden to the barest minimum or even with no burden at all on BSNL through the following measures along with others: -

- (1) Pension contribution under FR-116 for the absorbed employees be calculated basing on "actual pay":** The issue of calculation of pension contribution under FR-116 in respect of the absorbed BSNL employees basing on "actual pay" instead of on "maximum of the pay scale", as allowed by DOE/DOP&T for the Central Government employees on foreign service w.e.f. 1.1.2006, must be got settled immediately. The Department of Expenditure, while clearing the proposal for calculation of pension contribution basing on "actual pay" w.e.f. 1.1.2006 for the Government employees on foreign service, advanced the ground for this decision, vide its ID No. MoF (DoE) ID No.228 (SO)(E-III(A)/08 dated 19th December 2008, that ***"With the introduction of Modified ACP Scheme under which an employee will now get financial upgradation to the next higher grade pay on completion of 10 years of service, under normal circumstances, no government servant is likely to remain in a particular grade for more than 10 years. In the light of this position, it is proposed that instead of the present practice of basing the calculation of pension contribution during the active period of foreign service on the basis of the maximum of the pay scale plus dearness pay appropriate to such maximum plus interim relief appropriate to such maximum, such calculations may now be based on the existing basic pay of the Government Servant."*** The above stated ground, as advanced by Department of

expenditure in respect of CG employees on foreign service, in fact is more applicable to the BSNL employees since all the BSNL Executives are covered under time bound financial upgradation Scheme after every 4/5 years and the non-executive employees after 7/8 years. Thus, none of the BSNL employees remain on the maximum of the scale is in a particular grade for more than 4/5 years in case of the executives and 7/8 years in case of the non-executives. Calculation of pension contribution basing on actual pay of the BSNL employees needs to be implemented w.e.f. 1.1.2006 as in the case of the CG employees or even earlier as the time bound financial upgradations in BSNL were made effective w.e.f. 1.10.2004. It has been estimated that BSNL has paid around Rs.5000 crores in excess to DoT on this count. The excess payment received by DOT from BSNL since then must be refunded back to BSNL.

- (2) **Allow implementation of revised pay scales, fitment benefit, increment and Dearness allowance with temporary capping on other allowance for the time being:** While considering the proposal for revision of pay scales of the Board level and below Board level Executives and Non-Executive Supervisors of BSNL, revised pay scales along with fitment benefit, increment and Dearness Allowance alone, as ordered by the DPE, be implemented. As regards other allowances, these may continue to be paid on pre-revised pay scales for the time being. The payment of arrears on account of pay scale revision may also be made in two or three instalments.
- (3) **Relax 'affordability clause':** Since DPE, in response to DOT's OM No. 11-1/2017-SU.II dated 20.03.2018 on the question of relaxation of affordability clause, has already clarified vide its No. W-02/0004/2018-DPE-WC dated 18.04.2018, that this would "require approval of Cabinet for which DOT may examine the issue at its end for necessary action". Keeping in view of the fact that BSNL is meeting the social obligations of the Government and also providing and maintaining telecommunication services, which are otherwise commercially non-viable, even in remote villages and hilly terrains is incurring huge losses on these counts, the DOT should immediately move a Cabinet Note seeking relaxation of affordability clause for BSNL. Moreover, it is the policy of the Government that did not allow BSNL to participate in auction for allotment of high speed 4-G services which finally forced it to lose its large number of customers and revenue because of its inability to provide high speed data services. After all, BSNL employees cannot be held responsible for wrong decisions of the Government.

1. (b) Revision of Pension/Family Pension of absorbed BSNL Pensioners:

The House further unanimously resolved that the Government also revise the pension/family pension of the absorbed BSNL pensioners, whose pension/family pension is being paid by the Government from Central Civil Estimate and are allowed all pensionary benefits as per the rules laid down in CCS (Pension) Rules 1972 and as amended from time to time, w.e.f 01.01.2017 with fitment benefit of 15% without any further delay by getting all the issues coming in the way of revision of pension/family pension resolved immediately.

2. Plan for revival of BSNL:

The All India Conference of AIBSNLREA held on 12th and 13th November, 2019 at Madurai noted with a sigh of relief that Government has finally approved some concrete proposals for

revival of BSNL. But it also finds with great anxiety that these are of long-term measures in nature and require long time to implement and get the desired result.

The Conference observed that BSNL is now facing an acute and unprecedented financial crisis. Today, the situation has reached a low where BSNL is not even able to pay the salary of its employees and also make wage payments to its contractual workers. The all-important medical reimbursement claims of the employees in general and the pensioners in particular are now pending over a year. The pensioners, who wanted to switch over to CGHS by making onetime payment of over Rupees one lakh in many cases to the CGHS authorities with great difficulties, are still not paid the reimbursement of the onetime payment. BSNL is also not able to clear the electricity bills and thereby is paying heavy penalty for delayed payments. Even the Generators are not being run since no payment is available to purchase diesel. Because of these, thousands of BSNL tower sites have gone powerless affecting the services. As a result, BSNL is losing its existing customers and also the revenue. BSNL is also unable to make other obligatory payments to the vendors and virtually no payment of temporary advance is allowed, to carry out even the emergency works. Moreover, the employees' GPF contribution, bank loan instalments, insurance premium etc., though recoveries have been made from the salaries of the employees, are not being deposited. The situation is really beyond one's imagination.

The Conference felt and accordingly pleads with the Government that BSNL be given an immediate financial assistance to come out of the above stated mess. Otherwise, its total collapse cannot be ruled out. DoT needs to issue the all-important letter of comfort required by banks to provide loan to BSNL to meet the temporary short of cash flow.

The Conference also noted with regret that BSNL and its administrative Department has miserably failed to create any managerial cadre for BSNL even after two decades of its formation and are still depending heavily on the ITS Officers on deputation from Department of Telecommunications. The Conference has resolved to urge the Government to immediately initiate the process to create BSNL's own managerial cadre which will be accountable and responsible for the affairs in BSNL. Government may even induct some professionals from outside in BSNL as it has recently done in the administrative service of the Government of India.

3. Immediate payment of dues recoverable from the DoT and Government companies to Bharat Sanchar Nigam Limited:

The All India Conference of AIBSNLREA held on 12th and 13th November, 2019 at Madurai was shocked to learn that, when BSNL is badly in need of immediate cash inflow, its administrative Department i.e. Department of Telecommunications itself and many other Government Departments and Companies owe a huge amount to Bharat Sanchar Nigam Limited as the dues. According to the Annual Report of BSNL for the year 2017-18 [latest available report], amount recoverable by BSNL from DoT stands at Rs.2448 crores, amount recoverable from Government departments and Government companies at Rs.2458 crores and another Rs.1929 crores, which BSNL is doubtful of recovering from Government companies. This adds to Rs.6835 crores. This amount does not include the accrued interest on these dues. It is really shocking that, DoT which has to execute the Government assurance on ensuring financial viability of the company, has itself not paid these huge amount of dues payable to

BSNL for many long years. While BSNL is in a liquidity crisis, requiring immediate infusion of cash, clearing these dues will be of great help in the day to day expenses.

This Conference resolved to urge the Government/DoT to immediately pay to BSNL, the dues recoverable from DoT as well as the dues recoverable from other Government departments and Government companies.

4. Payment of consequential benefits to the former TES Group B Officers of Department of Telecommunication since absorbed in BSNL and MTNL, following revision of their seniority, as ordered by Hon'ble Supreme Court in its final judgment delivered on 14.12.2017 in CA No(s) 4389 of 2010:

The All India Conference of AIBSNLREA held on 12th and 13th November, 2019 at Madurai notes with deep anguish and concern that the Department of Telecommunications has initiated no action or even not issued modalities to implement Hon'ble Supreme Court's final judgment delivered on 14.12.2017 in CA No.(s) 4389 of 2010 directing payment of "consequential benefits of pay fixation including pensionary benefits" w.e.f. 01.01.2018 to all TES Group Officers whose seniority has already been revised and duly approved by the Apex Court. BSNL, on the other hand, is contemplating only about promotions based on these revised Seniority Lists in respect of those for whom promotion orders were issued by it after 2000 and not stating anything about those who were promoted by Department of Telecommunications before 2000 and whose seniority has also been revised in the same seniority lists. BSNL is also silent on the issue of payment of consequential benefits which includes "pensionary benefits" to those who have since retired.

The Conference unanimously resolved that Department of Telecommunications immediately issue the modalities to implement above stated judgment of Hon'ble Supreme Court in its letter and spirit and arrange payment of "consequential benefits of pay fixation including pensionary benefits" with arrears due from 01.01.2018 to the pensioners without any further delay.

5. Restoration of grant of extra-increment on their post-based promotion under "BSNL Executive Promotion Policy" to the BSNL Executives retired between July 2017 and April 2018 by the Department of Telecommunications and denial of their consequent pension revision by the Controllers of Communication Accounts:

The All India Conference of AIBSNLREA held on 12th and 13th November, 2019 at Madurai expressed its deep anguish and serious concern on the apathetic attitude of Department of Telecommunications in not resolving the issue of allowing the benefit of one extra increment, as admissible, to the absorbed BSNL executives under the 'BSNL Executive Promotion Policy,' though the said benefit has already been allowed in case of those BSNL Executives who retired before July, 2017 and also to those who retired after April 2018. After the Principal CAT, New Delhi ordered for restoration of benefit of one extra increment on post-based promotion, DOT issued an Order, vide No. 40-12/2004-Pen (T)/Pt dated 17.05.2018, stating that "... it has been decided to process pension cases of absorbed BSNL executives, who are immediately retiring or retiring within the ensuing months, ignoring DoT order No.40-12/2004-Pen (T) (pt) dated 05.07.2017 after obtaining an undertaking from the retiring executives." Since this Order mentions only about the cases of those retiring or retired within

ensuing months, it failed to cover the cases of those who already retired between July 2017 (when the benefit was withdrawn by DOT) and April 2018 (when the benefit was ordered to be restored by DOT). The Controllers of Communication Accounts of DOT are not restoring the pensionary benefits to these retired Executives due to flaw in DOT's Orders. The Conference also notes with concern that DOT is found just trying to pass the buck on BSNL whenever any representation is sent to it, though BSNL has no role in it and problems are only due to DOT's faulty orders.

The Conference has resolved to urge Department of Telecommunications to immediately issue suitable clarifications to all its Controllers of Communication Accounts and others so that the benefit of one extra increment is also restored to the BSNL Executives who retired between July 2017 and April 2018 and their pension revised accordingly.

6. Opening of "Pensioners' Service Centers", as ordered by DOT/BSNL, in all BSNL Units under Comprehensive Pension Management System (CPMS) introduced by Department of Telecommunications for the purpose of disbursement of pension:

The All India Conference of AIBSNLREA which was held on 12th and 13th November, 2019 had detailed discussions on Comprehensive Pension Management System (CPMS) introduced by Department of Telecommunications for the purpose of taking over the function of disbursement of pension from Banks/Post Offices. The Conference noted that the BSNL Circles/Units were instructed by BSNL Corporate Office vide its No. 48-3/2018-Pen (B) dated 05.10.2018, on the advice of Department of Telecommunications vide its DO No. 47-15/TA-II/CPMS/2018/Pt.1 dated 1.10.2018, to open "Pensioners' Service Centres" through Comprehensive Pension Management System (CPMS) portal to provide facilities like uploading of digital Life Certification, Downloading Form 16, uploading grievances, assistance in filling pension forms by employees/family pensioners and assistance in installing Mobile App etc. Unfortunately, no information is available about opening of such Centres which are considered essential to avoid the difficulties that the old pensioners would face once they are brought under the ambit of CPMS, since the Banks/Post Offices now discharging the function of disbursing pension will have no obligation to extend these services.

The Conference, therefore, resolved to urge Department of Telecommunications and Bharat Sanchar Nigam Limited to get the "Pensioners' Service Centres" opened in all Circles/ Units so that the pensioners can have easy access to these Centres without travelling long distances and also to ensure that lists of such functional Pensioners' Service Centres are uploaded in the website of respective Circles.

7. Non-payment of pensionary benefits including Leave encashment along with fixation of pension on the date of their retirement to the BSNL IDA pensioners who retired between 01.01.2007 and 09.06.2013:

The All India Conference of AIBSNLREA, which met at Madurai on 12th and 13th November, 2019, expressed its serious anguish that Department of Telecommunications while issuing revision of pension with fitment benefit by merger of 78.2% IDA w.e.f. 1.1.2007 for the BSNL IDA pensioners, who retired between 1.1.2007 and 9.6.2013, denied payment of pensionary benefits like DCRG, Commuted Value of Pension and also Leave encashment on the basis of their revised pay, though revision of pension has been allowed on the revised pay. This violates the provision of CCS (Pension) Rules, 1972, since both pension and pensionary

benefits are to be paid based on the revised pay and that pension includes pensionary benefits also.

The Conference resolved to urge the Department of Telecommunications to immediately review and modify its pension revision order issued vide its OM No. 40-13/2013-Pen (T) dated 18.07.2016, and order payment of all pensionary benefits like DCRG, Commuted Value of Pension and also Leave encashment along with revised pension to the BSNL IDA pensioners, who retired between 1.1.2007 and 9.6.2013, based on their revised pay in terms of provisions in Pension Rules and Leave Rules respectively. There is no valid and legal ground to deny DCRG, Commuted Value of Pension and Leave encashment on the same revised pay on which revision of pension was ordered.

ACTION BY BSNL/DOT

8. Non-reimbursement of medical claims under BSNLMRS of the absorbed BSNL pensioners for their outdoor and indoor treatment by BSNL for over last one year despite deduction of TDS in most of the cases and also non-imbursement of one-time payment made to the CGHS authorities by the pensioners to switch over to CGHS facility:

The All India Conference of AIBSNLREA, which met on 12th and 13th November, 2019 at Madurai, expressed its serious concern and deep anguish that the BSNL Management is not reimbursing the medical claims of the absorbed BSNL pensioners, who are the beneficiaries of BSNLMRS, for both their indoor and outdoor treatment almost for past one year. In most of the cases of claims submitted for outdoor treatment, the TDS (Tax Deducted at Source) has already been deducted but no payment has been made. Empanelled Hospitals are also refusing cashless treatments. As a result, the pensioners are themselves to meet the huge expenditure with others' help, since pension is too meagre for them to meet such huge unforeseen and unavoidable expenditure. Even the onetime subscription that some BSNL pensioners have made to the CGHS in order to switch over to CGHS regime are also not being reimbursed.

The House unanimously resolved that BSNL Management must clear all the pending medical claims of the BSNL pensioners including the claims for onetime payment made to CGHS authorities by immediate allotment of sufficient fund for the purpose. The House also resolved that considering the financial limitation and constraints of the BSNL pensioners, necessary fund in future months must be allotted exclusively for clearing the medical claims of the BSNL pensioners.

9. Allowing provision of Mobile connections to the retired BSNL employees residing in TNF areas in lieu of concessional land line connections:

The All India Conference of AIBSNLREA, which met at Madurai on 12th & 13th November, 2019, noted with great concern that the retired BSNL employees residing in "Technically Not Feasible" areas, as declared by BSNL, mostly for want of underground cable pairs, are not being provided alternate available telephone facility in lieu of admissible concessional land line connections. Even the WLL connections earlier provided to most of them were withdrawn following the policy decision of BSNL Management to decommission all WLL Exchanges. The request of the Association to allow mobile connections in lieu has not been acceded to so far.

The Conference wondered when BSNL's own Circle i.e. Madhya Pradesh Telecom Circle can issue an Order, vide its No. PGM(NWO) CFA/CLOSING OF CDMA N/W/2017-18/56 dated 6.5.2019 allowing the provision of Mobile connection to the retired/retiring BSNL employees who are not provided Land Line facility due to non-feasibility or availing existing WLL connection, how the Corporate Office, being the policy maker for entire BSNL, cannot order allowing the same facility.

The Conference has, accordingly, decided to urge BSNL Management to issue immediate Orders to allow provision of mobile connection facility to the retired/retiring BSNL employees in such cases even by restricting its usage as per tariff plan within prescribed monetary limit that the concerned retired employees are eligible to get, had they been provided concessional landline connection.

ACTION BY DOT/DOE

10. Wrong application of FR-116 to collect pension contribution in respect of the absorbed BSNL employees from BSNL:

The All India Conference of AIBSNLREA held on 12th and 13th November, 2019 at Madurai discussed the above issue in detail and observed that collection of pension contribution for the absorbed BSNL Employees by applying provision of FR-116 by Department of Telecommunication is absolutely wrong. FR-116 is meant exclusively for the Central Government employees posted on foreign service in other departments/organizations. The absorbed BSNL employees, as per Sub-Rule 4 of Rule-37-A of CCS (Pension) Rules 1972, on their permanent absorption in BSNL ceased to be Government servants and cannot be treated as on foreign service. As such, FR-116 cannot be applied to collect pension contribution in respect of these absorbed BSNL employees.

The Conference has unanimously decided to urge the Government to stop collection of pension contribution under FR-116 from BSNL in respect of its permanently absorbed BSNL employees and also refund all the amount that were collected so far on this account to BSNL.

11. Non-settlement of the proposal for payment of pension contribution in respect of the absorbed BSNL employees on 'actual pay' basis instead of "maximum of the pay scale" as allowed for the Government employees on foreign service w.e.f. 1.1.2006:

The All India Conference of AIBSNLREA, which was held at Madurai on 12th and 13th November, 2019, discussed at length the above issue and expressed its deep anguish that Department of Expenditure and Department of Personnel & Training had allowed calculation of pension contribution in respect of the Government servants on foreign service to other Departments basing on their "actual pay" in place of "maximum of the scale" w.e.f. 1.1.2006. But the proposal for extending the same criteria to calculate pension contribution in respect of absorbed BSNL employees basing on their "actual pay", has not been cleared by Department of Expenditure so far.

The Conference also noted that the ground advanced by Department of Expenditure, vide *their MoF (DoE) ID No.228 (SO)(E-III(A))/08 dated 19.12.2008* to allow calculation of pension contribution basing on "actual pay" of the Government employees on foreign service that "With the introduction of Modified ACP Scheme under which an employee will now get

financial upgradation to the next higher grade pay on completion of 10 years of service, under normal circumstances, no government servant is likely to remain in a particular grade for more than 10 years....” is more applicable to the absorbed BSNL employees. The absorbed BSNL employees also get financial upgradations after every 4 to 5 years in case of Executives and 7 to 8 years in case of non-executives and thus none of them too remains in the same grade for 4-5 years in respect of the Executive employees and 7 to 8 years in respect of non-executive employees.

The Conference resolved to urge the Government to stop collection of pension contribution under FR-116 for the absorbed BSNL employees, since they are not Government employees on foreign service. The Conference also resolved that till a decision on this matter is taken, Department of Expenditure and Department of Personnel & Training must allow calculation of pension contribution in respect of the absorbed BSNL employees basing on their “actual pay” w.e.f. 1.1.2006.

ACTION BY DOP&T/DOE

12. Grant of annual increment to the retired/retiring employees whose date of next increment falls on the following day of their retirement:

The All India Conference of AIBSNLREA held on 12th and 13th November, 2019 at Madurai notes that the Hon’ble Supreme Court has already dismissed a Review Petition filed by Central Board of Direct Taxes (CBDT) against its earlier Order dated 23.07.2018 in Special Leave Petition (Civil) Diary No. 22283/2018 declining to interfere with the judgment dated 15.09.2017 of Madras High Court in WP No. 15732 of 2017 wherein the Petitioner, who after completing full years’ service retired on the last day of his service and not allowed to draw next increment since it fell on the next date of his retirement, was ordered to be extended the benefit of notional increment by Madras High Court for the purpose of payment of pensionary benefits. The Conference felt that now that no option is left with Government but to allow the said benefit to all the similarly placed retirees, since it has exhausted all its legal appeal options, an Order needs to be issued immediately to allow the notional increment to the all the retirees who complete one full year’s service on the date of their retirement but not allowed to draw their increment which fall on the next day of their retirement. This will ensure avoiding filing of numerous petitions in Courts to seek similar remedy since the grant of the same benefit to all similarly placed cannot be resisted.

The Conference, accordingly, urged the Government to issue the necessary Orders to allow the notional increment to all the retirees who complete one full year’s service on the date of their retirement but not allowed to draw their increment which fall on the next day of their retirement.

ACTION BY DOE

13. Extreme hardship of the Senior Citizens in general and Pensioners in particulars due to drastic cut in the interest rates of the Fixed Deposits with Banks/Post Offices– Request to mitigate the same:

The All India Conference of AIBSNLREA, which was held at Madurai on 12th and 13th November, 2019, in which the participants were very much restive and aggrieved that the Pensioners/Sr Citizens became the first victim due to drastic reduction of rates of interests on Fixed Deposits and other Savings Schemes by the Banks and Post offices. This erodes the monthly income of the Sr Citizens in general and the pensioners in particular who depend on the return from these deposits and cannot manage their livelihood depending on pension alone. The interests earned on Fixed Deposits help the Senior Citizens/Pensioners to meet their day to day need which includes payment of huge medical bills due to old age related and other chronic ailments. No doubt, the Senior Citizens/Pensioners are allowed 0.50% additional interest, but this hardly compensates the huge loss in terms of the interests earned.

The Conference resolved to urge the Government to give some immediate relief to the affected pensioners and Sr Citizens and also mitigate their extreme hardship and consider the following measures for immediate implementation: -

- (i) To raise the limit of maximum deposit in Senior Citizens Saving Schemes from existing Rs. 15 lakhs to Rs. 30 lakhs.
- (ii) To raise the additional interest allowed in Fixed Deposits in Banks/Post Offices from existing 0.50% to 1% for the Senior Citizens.

ACTION BY PMO/HOME MINISTRY

14. Investigation to identify the persons in position and power who are responsible for the present crisis of Bharat Sanchar Nigam Limited and taking action against them as per law:

The All India Conference of AIBSNLREA, which was held at Madurai on 12th and 13th November, 2019, while analysing the various causes since its formation which led Bharat Sanchar Nigam Limited to face the present acute crisis, identified the following factors as the main reasons which threaten BSNL's very existence: -

- (1) Failure to follow up the proposals of reliefs **approved by the Government** at the time of formation of BSNL viz. exemption from income tax liability for the first five years and review thereafter, exemption from payment of dividend for 10 years, reimbursement of license fee till 2010, reimbursement of additional sales tax payable on purchase of equipment, exemption from payment of spectrum charges, Government to pay stamp fee on transfer of assets to BSNL etc.
- (2) The first mobile service commenced in India in the year 1995. But decision first not to allow Mahanagar Telephone Nigam Limited and Department of Telecommunication and then Bharat Sanchar Nigam Limited to enter mobile telephone service sector, while allowing only the private operators to offer this service, pushed back the Government run Telecom PSUs in the competition. By the time Bharat Sanchar Nigam Limited could enter the mobile service sector, the private operators had already established strong roots.
- (3) Decision to make huge investment, just on the eve of corporatisation of DOT, DTS and DTE as BSNL, to increase the capacity of the Telephone Exchanges on the plea to "wipe out the pending waiting list of landline connections" and thus wasting huge public

money since demand for landline connections dropped significantly following introduction of new services like mobile telephony.

- (4) Decision to cancel tenders after tenders floated by BSNL to add new equipment for expansion of mobile services at a time when BSNL climbed up to the second spot in the leadership to provide mobile connections even though being allowed to provide the services on a much later date and thus forcing BSNL to pull back from the competition in which it was on the lead.
- (5) Decision not to allow BSNL to participate in the auction process and forcing it to match the highest bid in each circle. Unlike private operators, who made informed commercial bids based on their respective business plans in each circle, BSNL was allotted 3G spectrum in all its service areas without being given any choice in the matter. BSNL had to pay Rs.10,186.58 crores for 3G spectrum and another Rs.8313.8 crores for BWA spectrum, which depleted its reserve funds. Thus, all the other operators paid much less in absolute terms than BSNL for 3G spectrum. Excluding Delhi and Mumbai, Bharti paid Rs 5,731 crore, Vodafone Rs 5,054 crore, Aircel Rs 6,499 crore, Reliance 2,021 crore, Tata Rs 5,864 crore and Idea Rs 5,769 crore. BSNL was also required to pay penalty of Rs. 6.26 crores for belated payment.
- (6) Delayed refund of cost of the BWA spectrum surrendered by BSNL in some circles. DoT had allotted non-standard spectrum to BSNL, which was of no use in providing quality services.
- (7) Forcing BSNL to repay a notional loan of Rs.7500 crores, which it had not availed, along with interest @ 14.5%. While transferring the assets and liabilities as on 1.10.2000, Rs.7500 crores Government loan taken by DoT was also transferred as liability to BSNL.
- (8) Decision not to allow BSNL to participate in the auction for 4-G spectrum allotment and thus made it incapable to provide high speed data service and thus giving undue advantage to the private operators.

The Conference felt that some powers within the Administrative Department and Government at that time conspired to help the private operators at the cost of the Government run Telecom PSU i.e. Bharat Sanchar Nigam Limited. It therefore resolved to urge the Government to constitute a High-Power Committee with members from investigating agencies and other experts to investigate into all the above cases and fix responsibility wherever wrong doings are proved and punish the guilty.