GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF FINANCIAL SERVICES

*****

RAJYA SABHA
UNSTARRED QUESTION NO. 248
TO BE ANSWERED ON 20TH JULY, 2021 (TUESDAY)/ ASHADHA 29, 1943 (SAKA)

Judgement of Supreme Court and Reversal from NPS to Old Pensions Scheme

248. Shri Neeraj Shekhar

Will the Minister of FINANCE be pleased to state:

(a) whether Supreme Court vide Special Leave to Appeal (C) 173/2021 on 04/02/2021 and vide SLPs (Civil) Nos.23568/2019 (Review Petition (C) No.21889/2019) has allowed the Central Government officials under NPS, the benefits of old pension scheme whose advertisements were advertised before 01/01/2004 and results/joining occurred after 31/12/2003;
(b) if so, whether Government has issued order to revert these officials under NPS to Old Pension Scheme and whether their pension funds under NPS have been transferred to their respective GPF accounts;
(c) if so, the details thereof and fate of similar cases; and
(d) if not, the reasons for contempt of Apex Court?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE
(DR BHAGWAT KARAD)

(a) to (c) As informed by Ministry of Home Affairs, reversal from National Pension System (NPS) to old pension scheme was allowed in WP (C) No. 756/2020 titled Dr. Davinder Singh Brar vide Order dated 28.01.2020. An SLP (C) No. 173/2021 filed by the UOI/Department against the order was dismissed on 04.02.2021. Upon dismissal of SLP, the proposal was processed for filing Review Petition in consultation with Ministry of Law and Justice/Ld. ASG and the matter is sub-judice.

In respect of SLP (Civil) No.23568/2019 (Review Petition (C) No.21889/2019), Central Reserve Police Force (CRPF) has informed that all the 14 petitioners have been reverted from NPS to Old Pension Scheme vide CRPF's Order No.J.II-1/2017-Pers (AC) (SKC) dated 23.09.2020. Further, GPF accounts have also been allotted to them vide order No. M.V-1/2020-21-GOs Entt. Adm dated 14.12.2020 and accordingly, the PAO, CRPF, New Delhi, as well as respective sector IGs have been requested to ensure action about transfer of NPS amount of respective petitioners into their newly allotted GPF accounts vide order No.IRLA-6557/20-21-Aud-9 dated 18.12.2020.

(d) In view of reply given in point (b) above, the question does not arise.

****