



ALL INDIA
RETIRED BHARAT SANCHAR NIGAM LIMITED EXECUTIVES' WELFARE ASSOCIATION
CENTRAL HEAD QUARTERS, NEW DELHI

CHQ ADDRESS: C-8/230, Yamuna Vihar, Delhi-110053

President
Kishan Singh
M.9968270611

General Secretary
Prahlad Rai
M.9868278222

Regn. No. S/00108/NE-/2010

www.aibsnlrtd.org
Financial Secretary
A.K. Jain
M. 9868838466

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OTHER OFFICE BEARERS

- 1 **Chief Mentor**
M.K. Bagchi (MTNL Delhi)
M.9818920225
- 2 **Legal Consultant**
A.K. Kaushik (MTNL Delhi)
M.9863136363
- 3 **Vice President-I**
Manas Roy. (W B)
M.09434009002
- 4 **Vice President-II**
T Ravindran. (Kerala)
M.09447815400
- 5 **Deputy General Secretary**
Amit Kumar Gupta (WB)
M.9433000088
- 6 **Asstt. General Secretary-I**
K. Jairam (TS)
M.9440000212
- 7 **Asstt. General Secretary-II**
Pallab Bose UP (East)
M.09415233344
- 8 **Asstt. General Secretary-III**
M.L. Deore (Nasik)
M.09422250555
- 9 **Asstt. General Secretary-IV**
B.M. Mondal (WB)
M.9051783890
- 10 **Organising Secretary (Ea)**
Prasun Mukhopadhyay (W)
M.09432200184
- 11 **Organising Secretary (We)**
M.M. Kanani (Gujarat)
M.09427217002
- 12 **Organising Secretary (No)**
S.S. Rawat (Rajasthan)
M.09414001998
- 13 **Organising Secretary (So)**
K. Dakshina Murthy (TS)
M.09440505627
- 14 **Advisor-I**
Venkat Rao (TS)
M.09440000817
- 15 **Advisor-II**
Prasun Ghosh (WB)
M.09433936300
- 16 **Advisor-III**
V. Keshava Rao (AP)
M.9490750175
- 17 **Auditor**
M. Narainha Rao (TS)
M.09440745544

No.AIRBSNLEWA/GENL/2021/

Dated 12th November, 2021

To

Shri J.B. Mohapatra ji,
Chairman, CBDT, New Delhi-110001

Sub:- **Notice under section 154 of Income Tax Act, 1961 received by many BSNL pensioners from Income Tax department regarding Taxation on leave Encashment of Govt duty period-regarding.**

Ref: BSNL Letter No.1001-04/2011-12/Taxation/BSNL/LE/196 dtd.04/05/12

Respected Sir,

We, the BSNL Pensioners drawing the pension from the consolidated fund of India under Rule 37A of CCS Pension Rules 1972, would like to bring to your kind notice that many BSNL pensioners, including those who have opted for VRS under VRS 2019 of BSNL, got Notice from Central processing Center of Income Tax Department under section 154 of Income Tax Act, 1961 for the Assessment Year 2019-20 intimating them regarding the withdrawal of excess claim of exemption claimed under section 10 (10AA) by restricting it to Rs. 3,00,000/-. Some of notices are enclosed herewith for ready reference.

In this regard we would like to submit that BSNL, vide its letter no. 1001-04/2011-12/Taxation /BSNL/ LE/196 dated 04/05/2012 (copy attached) already issued instruction that:

1. Encashment of Leave Credit of Government Service at the time of permanent absorption into BSNL from DOT that is on 01.10.2000 is eligible for full exemption under section 10(10AA) sub clause (i) of Income Tax Act, 1961.
2. Leave salary of pensioner after absorption in BSNL from 01.10.2000 is exempted from Income Tax subject to a maximum upto Rs 3,00,000 and remaining amount is taxable.

We would like to submit that BSNL has been formed w.e.f. 1.10.200 and most of the absorbed employees has maximum part of their leave credit from Department of Telecommunications, Govt of India service and they don't have any tax liability following above criteria.



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-2-

It is evident from the notices that CPC has not considered section 10(10AA) sub clause (i) of Income Tax Act, 1961 for the BSNL retirees whose services in DOT Govt. of India, for the exemption and has issued automated notices to BSNL pensioners by simply restricting the limit to Rs. 3,00,000, which is incorrect as per the provisions of the IT Rules which is re-iterated as per BSNL letter mentioned above..

BSNL Pensioners are in their old ages are not familiar to check their mail regularly and not aware of the issue, which in turn will get such notices unnoticed and result into recovery / non refund of eligible refunds.

It is, therefore, humbly requested to your good self to kindly look into the matter personally and arrange to issue suitable instructions to the concerned officers of Income Tax Authorities to stop such notices and extend the eligible rebate to the BSNL Pensioners, so that the issue can be resolved at the earliest and Pensioners will be relieved from unwarranted tax burden.

Your kind favour will be a great help for BSNL pensioners.

With kind regards;

Yours faithfully



(Prahlad Rai)

General Secretary, AIRBSNLEWA

- Copy to: 1. **Shri K. Rajaraman ji**, Secretary, DoT, New Delhi-110001
2. **Shri Dilip Padhye ji** Member (Finance), DoT, New Delhi-110001
3. **Shri P K Purwar ji**, CMD, BSNL, New Delhi-110001