

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

RAJYA SABHA
STARRED QUESTION NO. 112
(TO BE ANSWERED ON 29.07.2021)

PROVISION OF CREAMY LAYER FOR GENERAL CATEGORY

112 # SMT. CHHAYA VERMA:

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

- (a) whether Government is considering to make provision of creamy layer in general category for Government services on the lines of provision of creamy layer for the candidates in Other Backward Classes so that only weaker sections get Government services;
- (b) whether a dual policy is being implemented on the candidates belonging to Other Backward Classes by implementing the provision of creamy layer only on Other Backward Classes; and
- (c) the details of income criteria set for creamy layer at present and when was it increased and whether it is being increased from time to time?

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): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY OF RAJYA SABHA STARRED QUESTION NO.112 FOR ANSWER ON 29.07.2021 BY SMT. CHHAYA VERMA REGARDING PROVISION OF CREAMY LAYER FOR GENERAL CATEGORY

(a) & (b): The concept of exclusion of creamy layer from amongst Other Backward Classes (OBCs) has been introduced based on the directions of the Hon'ble Supreme Court in *Indra Sawhney Vs. UOI & Ors.* delivered in 1992.

(c): The income criteria to exclude creamy layer has been revised from time to time as follows:

- (i) Vide O.M. No.36033/3/2004-Estt(Res), dated 9th March, 2004, the income limit was revised from Rs.1 lakh to Rs.2.5 lakh per annum.
- (ii) Vide O.M. No.36033/3/2004-Estt(Res), dated 14th October, 2008, the income limit was revised from Rs.2.5 lakh to Rs.4.5 lakh per annum.
- (iii) Vide O.M. No.36033/1/2013-Estt(Res), dated 27th May, 2013, the income limit was revised from 4.5 lakh to Rs.6 lakh per annum.
- (iv) Vide O.M. No.36033/1/2013-Estt(Res), dated 13th September, 2017, the income limit was revised from Rs.6 lakh to Rs.8 lakh per annum.

The present income limit is Rs.8 lakh per annum.
