

GOVERNMENT OF INDIA  
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS  
(DEPARTMENT OF PENSION & PENSIONERS' WELFARE)

**RAJYA SABHA**  
**UNSTARRED QUESTION NO. 599**  
(TO BE ANSWERED ON 21.07.2022)

**COMMENTS OF DLA AND DFS ON OLD PENSION SCHEME**

**599 SHRI NEERAJ SHEKHAR:**

Will the **PRIME MINISTER** be pleased to state:

- (a) whether Department of Legal Affairs (DLA) and Department of Financial Services (DFS) have furnished their final comments in May 2022 and March 2022, as sought vide Notes dated 24/03/2022 and 04/03/2022 respectively, regarding issuing general orders for excluding employees whose advertisements for recruitments were issued before 01/01/2004 from purview of National Pension System (NPS) and to cover them under Old Pension Scheme (OPS);
- (b) if so, full details of comments by DLA and DFS, separately and action/decision taken in response thereto; and
- (c) by when general order is expected to be issued for similarly placed employees?

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES  
AND PENSIONS AND MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE  
(DR. JITENDRA SINGH)**

(a) to (c): Department of Financial Services in their comments dated 08/10/2021 had conveyed that DoP&PW may take appropriate decision in regard to excluding the employees whose recruitment advertisement was issued on or before 01/01/2004 from the purview of NPS and cover them under OPS. Department of Financial Services in their comments in March, 2022 have reiterated the position conveyed by them to DoP&PW on 08/10/2021.

Department of Legal Affairs in their comments in May, 2022 have conveyed that the examination of the issue in this Department to the effect that an administrative decision to issue executive instructions providing for coverage of Government servants under old pension scheme who were appointed to Central Government service on or after 01/01/2004 on the basis of advertisement / notification of vacancies issued prior to 01/01/2004 appears to be in order.

No further communication has been made with DLA and DFS in response to their above comments. There is no decision to issue general instructions in this regard.

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