

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

**RAJYA SABHA**  
**UNSTARRED QUESTION NO. 286**  
(TO BE ANSWERED ON 08.12.2022)

**COMMUNICATION REGARDING OPS FOR CENTRAL GOVERNMENT  
EMPLOYEES**

**286 SHRI JAVED ALI KHAN:**  
**SHRI RAM NATH THAKUR:**  
**SHRI NEERAJ SHEKHAR:**

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

- (a) whether DoP&PW had sent a reference/note to Department of Expenditure (DoE) during August, 2022 for concurrence/comments of DoE for issuing general executive orders providing coverage of Central Government servants under Old Pension Scheme who were appointed on or after 01/01/2004 on the basis of advertisements for recruitment prior to 01/01/2004;
- (b) if so, the details thereof;
- (c) whether DoE has sent back the reference with some queries in October, 2022;
- (d) if so, the details thereof;
- (e) the details of response furnished by DoP&PW to DoE against the queries; and
- (f) effort being made to obtain concurrence in timebound manner and to expedite general orders?

**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 (f): After dismissal of some of SLPs / Review Petitions by Hon'ble Supreme Court filed by Union of India against the orders of Hon'ble High Court of Delhi allowing benefit of old pension scheme to those Government servants whose selection process was completed after 01.01.2004, a reference was made to Department of Expenditure in August, 2022 on the question of issue of general order in this regard. Department of Expenditure furnished their comments in October, 2022 on the reference made in August, 2022 by this Department.

There is no decision to issue general instructions in this regard.

National Pension System (NPS) was introduced for Central Government employees by a Notification of Ministry of Finance (Department of Economic Affairs) dated 22<sup>nd</sup> December, 2003. NPS is mandatory for all new recruits to the Central Government service from 1<sup>st</sup> January, 2004 (except the armed forces).

In view of the specific provisions of the Notification dated 22.12.2003, the date of advertisement for the vacancies is not considered relevant for determining the eligibility for coverage under the Old Pension Scheme or the National Pension System.