

Immediate

No.22/12/2015-E.IB

Union Public Service Commission
Shahjahan Road, Dholpur House,
New Delhi-110069

Dated : 28th July, 2015

To,

The Secretary,
Social Justice and Empowerment Department,
Government of Gujarat,
5/9, Sardar Patel Bhavan, Sachivalay,
Gandhinagar- 382010

[By name to Shri K. G. Vanzara, Additional Secretary]

Subject :- Clarification about the caste/creamy layer certificates of OBC candidates –regarding.

Sir,

I am directed to refer to your D.O. letter No. SSP/122014/419148/A dated 03.07.2015 on the above mentioned subject and to say that the Commission has recently uploaded the latest DoP&T order No. 36036/2/2013-Estt. (Res.) dated 30.05.2014 & 36033/1/2013-Estt. (Res.) dated 27.05.2013 on the issues regarding format of OBC caste certificate and creamy layer status respectively along with “the form of certificate to be produced by OBC candidates applying for appointment to posts under the Govt. of India” on the website of the Commission with a view to clear confusion among the candidates. However, I would like to inform you that the Commission accepts caste certificates even in old format if the same fulfill basic parameters required for OBC certification.

Yours faithfully,

(Sanjay Mehrishi)
Joint Secretary

No. 36036/2/2013- Estt.(Res.)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi

Dated: 30th May, 2014

To,

The Chief Secretaries of
all the State Governments/Union Territories

Subject: Revision of format for OBC Caste Certificate

Madam/Sir,

The Government of India had issued instructions on 8th September, 1993 vide DoPT O.M. No. 36012/22/93-Estt.(SCT) providing for reservation to Other Backward Classes in the services and posts under the Government of India. The format of the Caste Certificate was prescribed vide Annexure A of the O.M. No. 36012/22/93-Estt.(SCT) dated 15th November 1993. In the said format, the then Ministry of Welfare's Resolution No. 12011/68/93-BCC(C) dated 10th September 1993 was mentioned, which contained the list of castes and communities treated as OBCs till that time. Since then, a large number of castes and communities have been added to the Central List of OBCs through various resolutions of the Ministry of Social Justice and Empowerment. The details of the resolutions subsequent to the Resolution dated 10th September 1993 do not find mention in the existing format. The said format also prescribes that the certificate issuing authority should certify that the candidate does not belong to the persons/sections (Creamy Layer) mentioned in Column 3 of the Schedule to the aforesaid O.M. dated 8.9.1993.

2. Representations have been received in this Department wherein candidates belonging to OBC Communities have reportedly faced difficulty in getting the benefits of reservation. This is because of the fact that in the caste certificate issued by the concerned district authorities, although the name of the caste/community is mentioned in the certificate, the specific resolution by which the said caste/community has been included in the Central List of OBCs is not indicated.

3. Keeping in view such problems faced by the candidates, this issue was examined in consultation with the National Commission for Backward Classes and it has been decided to revise the existing format of OBC Caste Certificate. A copy of the revised format is enclosed (**Annexure**). All the certificate issuing authorities are requested to invariably mention the details of the **Resolution (Number and Date) by which the caste/community of the candidate** has been included in the Central List of OBCs and also to ensure that he/she does not belong to the persons/sections (Creamy Layer) mentioned in Column 3 of the Schedule to the aforesaid O.M. dated 8.9.1993 as amended from time to time.

4. I am to request that the revised format of the Certificate may please be brought to the notice of authorities under the State Governments/Union Territories who are empowered to issue the Caste Certificate.

Yours faithfully

(Sandeep Mukherjee)

Under Secretary to the Government of India

Phone- 011-23092110

Copy to:

1. All Ministries/ Departments of the Government of India
2. Department of Financial Services, Jeevan Deep Building, Parliament Street, New Delhi-110001
3. Department of Public Enterprises, Block No.14, CGO Complex, New Delhi-110003
4. Railway Board, Ministry of Railways, *Rail Bhavan*, New Delhi
5. Union Public Service Commission/ Supreme Court of India/Election Commission of India/ Lok Sabha Secretariat/ Rajya Sabha Secretariat/ Cabinet Secretariat/ Central Vigilance Commission/ President's Secretariat/ Prime Minister's Office/ Planning Commission
6. Staff Selection Commission, CGO Complex. Lodhi Road, New Delhi
7. Ministry of Social Justice and Empowerment, Shastri Bhawan, New Delhi
8. National Commission for SCs/National Commission for STs, Lok Nayak Bhawan, New Delhi
9. National Commission for Backward Classes, Trikoot-1, Bhikaji Cama Place, R.K. Puram, New Delhi(w.r.t. their letter No.NCBC/7/32/2012-RW dated 16.5.2013)
10. Office of the Comptroller and Auditor General of India, 10 Bahadur Shah Jafar Marg, New Delhi – 110 002
11. Information and Facilitation Center, DoPT, North Block, New Delhi.
12. Director, ISTM, Old JNU Campus, Olof Palme Marg, New Delhi 110067
13. The NIC, DoPT with a request to upload it at the website of this Department in OMs & Orders → Estt.(Reservation) → SC/ST/OBC and also under 'What's New'

**FORM OF CERTIFICATE TO BE PRODUCED BY OTHER BACKWARD CLASSES
APPLYING FOR APPOINTMENT TO POSTS UNDER THE GOVERNMENT OF INDIA**

This is to certify that Shri/Smt./Kumari _____ son/daughter of _____ of village/town _____ in District/Division _____ in the State/Union Territory _____ belongs to the _____ community which is recognised as a backward class under the Government of India, Ministry of Social Justice and Empowerment's Resolution No. _____ dated _____. *. Shri/Smt./Kumari _____ and/or his/her family ordinarily reside(s) in the _____ District/Division of the _____ State/Union Territory. This is also to certify that he/she does not belong to the persons/sections (Creamy Layer) mentioned in Column 3 of the Schedule to the Government of India, Department of Personnel & Training O.M. No. 36012/22/93 – Estt.(SCT) dated 8.9.1993**.

District Magistrate
Deputy Commissioner etc.

Dated:

Seal

*- The authority issuing the certificate may have to mention the details of Resolution of Government of India, in which the caste of the candidate is mentioned as OBC.

**-. As amended from time to time.

Note:- The term "Ordinarily" used here will have the same meaning as in Section 20 of the Representation of the People Act, 1950.

No. 36033/1/2013-Estt. (Res.)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
North Block, New Delhi,
Dated: the 27th May, 2013

OFFICE MEMORANDUM

Subject: Revision of income criteria to exclude socially advanced persons/sections (Creamy Layer) from the purview of reservation for Other Backward Classes (OBCs)-reg.

The undersigned is directed to invite attention to this Department's office memorandum No. 36012/22/93-Estt. (SCT) dated 8th September, 1993 which, *inter alia*, provided that sons and daughters of persons having gross annual income of Rs. 1 lakh or above for a period of three consecutive years would fall within the creamy layer and would not be entitled to get the benefit of reservation available to the Other Backward Classes. The aforesaid limit of income for determining the creamy layer status was subsequently raised to Rs. 2.5 lakh and Rs. 4.5 lakh and accordingly the expression "Rs. 1 lakh" under Category-VI of Schedule to OM dated 8th September, 1993 was revised to "Rs. 2.5 lakh" and to "Rs. 4.5 lakh" vide this Department's OMs No. 36033/3/2004-Estt. (Res.) dated 09.03.2004 and dated 14.10.2008 respectively.

2. It has now been decided to raise the income limit from Rs. 4.5 lakh to Rs. 6 lakh per annum for determining the creamy layer amongst the Other Backward Classes. Accordingly, the expression "**Rs. 4.5 lakh**" under Category VI in the Schedule to this Department's aforesaid O.M. of 8th September, 1993 would be substituted by Rs. "**Rs. 6 lakh**".

3. The provisions of this office memorandum have effect from 16th May, 2013.

4. All the Ministries/Departments are requested to bring the contents of this office memorandum to the notice of all concerned.


(Sharad Kumar Srivastava)
Under Secretary to the Govt. of India

To:

1. All the Ministries/Departments of the Government of India.

Contd. 2....

2. Department of Financial Services, New Delhi.
3. Department of Public Enterprises, New Delhi.
4. Railway Board, New Delhi.
5. Union Public Service Commission/Supreme Court of India/Election Commission of India/Lok Sabha Secretariat/Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/Prime Minister's Office/Planning Commission.
6. Staff Selection Commission, CGO Complex, Lodhi Road, New Delhi.
7. Ministry of Social Justice & Empowerment, Shastri Bhawan, New Delhi
8. National Commission for SCs/National Commission for STs, Lok Nayak Bhawan, New Delhi.
9. National Commission for Backward Classes, Trikoot-1, Bhikaji Cama Place, R. K. Puram, New Delhi.
10. Office of the Comptroller and Auditor General of India, 10 Bahadur Shah Jafar Marg, New Delhi-110002.
11. Information and Facilitation Centre, DoPT, North Block, New Delhi (100 copies).
12. The NIC, DoPT with a request to upload it at the website of this Department in OM&S & Orders > Estt. (Res.) > SC/ST/OBC and in 'What's New'

Copies forwarded to:

The Chief Secretaries of all the States/Union Territories for information and necessary action.

Proforma-II

The form of certificate to be produced by Other Backward Classes candidates applying for appointment to posts under the Government of India.

This is to certify that Shri/Shrimati/Kumari*.....son/daughter* of
Shri.....of village/town*in District/Division*.....of the State/Union
Territory*.....belongs to the.....Community which is recognised as a backward
class under :

@ Government of India, Ministry of Welfare Resolution No. 12011/68/93-BCC (C) dated 10th September, 1993 published in the Gazette of India Extraordinary Part-I, Section-1, No. 186 dated 13th September, 1993.

@ Government of India, Ministry of Welfare Resolution No. 12011/9/94-BCC dated 19-10-94, published in the Gazette of India Extraordinary Part-I, Section-1, No. 163 dated 20-10-1994.

@ Government of India, Ministry of Welfare Resolution No. 12011/7/95-BCC dated 24-5-95, published in the Gazette of India Extraordinary Part-I, Section-1, No. 88 dated 25-5-1995.

@ Government of India, Ministry of Welfare Resolution No. 12011/96/94-BCC dated 9th March, 1996 published in the Gazette of India Extraordinary Part-I, Section-1, No. 60 dated 11th March, 1996.

@ Government of India, Ministry of Welfare Resolution No. 12011/44/96-BCC dated 6th December, 1996 published in the Gazette of India Extraordinary Part-I, Section-1, No. 210 dated 11th December, 1996.

@ Government of India, Ministry of Welfare Resolution No. 12011/99/94-BCC dated 11th December, 1997 published in the Gazette of India Extraordinary Part-I, Section-1, No. 236 dated 12th December, 1997.

@ Government of India, Ministry of Welfare Resolution No. 12011/13/97-BCC dated 3rd December, 1997 published in the Gazette of India Extraordinary Part-I, Section-1, No. 239 dated 17th December, 1997.

@ Government of India, Ministry of Social Justice and Empowerment Resolution No. 12011/68/98-BCC dated the 27th October, 1999 published in the Gazette of India Extraordinary Part-I, Section-1, No. 241 dated the 27th October, 1999.

@ Government of India, Ministry of Social Justice and Empowerment Resolution No. 12011/88/98-BCC dated 6th December, 1999 published in the Gazette of India Extraordinary Part-I, Section-1, No. 270 dated 6th December, 1999.

@ Government of India, Ministry of Social Justice and Empowerment Resolution No. 12011/36/99-BCC dated 4th April, 2000 published in the Gazette of India Extraordinary Part-I, Section-1, No. 71 dated 4th April, 2000.

@ Government of India, Ministry of Social Justice and Empowerment Resolution No. 12011/44/99-BCC dated the 21st September, 2000 published in the Gazette of India Extraordinary Part-I, Section-1, No. 210 dated the 21st September, 2000.

@ Government of India, Ministry of Social Justice and Empowerment Resolution No. 12015/9/2000-BCC dated 6th September, 2001 published in the Gazette of India Extraordinary Part-I, Section-1, No. 246 dated 6th September, 2001.

@ Government of India, Ministry of Social Justice and Empowerment Resolution No. 12011/1/2001-BCC dated 19th June, 2003 published in the Gazette of India Extraordinary Part-I, Section, 1 No. 151 dated 20th June, 2003.

@ Government of India, Ministry of Social Justice and Empowerment Resolution No. 12011/4/2002-BCC dated 13th January, 2004 published in the Gazette of India Extraordinary, Part-I Section-1, No. 9 dated 13th January, 2004.

@ Government of India, Ministry of Social Justice and Empowerment Resolution No. 12011/14/2004-BCC dated 12th March, 2007 published in the Gazette of India Extraordinary, Part-I, Section-1, No. 67 dated 12th March, 2007.

@ Government of India, Ministry of Social Justice and Empowerment Resolution No. 12015/2/2007-BCC dated 18th August, 2010 published in the Gazette of India Extraordinary, Part-I, Section-1, No. 232 dated 18th August, 2010.

@ Government of India, Ministry of Social Justice and Empowerment Resolution No. 12015/2/2007-BCC dated 11th October, 2010 published in the Gazette of India Extraordinary, Part-I, Section-1, No. 274 dated 12th October, 2010.

@ Government of India, Ministry of Social Justice and Empowerment Resolution No. 12015/15/2008-BCC dated 16th June, 2011 published in the Gazette of India Extraordinary, Part-I, Section-1, No. -123 dated 16th June, 2011.

@ Government of India, Ministry of Social Justice and Empowerment Resolution No. 12015/13/2010-BC-II dated 8th December, 2011 published in the Gazette of India Extraordinary, Part-I, Section-1, No.-257 dated 8th December, 2011.

@ Government of India, Ministry of Social Justice and Empowerment Resolution No. 12015/05/2011-BC-II dated 17th February, 2014 published in the Gazette of India Extraordinary, Part-I, Section-1, No.-41 dated 17th February, 2014.

Shri/Shrimati/Kumari*.....and/or* his/her* family ordinarily reside(s) in
village/town*.....of.....District/Division* of the State/Union Territory* of
.....

This is also to certify that he/she* does not belong to the persons/sections* (Creamy Layer) mentioned in column 3 of the Schedule to the Government of India, Department of Personnel & Training O.M. No. 36012/22/93-Estt(SCT) dated 8-9-1993 O.M. No. 36033/3/2004-Estt.(Res.) dated 9th March, 2004 and O.M. No. 36033/3/2004-Estt.(Res.) dated 14th October, 2008 and O.M. No. 36033/1/2013-Estt.(Res.) dated 27th May, 2013.

Signature.....

**Designation..... (with seal of Office)
State/Union Territory

Place.....

Date.....

*Please delete the words which are not applicable.

@ Strike out whichever is not applicable.

NOTE : The term “ordinarily reside(s)” used here will have the same meaning as in Section 20 of the Representation of the People Act, 1950.

** Authorities empowered to issue Other Backward Classes certificates will be the same as those empowered to issue Scheduled Caste/Scheduled Tribe certificates.

Note 1 : Candidates claiming to belong to OBCs should note that the name of their caste (including its spellings) as indicated in their certificates, should be exactly the same as published in the lists notified by the Central Government from time to time. A certificate containing any variation in the caste name will not be accepted.

Note 2 : The OBC claim of a candidate will be determined in relation to the State (or part of the State) to which his/her father originally belongs. A candidate who has migrated from one State (or part of the State) to another should, therefore, produce an OBC certificate which should have been issued to him/her based on his/her father's OBC certificate from the State to which he (father) originally belongs.

Note 3 : No change in the community status already indicated by a candidate in his/her simplified application form for this examination will ordinarily be allowed by the Commission.

(B-1) The format of undertaking to be furnished along with the DAF by Other Backward Class candidates applying for appointment to posts under the Government of India.

Proforma-III

UNDERTAKING

I.....son/daughter of Shri.....resident of Village/Town/City.....District.....State/UThereby declare that I belong to thecommunity which is recognized as a backward class by the Government of India for the purpose of reservation in services as per orders contained in Department of Personnel & Training Office memorandum No. 36012/22/93-Estt(SCT) dated 8.9.1993. it is also declared that I do not belong to persons/sections (Creamy Layer) mentioned in Column 3 of the Schedule to the above referred Office Memorandum, dated 8.9.1993, O.M. No. 36033/3/2004-Estt.(Res) dated 9th March, 2004 and O.M. No. 36033/3/2004-Estt.(Res) dated 14th October, 2008 and O.M. No. 36033/1/2013-Estt.(Res.) dated 27th May, 2013.