

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

RAJYA SABHA  
UNSTARRED QUESTION NO. 605  
(TO BE ANSWERED ON 02.12.2021)

REVIEW PETITIONS ON NPS

605 CH. SUKHRAM SINGH YADAV:  
SHRI VISHAMBHAR PRASAD NISHAD:

Will the **PRIME MINISTER** be pleased to refer to answers to UQ428 and 425 given in Rajya Sabha on Feb 4 and July 22, 2021 respectively and state:

- (a) whether Supreme Court has dismissed various SLPs and Review Petitions during the year 2021 and has allowed the Central Government officials under NPS, the benefits of old pension scheme whose advertisements were issued before 01/01/2004 and results declared and joining occurred after 31/12/2003;
- (b) if so, the details thereof, case-wise;
- (c) the details of cases where Government has issued orders to revert these officials after judgments of Supreme Court, case-wise; and
- (d) by when general order for all similar cases on above lines would be issued?

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): Hon'ble Supreme Court has dismissed some of SLPs filed by Union of India during the year 2021 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. Details of cases is enclosed at Annexure-A

(d): 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.

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Annexure referred to in reply to Rajya Sabha Question No. 605 for 02.12.2021

## Status of SLPs / Review Petitions during the year 2021

S. No.	Details of cases	Status of Implementation of Court order
1	WP (C) No. 9252/2020 titled Shabad Prakash Punia & Ors in High Court of Delhi was allowed vide Order dated 15.01.2021. An SLP (C) No. 7373/2021 filed by UOI was dismissed on 09.07.2021.	Implemented
2	WP (C) No. 6548/2020 titled Ithape Pandit Kisanrao & 80 Ors in High Court of Delhi was allowed vide order dated 06.11.2020. An SLP (C) No. 8555/2021 filed by UOI was dismissed on 12.07.2021.	Implemented
3.	WP (C) No. 11097/2019 titled Amar Kumar in High Court of Delhi was allowed vide order dated 15.01.2021. An SLP (C) No. 8985/2021 filed by UOI/Deptt. against the order was dismissed on 19.07.2021.	Considering Review Petition
4	WP (C) No. 1569/2021 titled Jaswinder Singh & 105 Ors in High Court of Delhi was allowed vide order dated 15.02.2021. An SLP (C) No. 11749/2021 filed by UOI/Deptt. against the order was dismissed on 31.08.2021.	Implemented
5	WP (C) No. 756/2020 titled Dr. Davinder Singh Brar Vs UOI & Ors in High Court of Delhi was allowed vide order dated 28.01.2020. An SLP (C) No. 173/2021 filed by UoI was dismissed on 04.02.2021	Implemented
6	WP (C) No. 6989/2020 filed by Sh. Vipul Pandey & 57 Ors Vs UOI & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 06.11.2020. SLP (C) No. 11543/2021 filed by UoI was dismissed on 17.09.2021	Implemented
7	WP (C) No. 11169/2019 titled Chander Veer Singh & 31 Ors before the Hon'ble High Court of Delhi was allowed vide order dated 16.12.2019. SLP (C) No. 9950/2020 filed by UoI was dismissed on 16.04.2021.	Implemented
8	WP (C) No. 323/2020 titled Ashok Kumar & 09 Ors before the Hon'ble High Court of Delhi was allowed vide order dated 13.01.2020. SLP (C) 10681/2020 filed by UoI was dismissed on 16.04.2021	Implemented
9.	WP (C) No. 337/2020 titled Vikas Kumar & 61 Ors before the Hon'ble High Court of Delhi was allowed vide order dated 16.12.2019. SLP Dismissed on 16.04.2021	Implemented
10	WP (C) No. 1569/2021 titled Jaswinder Singh & 105 Ors Vs UOI & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 15.02.2021. SLP (C) No. 11749/2021 filed by UoI was dismissed on 31.08.2021.	Implemented
11	WP (C) No. 5443/2020 titled Prasiddh Narain & 479 Ors Vs UOI & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 15.01.2021.	SLP filed
12	WP (C) No. 5075/2020 titled Sudesh Kumar Singh & 743 Ors & UOI & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 15.01.2021.	SLP filed

13	WP (C) No. 5080/2020 titled Sujjan Singh Yadav & 230 Ors Vs UOI & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 15.01.2021.	SLP filed
14	WP (C) No. 5444/2020 titled Praveen Kumar & Ors 526 Vs UOI & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 15.01.2021.	SLP filed
15	WP (C) No. 5445/2020 titled Kulesh Kumar Patel & 494 Ors Vs UOI & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 15.01.2021.	SLP filed
16	WP (C) No.5447/2020 titled Gaikwad Valmik S & 501 Ors Vs UOI & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 15.01.2021.	SLP filed
17	WP (C) No. 7745/2020 titled Harbir Singh & 71 Ors Vs UOI & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 15.01.2021.	SLP filed
18	WP (C) No. 11061/2020 titled Budhi Singh & 748 Ors Vs UOI & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 15.01.2021.	SLP filed
19	WP (C) No. 11063/2020 titled Bijendra Singh & 47 Ors Vs UOI & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 15.01.2021.	SLP filed
20	WP (C) No. 11065/2020 titled Bhupendra Singh & 861 Ors Vs UOI & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 15.01.2021.	SLP filed
21	WP (C) No. 12083/2019 titled Karamvir Singh & Ors Vs UOI & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 15.01.2021.	SLP is being filed
22	WP (C) No. 13129/2019 filed by Sh. Niraj Kumar Singh & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 13.12.2019.	SLP Filed
23	WP (C) No. 9535/2019 filed by Sh.Champak Kumar Nayak & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 27.01.2020	SLP Filed
24	WP (C) No. 10317/2020 filed by Dilip Kumar Singh & Ors before the Hon'ble High Court of Delhi was allowed vide order dated 15.01.2021 rectified on 02.02.2021	SLP Filed