

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

RAJYA SABHA
UNSTARRED QUESTION NO. 128
(TO BE ANSWERED ON 02.02.2023)

COMMENTS REGARDING OLD PENSION SCHEME

128 SHRI JAVED ALI KHAN:
SHRI NEERAJ SHEKHAR:

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

- (a) whether Department of Expenditure (DoE) has advised DoP&PW vide ID Note dated 05.12.2022 to consult DoPT and Department of Legal Affairs (DoLA) regarding cut off date for issuing general orders to revert those Central Government employees under OPS whose advertisements for recruitment were issued prior to 01.01.2004;
- (b) if so, whether DoP&PW has sent references to DoPT and DoLA;
- (c) if so, the details thereof along with the comments received there from, Department-wise; and
- (d) if not, the reasons for delay?

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 (d): 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, Department of Personnel and Training and Department of Legal Affairs on the question of issue of general order in this regard. Department of Expenditure furnished their comments vide note dated 05/12/2022. Comments from Department of Personnel and Training and Department of Legal Affairs have also been received.

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 22nd December, 2003. NPS is mandatory for all new recruits to the Central Government service from 1st 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
