

**GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA**

**UNSTARRED QUESTION NO.4429
TO BE ANSWERED ON 23.03.2021**

ISSUANCE OF OBC NON-CREAMY LAYER CERTIFICATES

4429. SHRI JANARDAN SINGH SIGRIWAL:

Will the Minister of **SOCIAL JUSTICE AND EMPOWERMENT** be pleased to state:

(a) the criteria and income limit fixed for issuance of Other Backward Classes (OBCs)- Non-Creamy Layer (NCL) certificates to children of Central/State Government employees;

(b) whether the Government has taken note of difficulties being faced by the dependent children of the said Government employee who have crossed the income limit for issuance of OBC-NCL certificate despite their selection/appointment in Group B or C and if so, the details and response of the Government thereon;

(c) whether the Government has issued any guidelines for issuance of OBC-NCL certificate to dependent children of Group B or C appointees whose annual income exceeds the threshold criteria;

(d) if so, the details thereof indicating the relevant notifications and guidelines issued by the Government in this regard and if not, the reasons therefor; and

(e) whether the Government is considering/proposes any plan to simplify the process and clarify the provisions and issue fresh guidelines to mitigate the difficulties being faced by such applicants with regard to issuance of OBC-NCL certificate, if so, the details thereof and if not, the reasons therefor?

ANSWER

**MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT
(SHRI KRISHAN PAL GURJAR)**

(a): As per Guidelines issued by the DoPT, son(s) and daughter(s) of following categories of Central/State Government employees shall be treated as falling in creamy layer:

- a. parents, both of whom are directly recruited Class I/Group A officers;
- b. parents, either of whom is a directly recruited Class I/Group A officer;
- c. parents, both of whom are directly recruited Class I/Group A officers, but one of them dies or suffers permanent incapacitation;

- d. parents, either of whom is a directly recruited Class I/Group A officer and such parent dies or suffers permanent incapacitation and before such death or such incapacitation has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years;
- e. parents, both of whom are directly recruited Class I/Group A officers and both of them die or suffer permanent incapacitation and before such death or such incapacitation of the both, either of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years;
- f. parents both of whom are directly recruited Class II/Group B officers;
- g. parents of whom only the husband is a directly recruited Class II/Group B officer and he gets into Class I/Group A at the age of 40 or earlier;
- h. Parents, both of whom are directly recruited Class II/Group B officers and one of them dies or suffers permanent incapacitation and either of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years;
- i. parents of whom the husband is a Class I/Group A officer (direct recruit or pre-forty promoted) and the wife is a directly recruited Class II/Group B officer and the wife dies; or suffers permanent incapacitation; and
- j. parents, of whom wife is a Class I/Group A officer (Direct Recruit or pre-forty promoted) and the husband is a directly recruited Class II/Group B officer and the husband dies or suffers permanent incapacitation.

Further sons and daughters of following categories of Central/State Government employees shall not be treated as falling in creamy layer:

- i. parents either of whom or both of whom are directly recruited Class I/ Group A officer(s) and such parent(s) and such parent(s) dies/die or suffers/suffer permanent incapacitation;
- ii. parents both of whom are directly recruited Class II/Group B officers and one of them dies or suffers permanent incapacitation;
- iii. parents both of whom are directly recruited Class II/Group B officers and both of them dies or suffer permanent incapacitation, even though either of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years before their death or permanent incapacitation.

The Income Limit fixed for issuance of Other Backward Classes (OBC) – Non-Creamy Layer (NCC) certificate does not apply to children of Central /State Government employees.

(b) to (d): Question does not arise in view of (a) above.

(e): The issue regarding revision of creamy layer criteria of OBCs is under consideration of the Government.
