



ALL INDIA BHARAT SANCHAR NIGAM LIMITED RETIRED EXECUTIVES' ASSOCIATION

Central Headquarters

Registered under Societies Registration Act XXI of 1860 vide Govt. of NCT Delhi No. S/RS/SW/1161/2014

[Registered under Pensioners Portal vide DoP&PW letter No. 4(4)/2021-P&PW(H)7311 dated 04.01.2024]

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No. AIBSNLREA/CHQ/2024/53

Dated 22nd July 2024

To

Shri Ajay Kumar Sahu,
Member (Services),
Department of Telecommunications,
New Delhi

Sub: Penalisation of a pensioner due to BSNL failing to deposit the TDS recovered – case of Shri Madhusudhan Mukherjee, Retd JTO, NSBTTC, Kalyani, Kolkata.

Ref: 1. Our letter No.AIBSNLREA/CHQ/2024/6 dated 12th October 2023

2. Principal, ALTTC, Ghaziabad letter No.TTW/2043/STAFF MISC/GO dated 12.12.2023

3. Our letter No.AIBSNLREA/CHQ/2024/6 dated 30.01.2024

4. BSNL reply dated 16.03.2024

Sir,

We are constrained to draw your kind attention to the sufferings of a pensioner who has been penalised by the IT department for no fault of his, since BSNL had failed to deposit the entire amount recovered from him as TDS with the Income Tax department, while he was in service. The grievance remains unsettled despite our bringing it to the notice of the Director (HR BSNL first on 12.12.2023 and then on 31.01.2024.

2. Shri Madhusudhan Mukherjee, JTO (HRMS No.197505308) retired from service on superannuation on 01.04.2014 while he was working in the office of Principal, NSBTTC, Kalyani, Kolkata. While he had been all along regularly filing his Income Tax return, he was shocked when the Income Tax authorities deducted Rs.49880/- [Rs.14090/-, Rs.17710/- and Rs.18080/-] from the refund due to him for the AY 2021-22, 2022-23 and 2023-24

respectively, in lieu of alleged tax dues payable by him. On some efforts he came to understand that BSNL had paid only Rs.1000/- to the IT department, out of Rs.30002/- recovered from him as TDS during the AY 2009-10 [Copies of Form 16 and Form 26AS for the AY 2009-10 are enclosed as **[Annexure-I]**]. This has resulted in the deduction of Rs.49880/- by the IT department from the refunds due to him, which includes the default tax and penalty. Thus, Shri Madhusudhan Mukherjee has been put into financial distress for no fault of his.

3. Since the unpaid portion of the TDS recovered (Rs.30002 - 1000 = Rs.29002) is still with BSNL, we felt it would be fair and appropriate on the part of the office of Principal, NSBTTC, Kalyani, Kolkata, to write to the Income Tax authorities on the omission, pay the remaining TDS and request refund of Rs.49880/- deducted by IT department to Shri Madhusudhan Mukherjee. We had therefore represented to the Director (HR) BSNL vide letter cited under Ref.1 **[Annexure-II]** requesting him to intervene and cause necessary remedial action by the CGM, ALTTC, Ghaziabad, so as to relieve Shri Madhusudhan Mukherjee of his unwanted sufferings.

4. But, the Principal, ALTTC, Ghaziabad, vide his letter No.TTW/2043/STAFF MISC/GO dated 12.12.2023 **[Annexure-III]** had written to the AGM (HR), ALTTC, Ghaziabad, requesting to transfer the case to the present dealing officer for retired employee of CTD, requesting CTD authorities to collect the related files/folders/registers etc. prior to 01.07.2022 and settle the case of Shri Madhusudhan Mukherjee. The details of present dealing officer in this case was mentioned as **Shri Bikash Singha, AO Staff Claims HQ CTD BSNL, along with his mobile number and email ID.**

5. More than a month afterwards, as there was no progress in the case, despite our West Bengal State Secretary bringing it to the notice of the AO Staff Claims, CTD, we again wrote to the Director (HR) BSNL **[Annexure-IV]** requesting him to impress upon both the CGM ALTTC and CGM CTD to process the issue urgently, so that either of them may write to the Income Tax authorities on the omission, pay the remaining recovered TDS and request refund of Rs.49880/- deducted by IT department to Shri Madhusudhan Mukherjee.

6. BSNL has now put up a reply that “there is no information/data in TDS Cell CTD” **[Annexure-V]**. It is really distressing that none of the three authorities – Director (HR) BSNL, CGM ALTTC Ghaziabad and CGM Kolkata Telephones BSNL – has felt the pain of the pensioner and all of them have been replying in a very casual manner, unmindful of the fact that the sufferings of the pensioner are not his making but are result of the failure of BSNL to pay the TDS recovered from him to the IT department.

7. This association had submitted a representation on 1st April 2024 to the Secretary (Pension) requesting his intervention on this matter and DoP&PW had duly forwarded our representation to the DDG PG Department of Telecom on 03.04.2024 requesting to "**look into the matter and resolve the same expeditiously as per extant rules in a time bound manner under intimation to this department and the concerned pensioner about the action taken.**" [Annexure VI]. As there was no response from the DoT, at our instance, DoP&PW sent another request on 07.06.2024 to the DDG PG, DoT for intimating the status of the action taken within 21 days [Annexure VII]. Unfortunately, DDG PG, DoT is yet to respond to the requests from DoP&PW. The pensioner concerned continues to suffer without seeing any sign of resolution of the issue.

8. We would therefore request your personal intervention in this matter and direction to DoT/BSNL authorities to resolve the issue within a time frame and also to advise DDG PG to reply to the two emails from DoP&PW shown in Annexure VI and Annexure VII.

With kind regards,

Yours sincerely,



(R.R. Balasubramanian)
General Secretary

Encl: As stated

Copy to:

1. Shri Neeraj Mittal,
Secretary (Telecom), DoT
2. Shri V. Srinivas,
Secretary (Pension), DoP&PW
3. Shri Dhruvajyoti Sengupta,
Joint Secretary (Pension), DoP&PW
4. Shri Ravi A Robert Jerard,
CMD, BSNL
5. Shri Arun Kumar Sharma,
CGM, ALTTC, Ghaziabad
6. Shri Debasish Sarkar,
CGM, CTD, Kolkata