

GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
(DEPARTMENT OF PERSONNEL & TRAINING)

LOK SABHA
UNSTARRED QUESTION NO. 809
(TO BE ANSWERED ON 07.02.2018)

RESERVATION TO OBCs

809. SHRI B.V. NAIK:

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

- (a) the number of candidates belonging to the Other Backward Castes deprived of reservation benefit in the process of appointment to various posts due to their coming under creamy layer;
- (b) whether any proposal is being contemplated to enforce the creamy layer factor in promotion process also and if so, the details thereof;
- (c) whether the Government would also consider to determine a creamy layer for the candidates of general category so that economically weaker people can get chance in Government jobs; and
- (d) if so, the details thereof?

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): No centralized data regarding number of candidates belonging to the Other Backward Castes stated to have been deprived of reservation benefit for appointment to posts under Central Government due to their coming under creamy layer is maintained.

(b): There is no reservation in promotion for Other Backward Classes.

(c) & (d): At present, there is no proposal under consideration to determine creamy layer for the candidates of general category. The 9 Judge Constitutional Bench of Hon'ble Supreme Court in the case of Indra Sawhney has inter-alia held that "a backward class cannot be determined only and exclusively with reference to economic criterion. It may be a consideration or basis along with and in addition to social backwardness, but it can never be the sole criterion".
