

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

LOK SABHA
UNSTARRED QUESTION NO. 3500
(TO BE ANSWERED ON 08.08.2018)

SUBMISSION OF OBC CERTIFICATE

3500. SHRI TEJ PRATAP SINGH YADAV:

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

- (a) whether candidates have been facing difficulties in obtaining/submitting OBC Certificate in prescribed format for applying / joining Government jobs due to the rule that OBC Certificates should be updated about the current financial status the income criteria for exclusion of creamy layer as result of which many OBC candidates are denied the opportunity for further improving their career prospects;
- (b) if so, the details thereof;
- (c) whether even those candidates, who have been selected on the basis of valid OBC Certificate and joined Government service, face the problem of producing latest Certificate when they further apply for jobs in other government organizations and if so, the details thereof;
- (d) whether there is urgent need for simplification of rules regarding requirement of producing OBC certificate for government employees by exempting them from it; and
- (e) if so, the details thereof and the reaction of the Government thereto?

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) & (b): As per instructions issued vide Department of Personnel and Training's OM No. 36033/4/97-Estt.(Res.) dated 25.07.2003, every candidate seeking reservation as Other Backward Class (OBC) is required to submit a certificate regarding his/her 'OBC status and Non-creamy layer' status issued by the prescribed authority. The OBC status of a candidate may change only when the community of the concerned candidate is removed from the OBC list but his/her creamy layer status may change any time. In view of this, it is not possible to determine a fixed validity period for the OBC certificate.

The appointing authority before appointing a person on the basis of reservation to OBCs should verify the veracity of the community certificate submitted by the candidate and also the fact that he/she does not fall in creamy layer on the crucial date. The crucial date for this purpose is the closing date for receipt of applications for the post except in cases where crucial date is fixed otherwise.

(c) to (e): Keeping in view the problems faced by OBC candidates, Department of Personnel and Training, vide letter no. 36036/2/2013-Estt.(Res.) dated 30.05.2014, revised the format for issue of OBC caste certificate to mention the details of Resolution by which caste/community of the candidate has been added in the Central list of OBCs and also to ensure that he/she does not belong to creamy layer.

Instructions have also been issued by Department of Personnel and Training, vide OM No. 36011/1/2012-Estt.(Res.) dated 08.10.2015, to the effect that where a candidate belonging to a Scheduled Caste, Scheduled Tribe and Other Backward Classes is unable to produce a certificate from any of the prescribed authorities, he/she may be appointed provisionally on the basis of whatever prima-facie proof he/she is able to produce in support of his/her claim subject to his/her furnishing the prescribed certificate within a reasonable time and if there is genuine difficulty in his/her obtaining a certificate, the appointing authority should itself verify his/her claim through the District Magistrate concerned.
