

Conditions of service for promotion of officials

597. SHRI RAVI PRAKASH VERMA: Will the PRIME MINISTER be pleased to state:

(a) whether DoPT has amended the conditions of service including rules for promotion to detriment of promotional avenue of officials of Government who have been placed lower in seniority in respective gradation lists than those of their colleagues who were appointed through same recruitment examination for the same cadre/service/post;

(b) if so, the details thereof along with the instances and specific notifications in this regard; and

(c) if not, the specific rule position/guidelines/practice in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): (a) No Sir.

(b) Does not arise.

(c) Detailed instructions on promotion of Central Government employees have been consolidated vide Department of Personnel and Training (DoPT) Office Memorandum No. 22011/5/86-Estt. (D) dated 10.4.1989, as amended from time to time.

As per these instructions, employees, who fulfil the eligibility criteria as per the relevant recruitment rules / service rules and are included in the zone of consideration, are to be considered for promotion to the higher grade.

Promotion to the higher grade depends on availability of vacancy, vigilance clearance, assessment of suitability and fitness by a duly constituted Departmental Promotion Committee (DPC), acceptance of the recommendations of the DPC by the competent authority, etc.

Contract for old pension scheme

598. SHRI RAVI PRAKASH VERMA: Will the PRIME MINISTER be pleased to state:

(a) whether Government is aware that advertisement prior to 01.01.2004 for various jobs did not mention about NPS and Government employees whose results were declared after 2003 entered into contract for the old pension scheme instead of NPS on the date of application;

(b) if so, the rationale for prescribing declaration of results as criteria;

(c) whether Government would revise order dated 17.02.2020 and revert employees covered under NPS to old pension scheme whose posts were advertised/exams conducted before 01.01.2004 in view of the above; and

(d) if not, the reasons for promoting litigation and causing undue burden to exchequer?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): (a) to (d) National Pension System (NPS) was introduced for Central Government employees by a Notification of Ministry of Finance (Department of Economic Affairs) dated 22 December, 2003. NPS is mandatory for all new recruits to the Central Government service from 1st January, 2004 (except the armed forces). However, in some specific court cases, like WP(C) No. 3334/2013 titled *Permanand Yadav Vs. Union of India* and WP(C) No. 2810/2016 *viz. Rajendra Singh Vs. Union of India*, where the selection of candidates had been made before 01.01.2004 but their actual appointment in the Government service could be made on or after 01.01.2004 due to various reasons, on the direction of the Hon'ble High Court of Delhi, the benefit of Old Pension Scheme was allowed to the petitioners.

After considering all the relevant aspects and to extend the benefit to similarly placed Government servants in order to reduce further litigation, the Government has decided, *vide* an Office Memorandum No. 57/04/2019-P&PW(B) dated 17th February, 2020 of the Department of Pension & Pensioners' Welfare, that in all cases where the results for recruitment were declared before 01.01.2004 against vacancies occurring on or before 31.12.2003, the candidates declared successful for recruitment shall be eligible for coverage under the Central Civil Services (Pension) Rules, 1972. Accordingly, such Government servants who were declared successful for recruitment in the results declared on or before 31.12.2003 against vacancies occurring before 01.01.2004 and covered under the National Pension System on joining service on or after 01.01.2004, may be given a one - time option to be covered under the Central Civil Services (Pension) Rules, 1972.

The advertisements issued before the introduction of the National Pension System may or may not have contained a clause regarding the pension scheme applicable to the selected candidates. In its order dated 27.03.2019 in W.P.(C) 10306/2016 - *Union of*

India & others versus Dr. Narayan Rao Battu & another, Hon'ble High Court of Delhi observed that since the new pension scheme was in effect and a policy decision had already been taken to make the said scheme applicable to all incumbents joining government service on or after 01.01.2004, the Respondent, who was appointed on 25.02.2005, cannot claim the right to be covered by the old pension scheme, merely because the vacancy against which he was appointed was initially advertised at a time when the old pension scheme was in force. Hon'ble Court also observed that once the new pension scheme unambiguously and specifically provided that since all incoming office bearers, whose date of appointment is on or after 01.01.2004, would be governed by the new pension scheme, no reference can be made to either the date of vacancy, or the date of advertisement.

In view of the specific provisions of the Notification dated 22.12.2003, the date of advertisement for the vacancies or the date of examination for selection against those vacancies is not considered relevant for determining the eligibility for coverage under the Old Pension Scheme or the National Pension System. There is no proposal to revise the orders issued *vide* aforesaid Office Memorandum dated 17.02.2020.

National strategy on artificial intelligence

599. SHRI M.V. SHREYAMS KUMAR: Will the Minister of PLANNING be pleased to state:

- (a) the status of implementation of National Strategy on Artificial Intelligence by NITI Aayog;
- (b) the status of Centre of Excellence for Artificial Intelligence; and
- (c) the number of countries with which NITI Aayog has partnered for knowledge sharing of Artificial Intelligence?

THE MINISTER OF STATE OF THE MINISTRY OF PLANNING (RAO Inderjit Singh): (a) and (b) NITI Aayog, after extensive consultation with various ministries and leading academicians, institutions, practitioners and industry players, had released India's National Strategy for Artificial Intelligence (NSAI) for the country in June 2018. The Strategy outlined proposed efforts in research, development, adoption and skilling in AI. The major recommendations of the Strategy include, *inter alia*, setting up Centres of Research Excellence (CORE)-focused on fundamental research; and