



## *Editorial*

### **LESSONS ONE MUST LEARN GRACEFULLY**

The strike call given by some BSNL unions/associations, to the disappointment of all stake holders, finally ended with no relief. Those who spearheaded the agitation may perhaps now like to introspect themselves where they committed the mistake and then eventually failed to deliver. As we know that some voices, from within themselves, are being raised now questioning the very conviction and wisdom of the leadership on the priorities fixed on the issues taken up by them. However, we do not like to get into these, since we were neither a party to the agitation nor do we, being the retired employees, have any scope to bargain with the Government – even though every one of us wanted positive solution of the issues that were taken up.

Being the veterans, we however cannot refrain from penning down our feelings on the entire episode. Approach on the main issue of pay scale revision and pension revision, in our opinion, lacked proper understanding and was marred with contradictions. We all know that pay scale revision and pension revision are interconnected. In the language of one Supreme Court Judgement, pay scale revision and pension revision are 'inseparable'. We have time and again elaborately discussed this issue and cited SC

judgments, CPC Report and even Government Orders which allowed pension revision of past pensioners following pay scale revision of the serving employees. In fact, there is no provision in the law or rule for revision of pension even for the retired Government employees. Even CCS(Pension) Rules has no provision for this. Pension revision for them comes only along with the revision of pay scales of the serving employees. This is all because of the Supreme Court judgment in D S Nakara case which attained the finality and has become the law of the land. The essence of this judgment is that there cannot be any disparity between pension drawn by the past pensioners and future pensioners. This only necessitated pension revision after every pay scale revision. Depending heavily on this judgment, the V CPC, for the first-time recommended pension revision for all the past pensioners with same fitment benefit as allowed to the serving employees in their revised pay scales. Since then, the pay scale revision and pension revision have moved together.

It is not that the leadership, which spearheaded the agitation, was not aware of this situation. But, as in the past, they were not ready to accept this reality and unfortunately took a blind approach. Their confusion in the matter of seeking pension

revision for past pensioners became more glaring when they moved with two different and directly opposite approach on pension revision. In one hand, they wanted pension revision as per VII CPC recommendations claiming that they are Government pensioners – even though sub-rule 4 of Rule-37A of CCS(Pension) Rules clearly states that once permanently absorbed in a PSU, the absorbees ceased to be Government servants. Simultaneously on the other hand, they demanded de-linking of pension revision of past pensioners from pay scale revision of the serving employees. Both these moves were directly contradictory to each other. If they were really convinced that they are to get pension revision in accordance with VII CPC, why should they at all ask for de-linking of pension revision from pay scale revision of BSNL employees? The very fact that they had asked for de-linking of pension revision from pay scale revision again confirms that they knew for sure that pension revision has a direct link with pay scale revision – even though they were not ready to admit this in public. With such a negative thought and approach, they lost the pension revision issue – at least for now.

In their attempt to give priority to pension revision, they lost the pay scale revision case also. There is no denial that BSNL has to bear the additional financial burden for pay scale revision – whether there is an affordability clause or not. The Government, in no case, is going to take this financial burden on its shoulder. In this matter, the issue of pension contribution on the basis of actual pay of the absorbed BSNL employees with effect from 01.01.2006, if clinched, could have been a big game changer for revision of pay scales of the BSNL employees. Had this issue been

resolved, BSNL would have received back huge amount that it has already transferred to DOT on this head since 2006. Further, there would have been considerable savings for BSNL in the future years also. This amount would have been enough to change the financial position of BSNL to allow pay scale revision and resolving other issues also. Even for MTNL, Cabinet had approved a DOT proposal in 2013 allowing pension contribution on the basis of actual pay with effect from 01.01.2006 - though for the best reasons known to DOT, this Cabinet decision is yet to be implemented. Unfortunately, the leadership failed to notice this fact and did not pursue the case from this angle and thus allowed DOT to process the issue as a new case for BSNL. Now DOE is said to be sitting over the file. Thus, pay scale revision for the BSNL employees, for the time being, has been allowed to be put on cold storage.

We, however, still firmly believe that pay scale revision and pension revision are not altogether the lost cases. But the leadership needs to be realistic in their approach. They must get the issue of pension contribution based on actual pay with effect from 01.01.2006 for the BSNL employees settled on priority citing the Cabinet decision of December 2013 in respect of MTNL employees. They may even suggest and discuss with BSNL management to identify the areas in which considerable savings are feasible. Armed with the positive outcome of these efforts, the pay scale revision and pension revision can be pursued more vigorously. But, unlike the last occasion, pay scale revision must have to be given the top most priority. Pension revision, however, will automatically follow. Let the overzealous attempt to keep the particular constituency happy with

contradictory approach and sailing on two boats stop at least now. Otherwise, both

the serving employees and the past pensioners will continue to be the victims.

## **GOVERNMENT ANNOUNCES RELIEF TO INDIVIDUAL TAX PAYERS IN INTERIM BUDGET**

Government has announced full tax rebate up to Rs 5 lakh annual income after all deductions and other reliefs, as given below, to individual tax payers for the assessment year 2020-21 (Financial year 2019-20). The Finance Minister has also announced in Parliament that in July next, while presenting the full budget, relief in tax slabs will also be considered.

1. Full Tax rebate upto Rs.5 lakh annual income after all deductions.
2. Standard deduction increased from Rs.40000 to Rs.50000
3. Exempt from notional tax on second self-occupied house
4. Ceiling Limit of TDS u/s 194A increased from Rs.10000 to Rs.40000
5. Ceiling Limit of TDS u/s 194I increased from Rs.180000 to Rs.240000
6. Capital tax Benefit u/s 54 increased from investment in one residential house to residential houses.
7. Benefit u/s 80IB increased to one more year i.e. 2020
8. Benefit given to unsold inventory increased from one year to two years.
9. No change in present tax slabs. If taxable income exceeds (after deductions) Rs.5 lakhs, income above Rs.3 lakhs (for senior citizens) will be taxable as per present slabs.

## **ISSUES TAKEN UP**

**REVIEW OF BSNL MEDICAL POLICY – AIBSNLREA SUBMITS ITS SUGGESTIONS:** BSNL has constituted a Committee to review its existing medical policy so as to make it sustainable irrespective of financial condition of BSNL. Accordingly, it has invited suggestions including introduction of Group Mediclaim from the Unions/Associations of its serving employees. AIBSNLREA, has voluntarily submitted some suggestions keeping in view of the interests of the retired employees. In our suggestions for Indoor treatment in Hospitals, we have asked for introduction of a Group Medical-Insurance Scheme with reputed and efficient public sector Insurance Company or Bank which is ready to offer hassle free cashless service for all diseases and implants etc needing hospitalization or day care services. The premium has to be borne by BSNL. We have also suggested that the retired employees be allowed option either for CGHS or the revised BSNL Medical policy incorporating the Group Medical Insurance Scheme. In regard to Outdoor treatment, we have suggested that the existing arrangements under BSNLMRS, except for those opting for CGHS, should continue with certain improvements in regard to reimbursement of claims. We have further suggested that instead of basic pay plus DA, the present basic pension plus DA should be the criteria to determine the annual ceiling limit. Since pension is 50% of the last basic pay, while calculating annual ceiling limit, the basic pension plus DA has to be multiplied by twice the number of days that are allowed for the serving employees

to bring at par with basic pay of the serving employees. This is to avoid different yardsticks being followed for the pensioners which invites anomalies and discrimination among the past and present pensioners. [\[View posting dated 25.02.2019 in this website to read the letter\].](#)

**PROVISION OF MOBILE CONNECTION IN LIEU OF RESIDENTIAL LANDLINE CONNECTION TO THE RETIRED BSNL EMPLOYEES RESIDING IN TNF AREAS - AIBSNLREA AGAIN WRITES TO DIRECTOR (HR), BSNL:** AIBSNLREA had been requesting BSNL to provide mobile connection in lieu of residential landline connection to the retired BSNL employees who are residing in the declared TNF areas, since last few years. The Association even had a meeting with GM (Admn), BSNL on 20.12.2016. The Association has now again taken up the issue with Director (HR), BSNL. The Association has further requested that this facility be allowed to other areas also allowing an option to the retired employees either to have a land line or a mobile connection. [\[View posting dated 11.02.2019 in this website to read the letter\].](#)

### **RESPONSE TO AIBSNLREA'S REPRESENTATIONS**

**DOT FORWARDS ALL THE FOUR LETTERS FROM AIBSNLREA, AS RECEIVED FROM DOE, TO BSNL FOR APPROPRIATE ACTION:** All the four representations of AIBSNLREA, as detailed in the earlier posting dated 22.02.2019, which Department of Telecommunications received from Department of Expenditure (Ministry of Finance) have now been forwarded to BSNL for appropriate action. . [\[View posting dated 24.02.2019 in this website to read the DOT letter\].](#)

**DEPARTMENT OF EXPENDITURE (MINISTRY OF FINANCE) FORWARDS FOUR REPRESENTATIONS FROM AIBSNLREA TO DEPARTMENT OF TELECOMMUNICATIONS:** Department of Expenditure (Ministry of Finance) has since forwarded four representations dated 24.09.20018 (view posting dated 24.09.2018), dated 29.09.2018 (view posting dated 01.10.2018), dated 18.01.2019 (view posting dated 19.01.2019) and dated 22.01.2019 (view posting dated 22.01.2019) from AIBSNLREA to the Department of Telecommunications for appropriate action/redressal of the grievances with request that the petitioner be informed suitably. While the first two representations pertain to grant of notional increment falling due on the day following superannuation on completion of one full year's service for the purpose of allowing pensionary benefits to the Government servants, the rest two are regarding pension contribution on actual pay basis w.e.f. 01.01.2006 for BSNL as was approved by Cabinet on 26.12.2013 for MTNL. [\[View posting dated 22.02.2019 in this website to read the DOE letter\].](#)

**PMO FORWARDS AIBSNLREA'S REPRESENTATION REQUESTING TO GET THE PRICES OF MEDICINES USED FOR TREATMENT OF CHRONIC DISEASES LIKE DIABETES AND HYPERTENSION SLASHED:** Prime Minister's Office has since forwarded AIBSNLREA's representation dated 24.01.2019 (view posting dated 25.01.2019 in this website) on the above subject to the Secretary, Department of Health & Family Welfare for action appropriate and reply the petitioner. [\[View posting dated 16.02.2019 in this website to read the PMO letter\].](#)

## **BRANCHES IN ACTION**

**SECOND ANNUAL CONFERENCE OF LUCKNOW BRANCH OF AIBSNLREA HELD:** Lucknow Branch of AIBSNLREA held its second Annual Conference on 25.02.2019 at Rai Umanath Bali Auditorium, Kaiser Bagh under the chairmanship of Shri Jagdish Prasad, Branch President. 79 members attended the meeting. One new member joined the Branch as Life Member. The conference started with hoisting of Association Flag by President. Two minutes silence was observed in memory of our colleagues who departed for their heavenly abode since last conference. House also observed two minutes silence to pay homage to the martyred CRPF Jawans in Pulwama terror attack. Four senior members retired in 2001 (S/Shri S C Awasthi, K P Srivastava, B L Mishra, S K Dwivedi) and also Shri Sant Vilas retired in 2002 were honoured by presenting Shawls by the Chief guest Shri M K Shukla amid applause by the members. Branch Secretary Shri S P Singh presented his report giving details of meetings and other activities initiated since 2011 onwards. The membership has increased from 65 to 234 in this period. The report was adopted by the House. The Financial Secretary also presented his report for the period from 01.08.2016 to 24.02.2019 with a balance of Rs 20193 /- in hand. The report was also approved by the house. State President Shri M K Shukla, State Secretary Shri R S Arora and Joint Secretary CHQ Shri R K Sinha also addressed the House giving status of Pension Revision, disbursement of Pension by CCA, payment of Medical bills etc. Shri Radhey Shyam briefed the house on status of Legal case on Pay and Pension arrears issue as per reported by CHQ from time to time. The queries raised by the members were also duly replied. The present body was then dissolved by the Branch President and Shri R K Sinha, Joint Secretary (CHQ) was nominated as Chairman to conduct election of new body. The election was unanimous. Tea, breakfast and lunch was served to the participants. The meeting ended at 16.30 hours after presentation of vote of thanks by the President.

**GB MEETING OF AIBSNLREA, SAHARANPUR BRANCH HELD:** Saharanpur Branch of AIBSNLREA held a General Body Meeting on 07.01.2019. The meeting started at 12.00 PM in which large number of members participated. Members participated in the discussions on the issues related to the welfare of the BSNL pensioners. Thereafter, the old body was dissolved and new set of Branch office bearers was unanimously elected with S/Shri Balchandra as President and Jagir Singh Bajwa as Branch Secretary.

**GB MEETING OF AIBSNLREA, CHANDIGARH BRANCH HELD:** 50<sup>th</sup> General Body of AIBSNLREA Chandigarh Branch was held on 16-02-2019 GPO Building at 2:30 PM. Shri M.D. Bhasin presided the meeting. Points pertaining to Court Case for arrears against 78.2% IDA pending since long were discussed and the status of Court Case in Principal CAT, New Delhi. Shri M.D. Bhasin also apprised the house regarding status of 3<sup>rd</sup> PRC and other union activities were also discussed. The new system for Accounting and Management of Pension "SAMPANN" which was launched by honourable PM Shri Narendra Modi on 29<sup>th</sup> Dec 2018 was also discussed along with its modalities in the house. Doubts about switching over to CPC from IDA scales were also cleared. The role played by peer unions were also discussed. The delay on the part of BSNL against release of medical bills was condemned in the house. The President cleared to house about profitability clause causing hindrance in 3<sup>rd</sup> PRC release, pension contribution by BSNL on actual bases, submission of KYP in CCA office etc. Shri M.K. Kalra, Branch Secretary welcomed two new members viz Shri Ajit Singh Hundal, Retd DE and Shri Taranjit Singh, Retd XEN (Civil) on joining as life member in the branch. Mementoes were also given to those who completed 70 years of age. The meeting concluded with happy note after serving of tea and snacks

**EAST VIDARBHA (NAGPUR) BRANCH OF AIBSNLREA HELD ITS BIANNUAL GB MEETING:** East Vidarbha Branch (Nagpur) of AIBSNLREA held its Bi annual Meeting at Amenity Hall CTO Compound Nagpur on

Sunday, the 10<sup>th</sup> February 2019. Shri U B Nikose presided over the meeting. Shri P R Bhujbal CHQ Vice President along with Shri N G Talewar Vice President MH circle, Arun Deshpande Branch Secretary and V W Patil, B D Nikam Vice president, and B P Mazumdar were on the dais. At the start of the meeting, homage was paid to the departed members of Nagpur Branch and also their family members. Shri Arun Deshpande, Branch Secretary briefed the house about the activities of Nagpur Branch and status of current membership strength, CHQ quotas and contributions paid for court case was also reported. Shri V W Patil, Vice President welcomed all the newly enrolled members and briefed the house about SAMPANN. Whatever CHQ queries were raised regarding the implementation of SAMPANN were addressed by DOT. Shri P R Bhujbal, Vice President CHQ addressed the gathering. He welcomed and congratulated all the life members of the Nagpur Branch in the first meeting of New Year 2019.

Afterwards status of OA filed in Pr CAT New Delhi (As on 5-2-2019) for payment of denied pension/pay arrears and other pensionary benefits to BSNL pensioners retired between 1.1.2007 to 9.6.2013, after making attempts to file writ petition in Supreme court/and High Court new Delhi was highlighted before the house. He made strong appeal to all left out members in association to pay contribution on priority to build strong financial base to support the court case .As the case is filed on representative capacity, benefit of judgments, as and when delivered, will be automatically extended to all affected members. Impact of order by Chandigarh CAT on the OA filed by some individual BSNL post 2007 pensioners seeking relief were highlighted to the members. Other important issues taken by GS CHQ and its current status were briefed to the members. Views of CHQ and our stand on Revision of pay scales of the serving BSNL executives in terms of DPE order dated 3.8.2017 following the acceptance of 3rd PRC recommendation and so called delinking of BSNL pension revision from Pay revision of BSNL employees and further revision of pension as per 7<sup>th</sup> CPC benefit were discussed at length. In this regard, letters issued by the DOT to BSNL management and also the letter from DOP&W to DOT on the subject were briefed to the members.

In view of the constitution of the Committee to revise BSNL Medical policy to make it more sustainable irrespective of financial condition of the organization, all members were requested to submit their suggestions to G S CHQ at the earliest.

In the light of few complaints received from affected BSNL retired executives, retired during “July-2017 to April,2018”, regarding denial of benefit of extra increment by Pr CCA Maharashtra Circle, Mumbai to the officers on their post-based promotion under BSNL EPP, he assured to take up the issue again with GS CHQ to give justice.

BSNL retired officers expressed their anguish over the CGMT MH circle Mumbai order dated 7<sup>th</sup> July,2018, regarding 12.5% cut in the medical out door claims with vouchers in case medicines were not purchased from the stores not allowing 12.5% discount. All members drawing medical claims from MH Circle only are sufferer. It was assured to the members to write GS CHQ on the burning issue.

Shri U B Nikose in his presidential speech appreciated the efforts of Nagpur Branch and CHQ. He also made a special appeal to increase the membership of the branch. Shri Bhola Kamble, ACS MH circle, N R Rachkondawar, B P Mazumdar, M R Shaikh took sincere efforts for the grand success of the occasion. Eight new members were enrolled.

Meeting ended after vote of thanks to the chair and all participant members for attending the meeting in large numbers.

**AMBALA BRANCH OF AIBSLREA HOLD A GB MEETING:** A general body meeting of Ambala Branch of AIBSNLREA was held on 12.02.2019 under the chairmanship of Sh. P.C. Chauhan, President of the branch. 33 members attended the meeting. One new member joined the Branch as life member. Shri J. C. Gupta, Branch Secretary briefed the members about the latest status of pension revision case as per 3rd PRC. He also gave details of the efforts made by him in ensuring the payments of medical claims of the pensioners from circle office. The members expressed their deep anger in not resolving the pension revision as per 3rd PRC and its de linking from the pay revision as pension is to be paid by Govt of India and not by BSNL. The members are of the view that our Association should also cooperate with other associations/Unions who are spear heading various agitation/dharna for pay/pension revision.

**GB MEETING OF AIBSNLREA, PALAKKAD BRANCH HELD:** The general body meeting of Palakkad branch was held on 12.02.2019 at Top in Town Conference Hall, Palakkad. The meeting started at 11AM. 57 members attended the meeting. It was a very good gathering. After silent prayer, Branch Secretary Shri P Prabhakaran welcomed all the participants. This was followed by the presidential address by Shri K.Haridas, DGM (Retd). The Branch Secretary then elaborated the vital issues being faced by BSNL pensioners like non-receipt of medical allowances in time, undue delay in the pension revision under 3PRC, present status of the court case etc. The members were very much upset and annoyed in the delay in getting their legitimate dues. After the vote of thanks by Shri T.P.Krishnanunni, Asst Branch Secretary, the members dispersed at 1.30PM after lunch.

### **STATEMENT OF AMOUNT RECEIVED DURING FEBRUARY 2019**

**East Vidarbha (Nagpur) Branch (Maharashtra State)** has deposited Rupees twenty-seven thousand six hundred (Rs 27600/-) only in the S/B Account of CHQ with Syndicate Bank on 21.02.2019 as CHQ quota for 8 new life members, donation (Rs 14000/-) on receiving pension arrears collected from 28 members and contribution (Rs 12000/-) collected from 24 members to seek legal remedy on pay/pension arrears.

**Ambala Branch (Haryana State)** has deposited Rupees two hundred (Rs 200/-) only in the S/B Account of CHQ with Syndicate Bank on 13.02.2019 as CHQ quota for one new Life Member.

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*Edited and published by Shri S Basu, General Secretary, AIBSNLREA*