

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

RAJYA SABHA
UNSTARRED QUESTION NO. 610
(TO BE ANSWERED ON 02.12.2021)

LITIGATION FOR OLD PENSION SCHEME

610 SHRI NEERAJ SHEKHAR:

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

- (a) whether Supreme Court has dismissed more than half dozen SLPs and Review Petitions and ordered that Central Government officials whose advertisements were issued before 01/01/2004 and joining and results occurred after 31.12.2003 be reverted to old pension scheme;
- (b) if so, whether officials of Government are deliberately advising for lame litigation in each case even after dismissal of SLPs and Review Petitions at admission stage without hearing by Supreme Court, to tarnish pro-public image of Government by harassing its own officials and not issuing general orders for similar cases; and
- (c) if not, the reasons for litigation in each case?

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): Hon'ble Supreme Court has dismissed some of SLPs 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.

(b) & (c): 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.
