

15 -ാം കേരള നിയമസഭ

9 -ാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നം ഇല്ലാത്ത ചോദ്യം നം. 1641

11-09-2023 - ൽ മറുപടിയ്ക്ക്

നോൺ ക്രിമിലെയർ സർട്ടിഫിക്കറ്റ് നൽകുന്നതിനുള്ള മാനദണ്ഡം

| ചോദ്യം | ഉത്തരം |
|--|--|
| <p align="center">ശ്രീ. പി. കെ. ബഷീർ</p> | <p align="center">ശ്രീ. കെ. രാജൻ (റവന്യൂ-ഭവനനിർമ്മാണ വകുപ്പ് മന്ത്രി)</p> |
| <p>(എ) വിദ്യാഭ്യാസത്തിനും തൊഴിലിനും ഒ.ബി.സി. സംവരണം ലഭിക്കുന്നതിനായി പ്രൊഫഷണൽ/വ്യവസായം/വാണിജ്യം (കാറ്റഗറി 4) എന്നീ വിഭാഗങ്ങളിൽ ഉൾപ്പെട്ടവരുടെ മക്കൾക്ക് ഒ.ബി.സി. നോൺ ക്രിമിലെയർ സർട്ടിഫിക്കറ്റിനുള്ള അർഹത നിശ്ചയിക്കുന്നത് കേന്ദ്ര/സംസ്ഥാന സർക്കാരിന്റെ ഏത് ഉത്തരവ് അല്ലെങ്കിൽ ഓഫീസ് മെമ്മോറാണ്ടം അനുസരിച്ചുള്ള വരുമാന മാനദണ്ഡപ്രകാരമാണെന്ന് അറിയിക്കാമോ; പ്രസ്തുത ഉത്തരവിന്റെ പകർപ്പ് നൽകുമോ;</p> | <p>(എ) കേന്ദ്ര വിദ്യാഭ്യാസ - ഉദ്യോഗ ആവശ്യങ്ങൾക്ക് കേന്ദ്ര പേഴ്സണൽ മന്ത്രാലയത്തിന്റെ 08.09.1993 ലെ 36012/22/93/Estt.(SCT) മെമ്മോറാണ്ടത്തിലെ മാനദണ്ഡങ്ങൾക്കനുസൃതമായാണ് നോൺ ക്രിമിലെയർ സർട്ടിഫിക്കറ്റ് അനുവദിക്കുന്നത്. പ്രസ്തുത മെമ്മോറാണ്ടത്തിന്റെ പകർപ്പ് അനുബന്ധം I ആയി ചേർത്തിരിക്കുന്നു. കേരളത്തിലെ ഉദ്യോഗ ആവശ്യങ്ങൾക്ക് 26.09.2009 ലെ G.O. (P)No.81/2009/SCSTDD സർക്കാർ ഉത്തരവ് പ്രകാരവും, വിദ്യാഭ്യാസ ആവശ്യങ്ങൾക്ക് 01.01.2015 ലെ G.O.(P)No.1/2015/BCDD സർക്കാർ ഉത്തരവ് പ്രകാരവും ആണ് സാക്ഷ്യപത്രങ്ങൾ അനുവദിക്കുന്നത്. 26.09.2009 ലെ G.O.(P)No. 81/2009/SCSTDD സർക്കാർ ഉത്തരവിന്റെയും 01.01.2015 ലെ G.O. (P)No.1/2015/BCDD സർക്കാർ ഉത്തരവിന്റെയും പകർപ്പ് യഥാക്രമം അനുബന്ധം II ആയും, അനുബന്ധം III ആയും ചേർത്തിരിക്കുന്നു.</p> |
| <p>(ബി) പ്രസ്തുത വിഷയത്തിൽ കേന്ദ്ര സർക്കാരിലെ ഡിപാർട്ട്മെന്റ് ഓഫ് പേഴ്സണൽ ആന്റ് ട്രെയിനിംഗിന്റെ 27.5.2013-ലെ ഒ.എം.36033/1/2013-ഇ.എസ്.റ്റി.റ്റി. (ആർ.ഇ.എസ്.) നമ്പർ ഓഫീസ് മെമ്മോറാണ്ടം പ്രകാരമുള്ള വരുമാന മാനദണ്ഡമാണ് ഇവിടെയും അംഗീകരിക്കുന്നതെങ്കിൽ ആയതിലെ നിബന്ധനകൾ എന്തെല്ലാമാണെന്ന് വ്യക്തമാക്കുമോ;</p> | <p>(ബി) പ്രസ്തുത ഓഫീസ് മെമ്മോറാണ്ടത്തിൽ മാതാപിതാക്കളുടെ വാർഷിക വരുമാനം (ശമ്പള കാർഷികേതര) 4.5 ലക്ഷത്തിൽ നിന്നും 6 ലക്ഷം ആയി ഉയർത്തി നിശ്ചയിച്ചിരുന്നു. ഈ വരുമാന പരിധി 13.09.2017 ലെ അതേ നമ്പർ ഓഫീസ് മെമ്മോറാണ്ടം പ്രകാരം 8 ലക്ഷം രൂപയായി ഉയർത്തി നിശ്ചയിച്ചിട്ടുണ്ട്. പ്രസ്തുത ഉത്തരവിന്റെ പകർപ്പ് അനുബന്ധം IV ആയി ചേർത്തിരിക്കുന്നു. കേന്ദ്ര ഓഫീസ് മെമ്മോറാണ്ടത്തിലേയും, സംസ്ഥാന സർക്കാർ ഉത്തരവുകളിലേയും വാർഷിക വരുമാനം സംബന്ധിച്ച മാനദണ്ഡങ്ങൾ സമാനമാണ്.</p> |
| <p>(സി) തുടർച്ചയായി കണക്കാക്കുന്ന മൂന്ന് സാമ്പത്തിക വർഷത്തിൽ ഏതെങ്കിലും ഒരു സാമ്പത്തിക വർഷം 8 ലക്ഷം രൂപയിൽ കുറവാണ് മാതാപിതാക്കളുടെ</p> | <p>(സി) മാതാപിതാക്കളുടെ വാർഷിക വരുമാനം തുടർച്ചയായ മൂന്ന് സാമ്പത്തിക വർഷം 8 ലക്ഷം രൂപയിൽ അധികരിക്കുന്ന പക്ഷം അവരെ ക്രിമിലെയർ ആയി</p> |

വരുമാനമെങ്കിൽ അപേക്ഷകന് ഒ.ബി.സി. നോൺ ക്രീമിലെയർ സർട്ടിഫിക്കറ്റിനുള്ള അർഹതയുണ്ടോയെന്ന് വിശദമാക്കുമോ?

കണക്കാക്കി സംവരണത്തിൽ നിന്നും ഒഴിവാക്കുമെന്നതാണ് വ്യവസ്ഥ. തുടർച്ചയായ മൂന്ന് വർഷത്തിൽ ഏതെങ്കിലും വർഷം 8 ലക്ഷം രൂപയിൽ താഴെയാണ് മാതാപിതാക്കളുടെ ശമ്പള കാർഷികേതര വരുമാനമെങ്കിൽ നിലവിലെ ഉത്തരവുകൾ അനുസരിച്ച് അവരുടെ മക്കൾക്ക് സംവരണാനുകൂല്യം ലഭ്യമാകുന്നതാണ്.

സെക്ഷൻ ഓഫീസർ

ANNEXURE I

GOVERNMENT OF INDIA

**Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)**

OFFICE MEMORANDUM

No. 36012/22/93-Estt. (SCT).

New Delhi, the 8th September, 1993.

Subject:—Reservation for other Backward Classes in Civil Posts and Services under the Government of India—Regarding.

The undersigned is directed to refer to this Department's O.M.No. 36012/S1/90-Estt. (S.C.T.) dated the 18th August, 1990 and 25th September 1991 regarding reservation for Socially and Educationally Backward Classes in Civil Posts and Services under the Govt. of India and to say that the following the Supreme Court judgement in the Indira Sawhney and others Vs. Union of India and others case [Writ petition (Civil) No. 930 of 1990] the Govt. of India appointed an Expert Committee to recommend the criteria for exclusion of the socially advanced persons/sections from the benefits of reservations for Other Backward Classes in civil posts and services under the Govt. of India.

2. Consequent to the consideration of the Expert Committee's recommendations this Department's Office Memorandum No. 36012/81/90-Estt. (SCT), dated 13-8-1990 referred to in para (1) above is hereby modified to provide as follows:—

- (a) 27% (twenty-seven per cent) of the vacancies in civil posts and services under the Government of India, to be filled through direct recruitment, shall be reserved for the Other Backward Classes, detailed instructions relating to the procedure to be followed for enforcing reservation will be issued separately.
- (b) Candidates belonging to OBCs recruited on the basis of merit in an open competition on the same standards prescribed for the general candidates shall not be adjusted against the reservation quota of 27%.
- (c) (i) The aforesaid reservation shall not apply to persons/sections mentioned in column 3 of the scheduled to this office memorandum.
- (ii) The mode of exclusion will not apply to persons working as artisan or engaged in hereditary occupations, callings. A list of such occupations callings will be issued separately by the Ministry of Welfare.

- (d) The OBCs for the purpose of the aforesaid reservation would comprise, in the first phase, the castes and communities which are common to both the lists in the report of the Mandal Commission and the State Governments Lists. A list of such castes and communities is being issued separately by the Ministry of Welfare.
- (e) The aforesaid reservation shall take immediate effect. However, this will not apply to vacancies where the recruitment process has already been initiated prior to the issue of this order.

3. Similar instructions in respect of public sector undertakings and financial institutions including public sector banks will be issued by the Department of Public Enterprises and by the Ministry of Finance respectively effective from the date of this Office Memorandum.

(Sd.)

(SMT. SARITA PRASAD),
Joint Secretary to the Government of India.

To

All Ministries/Departments of Government of India.

Copy:

- | | |
|--|--|
| 1. Department of Public Enterprises, New Delhi. | } It is requested that the said instructions may be issued in respect of PSUs, Public Sector Banks & Insurance Corporations. |
| 2. Ministry of Finance (Banking & Insurance Divisions), New Delhi. | |

SCHEDULE

| <i>Description of Category</i> | <i>To whom rule of exclusion will apply</i> |
|---|--|
| (1) | (2) |
| <p>I. CONSTITUTIONAL POSTS</p> | <p>Son(s) and daughter(s) of</p> <ul style="list-style-type: none"> (a) President of India; (b) Vice President of India; (c) Judges of the Supreme Court and of the High Courts; (d) Chairman & Members of UPSC and of the State Public Service Commission; Chief Election Commissioner; Comptroller & Auditor General of India; (e) Persons holding Constitutional positions of like nature. |
| <p>II. SERVICE CATEGORY</p> <p>A. <i>Group A/Class I Officers of the All India Central and State Services (Direct Recruits)</i></p> | <p>Son(s) and daughter(s) of</p> <ul style="list-style-type: none"> (a) Parents, both of whom are Class I Officers; (b) Parents, either of whom is a Class I Officer; (c) Parents, both of whom are Class I officers, but one of them dies or suffers permanent incapacitation. (d) Parents, either of whom is a Class I Officer and such parent dies or suffers permanent incapacitation and before such death 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. |

(1)

(2)

(3)

- (e) Parents, both of whom are Class I Officers 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:

Provided that the rule of exclusion shall not apply in the following cases:

- (a) Sons and daughters of parents either of whom of both of whom are Class-I Officers and such parent(s) dies/ die or suffer permanent incapacitation.
- (b) A lady belonging to OBC category has got married to a Class-I Officer, and may herself like to apply for a job.

*B. Group B/Class II Officers of the
Central & State Services
(Direct Recruitment)*

Son(s) and daughter(s) of

- (a) Parents both of whom are Class II Officers;
- (b) Parents of whom only the husband is a Class II Officer and he gets into Class I at the age of 40 or earlier;
- (c) Parents, both of whom are Class II officers and one of them dies or suffers permanent incapacitation and either one 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 such death or permanent incapacitation;

(d) Parents of whom the husband is a Class I Officer (direct recruit or pre-forty promoted) and the wife is a Class II Officer and the wife dies; or suffers permanent incapacitation and

(e) Parents, of whom the wife is a Class I officer (Direct Recruit or pre-forty promoted) and the husband is a Class II officer and the husband dies or suffers permanent incapacitation:

Provided that the rule of exclusion shall not apply in the following cases:

Sons and daughters of

(a) Parents both of whom are Class II Officers and one of them dies or suffers permanent incapacitation.

Sons and daughters of

(a) Parents both of whom are Class II officers and both of them die 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.

C. Employees, in Public Sector Undertakings etc.

The criteria enumerated in A & B above in this Category will apply mutatis mutandis to officers holding equivalent or comparable posts in PSUs, banks Insurance Organisations, Universities, etc. and also to equivalent or COMPARABLE POSTS AND positions under private employment, pending the evaluation of the posts on equivalent or comparable basis in these institutions, the criteria specified in category VI below will apply to the officers in these Institutions.

(1)

(2)

(3)

III ARMED FORCES INCLUDING
PARA MILITARY FORCES

(Persons holding civil posts are not included)

Son(s) and daughter(s) of parents either or both of whom is or are in the rank of Colonel and above in the army, and to equivalent posts in Navy and the Air Force and the Para Military Forces:

Provided that:—

- (i) if the wife of an Armed Forces Official is herself in the Armed Forces (i.e. the category under consideration, the rule of exclusion will apply only when she herself has reached the rank of Colonel:
- (ii) the service ranks below Colonel of husband and wife shall not be clubbed together:
- (iii) If the wife of an officer in the armed forces is in civil employment, this will not be taken into account for applying the rule of exclusion unless she falls in the service category under item No. II in which case the criteria and conditions enumerated therein will apply to her independently.

IV. PROFESSIONAL CLASS AND THOSE ENGAGED
IN TRADE AND INDUSTRY

- (i) *Persons engaged in profession as a doctor, lawyer, Chartered Accountant, Income-Tax Consultant, Financial or Management Consultant, Civil surgeon, Engineer, Architect, Computer Specialist, Film Artists and other film professional author, playwright, sports persons, sports professional, media Professional or any other vocations of like status.*
- (ii) *Persons engaged in trade, business and industry*

Criteria specified against Category VI will apply:—

Criteria specified against category VI will Apply:

V. PROPERTY OWNERS
A. Agricultural holdings

Explanation:

- (i) Where the husband is in some profession and the wife is in a Class II or lower grade employment the income/wealth test will apply only on the basis of the husband's income.
- (ii) If the wife is in any profession and the husband is in employment in a Class II or lower grade post, then the income/wealth criterion will apply only on the basis of the wife's income and the husband's income will not be clubbed with it.

Son(s) and daughter(s) of persons belonging to a family (father, mother and minor children) which owns:

- (a) only irrigated land which is equal to or more than 85% of the statutory ceiling area, or
- (b) both irrigated and unirrigated land, as follows:—
The rule of exclusion will apply where the pre-condition exists that the irrigated area (having been brought to a single type under a common denominator) 40% or more of the statutory ceiling limit for irrigated land (this being calculated by excluding the unirrigated portion). If this pre-condition or not less than 40% exists, then only the area of unirrigated land will be taken into account. This will be done by converting the unirrigated land on the basis of the conversion formula existing, into the irrigated type. The irrigated area so computed from unirrigated land shall be added to the actual area of irrigated land and if after such clubbing together the total area in terms of irrigated land is 85% or more of the statutory ceiling limit for irrigated land, then the rule of exclusion will apply and—disentitlement will occur.)
- (ii) The rule of exclusion will not apply if the land holding of a family...

| (1) | (2) | (3) |
|--|--|---|
| <p>B. <i>Plantations</i></p> <p>(i) Coffee, Tea, Rubber etc.</p> <p>(ii) Mango, Citrus, Apple, Plantations etc.</p> <p>C. <i>Vacant land and/or buildings in urban AREAS OR URBAN agglomerations</i></p> | <p>Criteria of Income/Wealth specified in Category VI below will apply.</p> <p>Deemed as agricultural holding and hence criteria at A above under this category will apply.</p> <p>Criteria specified in Category VI below will apply.</p> | <p>Criteria of Income/Wealth specified in Category VI below will apply.</p> |

Explanations: Building may be used for residential, industrial or commercial purposes and the like or two or more such purposes.

VI. INCOME/WEALTH TEST

Son(s) and Daughter(s)

- (a) Persons having gross annual income of Rs. 1 lakh or above or possessing wealth above the exemption limit as prescribed in the Wealth Tax Act for a period of three consecutive years.
- (b) Persons in Categories I, II, III and VA who are not disentitled to the benefit of reservation but have income from other sources of wealth, which will bring them within the income/wealth criteria mentioned in (a) above.

Explanation:

- (i) Income from salaries or agricultural land shall not be clubbed:
- (ii) The income criteria in terms of rupee will be modified taking into account the change in its value every three years. If the situation, however, so demands, the interregnum be less.

ANNEXURE II

RESOLUTION

New Delhi, the 10th September, 1993

No. 12011/68/93-BCC (C).—The Government of India have had under consideration the judgement of the Supreme Court dated 16-11-1992 in the case of *Indira Sawhney and Others Vs Union of India and Others* (No. 930 of 1990) relating to reservation of 27% vacancies in civil posts and services under the Government of India in favour of Other Backward Classes OBCs.

2. The OBCs for the purpose of the aforesaid reservation as per orders of the Government of India issued vide O.M. No. 36012/22/93-Estt. (SCT) of the 8th September, 1993 by the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel & Training), would comprise, in the first phase, the castes and communities which are common to both the lists in the report of the Mandal Commission and the State Government's Lists.

3. The Expert Committee on 'Creamy Layer' headed by Justice (Rtd.) R.N. Prasad, was commissioned to prepare the Common Lists in respect of the following States which had notified the list (Appendix Allahabad) of OBCs for the purpose of reservation in State Services as on the date of judgement of the Supreme Court:

1. Andhra Pradesh
2. Assam
3. Bihar
4. Goa
5. Gujarat
6. Haryana
7. Himachal Pradesh
8. Karnataka
9. Kerala
10. Madhya Pradesh
11. Maharashtra
12. Punjab
13. Tamil Nadu
14. Uttar Pradesh

4. The Common Lists prepared by the Committee have been accepted by the Government. The Government has decided to notify the annexed list of the Other Backward Classes in the context of implementation of the aforesaid O.M. The lists shall be deemed to have taken effect from 8th September, 1993.

5. The National Commission for Backward Classes, set up under the provisions of the National Commission for Backward Classes Act, 1993 in pursuance of the direction of the Supreme Court in the aforesaid case, shall entertain, examine and recommend upon requests for inclusion and complaints of over-inclusion and under-inclusion in the lists of Other Backward Classes of citizens.

ORDER

Ordered that a copy of the resolution be communicated to all State Government, UT Administrations, Ministries/Departments of Government of India.

Ordered also that the resolution be published in the Gazette of Inadia for general information.

M.S. PANDIT,

Joint Secretary

APPENDIX

LIST OF STATES OF OBC'S

STATE : KERALA

| <i>Sl. No.</i> | <i>Name of Castes/ Communities (including sub-castes/ synonyms) in the Common list of S.R.B. Cs</i> | <i>Entry No. in State List</i> | <i>Entry No. in Mandal List</i> | <i>Remarks</i> |
|----------------|---|--|---|----------------|
| (1) | (2) | (3) | (4) | (5) |
| 1 | Agasa | 1 | 1 | |
| 2 | Ambalakkaran | 2 | 3 | |
| 3 | Anglo Indian | 3 | 6 | |
| 4 | Aremahrati | 6 | 9 | |
| 5 | Arya | 7 | 10 | |
| 6 | Bandari | 8 | 14 | |
| 7 | Billava | 9 | 18 | |
| 7(A) | Chakkalan | 10 | 25 | |
| 8 | Chavalakkaran | 12 | 31 | |
| 9 | Chetties | 13 | 34 | |
| 10 | (Kottar chetties | 13 | 34 | |
| | Parakka Chetties | 13 | 34 | |
| | Elur Chetties | 13 | 34 | |
| | Attingal Chetties | 13 | 34 | |
| | Pudukkada Chetties | 13 | 34 | |
| | Iraniel Chetties | 13 | 34 | |
| | Sri Pandara Chetties | 13 | 34 | |
| | Telugu Chetties | 13 | 34 | |
| | Udayankulangara Chetties | 13 | 34 | |
| | Wayanadan Chetties and Kalavara Chetties | 13 | 34 | |
| 11 | Devadigi | 14 | 37 | |
| 12 | Devanga | 15 | 38 | |
| 13 | Dheevara | 15A | 39 | |
| | Arya, Arayavathi | 15A | 7 | |
| | Mukkuvan or Mukayo-Mogaveera | 5A | 38,7,8,130, 129 | |
| 14 | Ezhava and Tiyya | 16 | 44,185 | |
| 15 | Ezhavathi | 17 | 45 | |
| 16 | Ezhuthachan | 18 | 46 | |
| 17 | Ganika | 19 | 48 | |

| (1) | (2) | (3) | (4) | (5) |
|-----|---|-----|--------|-----|
| 18 | Gatti | 20 | 50 | |
| 19 | Gowda | 21 | 58 | |
| 20 | Hegde | 22 | 60 | |
| 21 | Izhuvan (Illuvan or Ezhuvan) | 24 | 64 | |
| 22 | Jogi | 25 | 69 | |
| 23 | Kaduppattan | 26 | 70 | |
| 24 | Kaikolan | 27 | 71 | |
| 25 | Kelasi (Kalasi Panicker) | 28 | 83 | |
| 26 | Kalari Kurup or Kalari Panicker | 29 | 5 | |
| 27 | Viswakarma | 30 | 72,28 | |
| | including | | 87,157 | |
| | Assari,Chaptegra, | 30 | 72 | |
| | Kallassari | | | |
| | Kammala | 30 | 72 | |
| | Karuvan | 30 | 72 | |
| | Kitaran | 30 | 87 | |
| | Kollan | 30 | 157 | |
| | Malayala Kammala | 30 | 72 | |
| | Pandi Kammala | 30 | 72 | |
| | Moosari | 30 | 72 | |
| | Perunkollan, | 30 | 152 | |
| | Thattan, Pandithallan | 30 | 72 | |
| | Villkurup, | 30 | 72 | |
| | Villasan, | 30 | 72 | |
| | Viswabrahmanan or | 30 | 72 | |
| | Viswabrahmanar and Viswakarmala | 30 | 72 | |
| 28 | Kannadiya | 31 | 77 | |
| 29 | Kanisu or | 32 | 74 | |
| | Kaniyar Panikar, | 32 | 74 | |
| | Kanior | 32 | 74 | |
| | Kaniyan (Ganaka) or | 32 | 74 | |
| | Kanisan or | 32 | 74 | |
| | Kamman | 32 | 74 | |
| 30 | Kavuthiyan | 33 | 82 | |
| 31 | Kavudiyarm | 34 | 81 | |
| 32 | Keteyar | 36 | 98 | |
| 33 | Krishnanvaka | 37 | 102 | |
| 34 | Kerala Mudali | 38 | 84 | |
| 35 | Kudumbi | 39 | 103 | |
| 36 | Kusavan | 40 | 104 | |
| | (Kulala, Kulala Nair or Andhra Nair or Anthuru Nair) | | | |
| 37 | Lattin Catholic | 42 | 106 | |
| 38 | Madivala | 43 | 110 | |
| 39 | Mappila | 44 | 121 | |

| (1) | (2) | (3) | (4) | (5) |
|-----|---|-----|--------|-----|
| 40 | Maravan | 45 | 123 | |
| 41 | Maruthuvar | 46 | 5 | |
| 42 | Nadar (Hindu Nadar and Nadar included in S.I.U.C) | 49 | 134 | |
| 43 | Naikkan | 50 | 136 | |
| 44 | Odan | 51 | 139 | |
| 45 | Scheduled Caste Converts to Christianity | 52 | 177 | |
| 46 | Pandithar | 53 | 150 | |
| 47 | Panniyar | 54 | 153 | |
| 48 | Pattariya | 55 | 155 | |
| 49 | Peruvannan (Varanavar) | 57 | 158 | |
| 50 | Pulluvan | 58 | 164 | |
| 51 | Rajapur | | 165 | |
| 52 | Chakravar, Sakravar (Kavathi) | 60 | 170,24 | |
| 53 | Sourashtra | 61 | 183 | |
| 54 | Saliya | 62 | 171 | |
| 55 | Senai Thalavar (Elavaniar) | 63 | 178 | |
| 56 | S.I.U.C. (excluding Nadar Specified in item No.42 which is item 49 of State List) | 64 | 182 | |
| 57 | Tholkolan | 65 | 186 | |
| 58 | Thottian | 66 | 189 | |
| 59 | Vaduvans | 67 | 192 | |
| | Vadugan | 67 | 135 | |
| | Vadukar | 67 | 135 | |
| | Vaduka (Vadukan) | 67 | 135 | |
| 60 | Velaan | 69 | 198 | |
| | (Velaar) | 69 | 198 | |
| 61 | Vanian | 70 | 195 | |
| | Vanika, | 70 | 195 | |
| | Vanika Vaisya, | 70 | 195 | |
| | Vanibha Chetty | 70 | 195 | |
| | Vaniya Chetty | 70 | 195 | |
| | Ayiravar, | 70 | 195 | |
| | Nagarathar and Vaniyan) | 70 | 195 | |
| 62 | Vaniar | 71 | 196 | |
| 63 | Vakkaliga | 72 | 193 | |
| 64 | Veerasaiya (Yogi and Yogeewara) | 73 | 199 | |
| 65 | Veluthedath Nair (Veluthedan and Vannathan) | 74 | 200 | |
| 66 | Vilakkithala Nair (Vilakkithalavan) | 75 | 201 | |

| (1) | (2) | (3) | (4) | (5) |
|-----|--|------|-----|-----|
| 67 | Yadava (Kolaya, Ayar, Mayar, Maniyani and Iruman) | 76 | 207 | |
| 68 | Ganjam Reddi (in Malabar district referred to in Sub-section (2) of Section 5 of the State Recorganisation Act | 2(3) | 49 | |
| 69 | Vishavan (In Malabar district as referred to in sub-section (2) of Section 5 of the States Reorganisation Act, 1956) | 2(4) | 203 | |
| 70 | Kammara (Excluding Malabar (2) of district as referred to in sub-section section 5 of the States Reorganisation Act, 1956) | 3(1) | 71 | |
| 71 | Malayekandi (excluding Malabar district as referred to in sub-section (2) of section 5 of the States Reorganisation Act, 1956) | 3(3) | 116 | |
| 72 | Reddiar/Reddian (excluding Malabar district as referred to in sub-section (2) of section 5 of the States Reorganisation Act, 1956) | 3(4) | 166 | |
| 73 | Marati (excluding Kasargod Taluk of Malabar District) | 4(1) | 124 | |

ANNEXURE III

FORM OF

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

This is certify that
son ofof village.....
District/Division
in theState.....
belongs to the community
which is recognised as a backward class under the Government of India,
Ministry of Welfare Resolution No. 12011/68/93-BCC©, dated 10th
September 1993 published in the Gazette of India Extraordinary Part I Section I
dated 13th September 1993. Shri.
and or his family ordinarily reside(s) in theDistrict/Division
of the State. 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.

Dated

District Manager
Deputy Commissioner etc.

Seal

N.B.

- (a) The term 'ordinarily' used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950.
- (b) Where the certificate are issued by Gazetted Officers of the Union Government or State Governments, they should be in the same form but *countersigned* by the District Magistrate or Deputy Commissioner (Certificate issued by Gazetted Officers and attested by District Magistrate/Deputy Commissioner are not sufficient).

Annexure IV

APPLICATION FORM FOR A CERTIFICATE FOR ELIGIBILITY
FOR RESERVATION OF JOBS FOR OTHER BACKWARD
CLASSES IN CIVIL POSTS AND SERVICES UNDER
GOVERNMENT OF INDIA

.....
.....
.....

Sir,

I request that a certificate in respect, of reservation for Other Backward Classes in Civil Posts and Services under Government of India to granted to me.

I give below the necessary particulars-

1. Full name of the applicant :
(in block letters)
2. Date of birth :
3. Complete Residential address :
 - (a) Present
 - (b) Permanent :
4. Religion :
5. Caste :
6. Sub-Caste :
7. Occupational Group :
8. Serial Number of the Caste in the
Central List of OBCs :
9. Name of Father :
10. Name of Mother :
11. Name of Husband :

12. Status of Parent (s)/Husband

Father Mother Husband

(A) Constitutional Posts

(I) Designation

(B) Government Services.

Father Mother Husband.

(i) Service (Central/State).

(ii) Designation

(iii) Scale of pay, including classification, if any.

(iv) Date of appointment to the post.

(v) Age at the time of promotion to Class I Post (if applicable)

II. Employment in International Organisation e.g. UN, UNICEF, WHO.

(i) Name of Organisation

(ii) Designation

(iii) Period of service (indicate date from.....to.....).

III. Death/Permanent Incapacitation (Omit if not applicable).

(i) Date of death/Permanent incapacitation putting an officer out of service.

(ii) Details of Permanent incapacitation

(C). Employment in Public Sector Undertakings etc.

(i) Name of Organisation

(ii) Designation

(iii) Date of appointment to the Post

33/216/94/MC.

(D). *Armed Forces including Para-military Forces*
(This will not include persons holding civil posts)

- (i) Designation
- (ii) Scale of pay

(E) *Professional Class (other than those covered in item Nos. B&C) and those engaged in trade, Business and Industry*

- (i) Occupation/Profession

(F) *Property Owners*

(F).I. Agricultural Land Holding: owned by mother, father & minor children.

- (i) Location
- (ii) Size of holding
- (iii) (a) Irrigated
(Type of irrigated land)
 - (i)
 - (ii)
 - (iii)

(b) Unirrigated

To be certified
by District
Revenue Officer
not lower than
the rank of
Tahsildar.

- (iv) Percentage of irrigated land holding to statutory ceiling limit under State Land Ceiling Laws. If Land holding is
- (v) both irrigated/unirrigated total irrigated land holdings on the basis of conversion formula in State Land Ceiling Law.
- (vi) Percentage of total irrigated land holding to statutory ceiling limit as per (iv)

(F) II. *Plantation:*

- (i) Crops/Fruit.
- (ii) Location
- (iii) Area of Plantation

(F) III. Vacant land and/or buildings in urban areas or urban agglomeration.

- (i) Location of Property
- (ii) Details of Property
- (iii) Use to which it is put

(G) Income/Wealth.

(i) Annual family income from all sources (excluding salaries & income from agricultural land).

(ii) Whether Tax Payer (Yes/No).
(If yes, a copy of the last three years return be furnished).

(iii) Whether covered in Wealth Tax Act (Yes/No) (if so furnish details)

(E). Any other remarks.

(F). I certify that the above said particulars are true to the best of my knowledge and belief and that I do not belong to the Creamy Layer of OBCs and am eligible to be considered for posts reserved for O.B.C.'s. In the event of any information being found false or incorrect, or ineligibility being detected before or after the selection, I understand that my candidature/appointment is liable to be cancelled and I shall be liable to such further action as may be provided under the law and/or Rules.

Yours faithfully,

Place:

Date:

Signature of the candidate

Sendhu Beegam M.S
സമയം 03/20/2016



GOVERNMENT OF KERALA

Abstract

SC/ST DEVELOPMENT DEPARTMENT--IDENTIFICATION OF CREAMY LAYER AMONG
OTHER BACKWARD CLASSES--IMPLEMENTATION OF JUSTICE RAJENDRA BABU
COMMISSION REPORT--ORDERS ISSUED

SC/ST DEVELOPMENT (F) DEPARTMENT

G. O. (P) No. 81/09/SCSTDD. Dated, Thiruvananthapuram, 26th September, 2009.

- Read--
1. G. O. (P) No. 36/00/SCSTDD dated 27-5-2000.
 2. Judgment dated 23-2-2007 of Supreme Court in W. P. (C) 598/00 filed by NSS.
 3. G. O. (P) No. 15/07/SCSTDD dated 1-3-2007.
 4. G. O. (P) No. 33/07/SCSTDD dated 7-6-2007.
 5. G. O. (P) No. 46/07/SCSTDD dated 25-8-2007.
 6. G. O. (P) No. 04/08/SCSTDD dated 3-1-2008.
 7. G. O. (P) No. 117/08/SCSTDD dated 19-12-2008.

ORDER

As per the G. O. read as 1st paper above Government had issued orders accepting the recommendations in the report of Justice Narendran Commission by fixing the annual income limit for determining the Creamy Layer among OBCs as Rs. 3.00 lakhs. Nair Service Society filed W. P. (C) No. 598/00 in Supreme Court against this Order and the Hon'ble Court, as per judgment read as 2nd paper above has set aside the report of Justice Narendran Commission on Creamy Layer among OBCs with direction to the State Government to appoint a fresh Commission who should go in to all the aspects of the Creamy Layer and submit their report.

GCPT. 3/3056/2011/DTP.

2. In compliance to the aforesaid direction of the Hon'ble Supreme Court, Government as per G. O. read as 3rd paper above had appointed a Three Men Commission with Justice R. Rajendra Babu (Retd.) as Chairman and as per G. O. read as 4th paper above, fixed the terms of reference of the Commission.

3. Justice Rajendra Babu Commission submitted their interim report on 7-8-2007 and on the basis of that report Government fixed the income limit for determining the Creamy Layer among OBCs under Category VI as Rs. 2.5 lakhs per annum vide G. O. read as 5th paper above as modified vide G. O. read as 6th paper above. In the meantime, Government of India increased the income limit for determining Creamy Layer among OBCs to Rs. 4.5 lakhs. The Commission there upon advised the State Government for fixing the income limit for determining the Creamy Layer among OBCs as Rs. 4.5 lakhs per annum until the Commission submits its final report. Government issued orders there on accordingly vide G. O. read as 7th paper above. The Commission have submitted their final report on 30-6-2009.

4. Government have carefully considered the report in all respect and hereby accept the full recommendations made by the Commission to identify the Creamy Layer among Other Backward Classes in Kerala as per the terms of reference and order as follows:

- (i) Rs. 4.5 lakhs is fixed as annual income for determining the Creamy Layer among the OBCs.
- (ii) The guidelines and the criteria to be adopted for identifying the Creamy Layer made by Justice Rajendra Babu Commission are accepted and shall be observed.
- (iii) The existing system of exempting the hereditary occupation/calling and the sub castes of fishermen community as per Annexure B & C in G. O. (P) No. 36/00/SCSTDD dated 27-5-2000 from the application of Creamy Layer shall be continued.

5. The guidelines to identify the Creamy Layer among the OBCs mentioned in Para 4 (ii) above are given in Annexure I to this Order.

6. The list of Other Backward Classes in Kerala is shown in Annexure A.

7. The groups of persons with hereditary occupations/calling in Kerala is given in Annexure B.

8. The sub castes of fishermen community excluded from the Creamy Layer mentioned in Para 4 (ii) of this order is given in Annexure C.

9. The schedule showing the description of categories of people to whom the rule of exclusion will apply is appended as Annexure D.

10. The form of certificate to be issued will be as shown in Annexure II.

11. The form of application for the issue of the certificate will be as shown in Annexure III.

12. The authority to issue the certificate to candidates who do not belong to the Creamy Layer will be any of the following Officers:--

- (a) District Magistrate/Additional District Magistrate/Collector/I Class Stipendiary Magistrate/Sub Divisional Magistrate/Taluk Magistrate/Executive Magistrate/Extra Assistant Commissioner (not below the rank of I Class Stipendiary Magistrate).
- (b) Chief Presidency Magistrate/Additional Chief Presidency Magistrate/ Presidency Magistrate.
- (c) Revenue Officer not below the rank of Tahasildar and
- (d) Sub Divisional Officer of the area where the candidates and or his family normally resides.

13. Creamy Layer Certificate applied for should be issued or refused, as the case may be within ten days of receipt of the application.

14. These orders will apply to all Government Departments/Organizations/Institutions/Public Sector Undertakings/Government owned Companies/Co-operative Societies/Autonomous Bodies, etc. to which the principles of reservations are applicable.

By order of the Governor,

PAUL ANTONY,

Principal Secretary to Government.

To

The Secretary, Kerala Public Service Commission, Pattom,
Thiruvananthapuram.

All Secretaries.

All District Collectors.

All Heads of Department/All Public Sector Undertakings/All Universities
in Kerala.

The Director, Institute of Management in Government, Thiruvananthapuram.

The Registrar, Kerala State Commission for Backward Classes, Pattom,
Thiruvananthapuram.

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram.

The Accountant General (A & E), Kerala, Thiruvananthapuram.

The General Administration (SC) Department.

The Director, Scheduled Castes Development Department,
Thiruvananthapuram.

The Director, Scheduled Tribes Development Department,
Thiruvananthapuram.

The Director of Information and Public Relations, Thiruvananthapuram.

The Finance Department.

Justice Sri R. Rajendra Babu (Retd.), 'Gouri', House No. 34/978 (A),
Anjumana Road, Edappally, Kochi-682 024.

Prof. A. Abdul Vahab, T. C. 9/1962, Kochar Road, Sasthamangalam,
Thiruvananthapuram.

Shri R. Chandrasekharan Nair, Chemmizhikkattu, Kudavechoor P. O.
(via) Vaikkom, Kottayam.

Stock File/Office Copy.

Copy to:

P. S. to Chief Minister.

P. S. to Minister (WSC & Ele.)

J. S. to Chief Secretary.

C. A. to Principal Secretary, SC/ST Dev. Dept.

C. A. to Secretary, SC/ST Dev. Dept.

C. A. to Additional Secretary, SC/ST Dev. Dept.

ANNEXURE I

THE GUIDELINES TO IDENTIFY THE CREAMY LAYER AMONG THE OTHER BACKWARD CLASSES IN THE STATE OF KERALA

1. These guidelines are called the guidelines to identify the Creamy Layer among the Other Backward Classes in the State of Kerala.

2. These guidelines shall come into force from a date to be notified by the State Government in the Kerala Gazette. It will be published in the Kerala Gazette immediately for the information of the public.

3. These guidelines will not apply to vacancies for which selection has already been made by the Kerala Public Service Commission.

4. The list of 78 castes/communities including sub-caste notified by the State Government as Other Backward Classes in the State of Kerala is appended to these guidelines as Annexure A.

5. The 40 per cent of the vacancies of civil posts and services under the Government of Kerala and its Institutions and Organisations is to be filled up by direct recruitment for the Other Backward Classes notified in Annexure A.

6. Candidates from the Other Backward Classes recruited on the basis of merit in open competition shall not be adjusted against the 40 per cent reservation quota. If any of the rules in the Kerala State and Subordinate Service Rules 1958 stand in the way, necessary amendment will be made forthwith. The 40% reservation shall not apply to persons/sections mentioned in the column 3 of the schedule attached to these guidelines.

7. The rule of exclusion made mention in the schedule attached to these guidelines will not apply to persons working as artisans or engaged in hereditary occupations, calling and included in Annexure 'B' appended herewith and person/group of persons coming within the definition of the expression "Fishermen Community" in Annexure C appended to these guidelines.

8. The rule of exclusion contained in the Schedule will not apply:—

(i) To persons in a Backward Class who are traditionally engaged in the hereditary occupations of that Backward Class.

(ii) Persons belonging to all Backward Classes who are illiterate (not passed 4th Standard).

9. A certificate to the effect that the applicant does not belong to the Creamy Layer in the light of the guidelines and the schedule for identification of Creamy Layer attached herewith as Annexure II. This certificate need only be produced before the Public Service Commission at the time of preparation of the short list/ Rank List as the case may be

10. Application form for the above certificate is appended as Annexure III.

ANNEXURE A

I. LIST OF OTHER BACKWARD CLASSES IN THE STATE OF KERALA

| <i>Sl. No.</i> | <i>Name of Castes/Communities (including sub-castes/synonyms) in the Common list of OBCs</i> | <i>Entry No. in State List</i> | <i>Entry No. Mandal List</i> |
|----------------|--|--------------------------------|------------------------------|
| (1) | (2) | (3) | (4) |
| 1 | Agasa | 1 | 1 |
| 2 | Ambalakkaran | 2 | 3 |
| 3 | Anglo Indian | 3 | 6 |
| 4 | Aremahrati | 6 | 9 |
| 5 | Arya | 7 | 10 |
| 6 | Bandari | 8 | 14 |
| 7 | Billava | 9 | 10 |
| 7(A) | Boyan of Malabar | .. | .. |
| 8 | Chakkalan | 10 | 25 |
| 9 | Chavalakkaran | 12 | 31 |
| 10 | Chetties include | 13 | 34 |
| | (Kottar chetty | ” | ” |
| | Parakka Chetty | ” | ” |
| | Elur Chetty | ” | ” |
| | Attingal Chetty | ” | ” |
| | Pudukkada Chetty | ” | ” |
| | Iraniel Chetty | ” | ” |
| | Sri Pandara Chetty | ” | ” |
| | Telugu Chetty | ” | ” |
| | Udayankulangara Chetty | ” | ” |

| (1) | (2) | (3) | (4) |
|-----|-------------------------------|--------|-------------|
| | Wayanadan Chetties | 13 | 34 |
| | Kalavara Chetties | ” | ” |
| | Peroorkada Chetty | ” | ” |
| | Sadhu Chetty | ” | ” |
| | 24 Manai Chetty | ” | ” |
| | 24 Mana Telengu Chetty | ” | ” |
| | Mountadan Chetty | ” | ” |
| | Idanadan Chetty) | ” | ” |
| 11 | Devadigi | 14 | 37 |
| 12 | Devanga | 15 | 38 |
| 13 | Dheevara | 15A | 39 |
| | (Aryan, | 15A | 7 |
| | Arayavathi | ” | ” |
| | Mukkuvan or Mukayo- | 5A | 38,7,8,130, |
| | Mogaveera | | 29 |
| | Valan | ” | ” |
| | Nulayan | ” | ” |
| | Paniakkal | ” | ” |
| | Mukaya | ” | ” |
| | Bovi Mukayar | ” | ” |
| | Mukaveeran | ” | ” |
| | Valinjiar) | ” | ” |
| 14 | Ezhava and Tiyya | 16, 24 | 44, 64, 185 |
| | (1) Izhavan, Ishavan, Ezhavan | | |
| | (2) Ezhuva, Izhuva, Ishuva | | |
| | (3) Izhuvan, Ishuvan, Ezhuvan | | |
| | (4) Izhava, Izhuvan, Ishavan | | |
| | (5) Illuva | | |
| | (6) Illuvan | | |
| | (7) Irava | | |
| | (8) Iruva | | |
| 15 | Ezhavathi | 17 | 45 |
| 16 | Ezhuthachan | 18 | 46 |

| (1) | (2) | (3) | (4) |
|-----|---------------------------------|-----|-----------|
| 17 | Ganika | 19 | 48 |
| 18 | Gatti | 20 | 50 |
| 19 | Gowda | 21 | 50 |
| 20 | Hegde | 22 | 60 |
| 21 | Jogi | 25 | 69 |
| 22 | Kaduppattan | 26 | 70 |
| 23 | Kaikolan | 27 | 71 |
| 24 | Kolasi (Kalasi Panicker) | 28 | 83 |
| 25 | Kalari Kurup or Kalari Panicker | 29 | 5 |
| 26 | Viswakarma Include | 30 | 72,87,137 |
| | (Assari | ” | ” |
| | Chaptegra, Kallasari | ” | 72 |
| | Kammala | ” | ” |
| | Kuruvan | ” | ” |
| | Kitaran | ” | 87 |
| | Kollan | ” | 157 |
| | Malayala Kammala | ” | ” |
| | Pandi Kammala | ” | ” |
| | Moosari | ” | ” |
| | Perunkollan | ” | ” |
| | Thattan | ” | 157 |
| | Pandithattan | ” | ” |
| | Thachan | ” | ” |
| | Vilukurup | ” | 72 |
| | Kalthachan | ” | ” |
| | Villasan | ” | ” |
| | Kamsala Kannan | ” | ” |
| | Viswabrahmanan | ” | ” |
| | Viswabrahmanar | or | ” |
| | Viswakarmala | ” | ” |
| | Palisa Perumkollan | ” | ” |

| <i>(1)</i> | <i>(2)</i> | <i>(3)</i> | <i>(4)</i> |
|------------|---|------------------------|-------------------------|
| 27 | Kannadiyans | 31 | 77 |
| 28 | Kanisu or Kaniyar panicker or Kani or Kaniyan (Ganaka) or Kansan or Kamman | ” ” ” ” | ” ” ” ” |
| 29 | Kavuthiyar | 33 | 82 |
| 30 | Kavudiyaru | 34 | 81 |
| 31 | Kodiyar | 36 | 98 |
| 32 | Krishnanvaka | 37 | 102 |
| 33 | Kerala Mudali | 34 | 84 |
| 34 | Kudumbi | 39 | 103 |
| 35 | Kusavan Include (Kulala Kulala Nair or Andhara Nair or Anthuru Nair | 40 ” ” ” ” | 104 ” ” ” ” |
| 36 | Kumbarans | ” | ” |
| 37 | Kuruba | ” | ” |
| 38 | Latin Catholic | 42 | 106 |
| 39 | Madivala | 43 | 110 |
| 40 | Mahendra - Medara | ” | ” |
| 41 | Maravan | 45 | 123 |
| 42 | Maruthuvar | 46 | 5 |
| 43 | Muslim or Mappila | 44 | 121 |
| 44 | Nadar (Hindu) | ” | ” |
| 45 | Naikkan | 50 | 136 |
| 46 | Odan | 51 | 139 |
| 47 | Scheduled Caste converted to Christianity | 52 | 177 |
| 48 | Pandithar | 53 | 150 |
| 49 | Panniyar | 54 | 159 |

| <i>(1)</i> | <i>(2)</i> | <i>(3)</i> | <i>(4)</i> |
|------------|---|------------|------------|
| 50 | Pattariya | 55 | 515 |
| 51 | Peruvannan (Varnavar) | 57 | 158 |
| 52 | Pulluvan | 58 | 164 |
| 53 | Rajapur | 59 | 165 |
| 54 | Chakravar, Sakravar(Kavathi) | 60 | 170 |
| 55 | Sourashtrar | 61 | 163 |
| 56 | Saliya, Chaliya (Chaliyam) | 62 | 171 |
| 57 | Senai Thalavan (Elavaniar) | 63 | 176 |
| 58 | SIUC | | |
| | (Excluding Nadar specified in item No.42 which is item 49 of State List) | ” | ” |
| 59 | SIUC Nadar | ” | ” |
| 60 | Thachar | ” | ” |
| 61 | Tholkollan | 65 | 186 |
| 62 | Thottian | 66 | 189 |
| 63 | Vaduvans | 67 | 192 |
| 64 | (Vaduoan | 67 | 135 |
| | Vadukar | ” | ” |
| | Vaduka | ” | ” |
| | Vadukan) | ” | ” |
| 65 | Vanian Include | 70 | 195 |
| | (Vanika | ” | ” |
| | Vanika Vaisya | ” | ” |
| | Vanibha Chetty | ” | ” |
| | Vaniya Chetty | ” | ” |
| | Ayiravar | ” | ” |
| | Nagarathar & | ” | ” |
| | Vaniya) | ” | ” |
| 66 | Vaniyar | 71 | 196 |
| 67 | Vakkaliga | 72 | 193 |
| 68 | Veerasaiva (Yogis & Yogeeswara,Pandaram, Poopandaram/Malapandaram, Jangam) | 73 | 196 |

| (1) | (2) | (3) | (4) |
|-----|---|-----------------------------|------------------------------|
| 69 | Veluthedathu Nair Veluthedan and Vannathan) | 74 | 200 |
| 70 | Vilakkithala Nair (Vilakkithalavan) | 75 | 201 |
| 71 | Yadava include (Kolaya Ayar Mayar Maniyani Iruman) | 76 ” ” ” ” ” | 207 ” ” ” ” ” |
| 72 | Kongu Navithan, Vettuva Navithan & Aduthon | ” | ” |
| 73 | Mooppar or Kallan Mooppan or Kallan Mooppar | ” | ” |
| 74* | Velan (Velar) | 69 ” | 198 ” |

II In Malabar District

1. Boyan
2. Ganjan , Reddis
3. Vishavan

III Through out the State except Malabar District

1. Kammara
2. Malayan
3. Malayekandi
4. Reddiars

IV Throughout the State except Kasaragod Taluk , Malabar District

1. Marati

Explanation :- Malabar District shall mean the Malabar District referred to in Sub – section (2) of section of the State Re- organization Act, 1956.

* Vide letter dated 2-7-2009 of Justice Rajendra Babau Commission.

ANNEXURE B

HEREDITARY OCCUPATIONS/CALLING IN KERALA EXCLUDED FROM THE CREAMY LAYER

1. Blacksmith
2. Mason
3. Carpenter
4. Goldsmith
5. Pottery Maker
6. Cobbler
7. Copper & Bronze Smith
8. Kudumbi

ANNEXURE C

SUB CASTES OF FISHERMEN COMMUNITY EXCLUDED FROM THE CREAMY LAYER

1. Araya
2. Arayavathi
3. Mukkuvan
4. Mukaya
5. Mogaveera
6. Valan
7. Bovis
8. Valinjar
9. Paniakel
10. Nulayan
11. Latin Catholic Mukkuva
12. Latin Catholic Anjutikar
13. District sections of Muslim Community who are traditionally engaged in fishing operations, as certified by the competent authority.

ANNEXURE D

SCHEDULE

| <i>Description of Category</i> | <i>To whom rule of exclusion will apply</i> |
|---|--|
| (1) | (2) |
| I. Constitutional Posts | Son (s) and daughter (s) of <ul style="list-style-type: none"> (a) President of India; (b) Vice President of India; (c) Judges of the Supreme Court and of the High Court's; (d) Chairman & Members of UPSC and of the State Public Service Commission; Chief Election Commissioner; Comptroller & Auditor General of India; (e) Governors of the States during the tenure of their office; (f) Persons holding Constitutional Positions of like nature. |
| II. Service Category | |
| A. Group A/Class I Officers of the All India Central and State Services (Direct Recruits) | Son (s) and daughter (s) of <ul style="list-style-type: none"> Parents both of whom are Class I Officers; Parents, either of whom is a Class I Officer; Parents, both of whom are Class I Officers, but one of them dies or suffers permanent incapacitation; Parents, either of whom is a Class I 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. |

(1)

(2)

(3)

Parents, both of whom are Class I Officers 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:

Provided that the rule of exclusion shall not apply in the following case:

Sons and daughters of parents either of whom or both of whom are Class I Officers and such parent (s) dies/die or suffer permanent incapacitation.

B. Group B/Class II Officers of the Central and State Service (Direct Recruitment)

Son (s) and daughter (s) of

- (a) Parents both of whom are Class II Officers.
- (b) Parents of whom only the husband is a Class II Officer and he gets into Class I at the age of 35 or earlier.
- (c) Parents, both of whom are Class II Officers and one of them dies or suffers permanent incapacitation and either one 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 such death or permanent incapacitation.

(1)

(2)

(3)

- (d) Parents of whom the husband is a Class I Officer (direct recruit or pre thirty five promoted) and the wife is a Class II Officer and the wife dies or suffers permanent incapacitation; and
- (e) Parents of whom the wife is a Class I Officer (Direct Recruit or pre thirty five promoted) and the husband is a Class II Officer and the husband dies or suffers permanent incapacitation:

Provided that the rule of exclusion shall not apply in the following cases:

Son (s) and daughter (s) of

- (a) Parents both of whom are Class II Officers and one of them dies or suffers permanent incapacitation.
 - (b) Parents, both of whom are Class II Officers and both of them die 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.
-

(1)

(2)

(3)

C. Employees in Public Sector Undertakings, etc.

The Criteria enumerated in A & B above in this Category will apply *mutatis mutandis* to officers holding equivalent or comparable posts in PSUs, Banks, Insurance Organisations and Universities etc.

And also to equivalent or comparable posts and positions under private employment.

III. Armed Forces including Para Military Forces (Persons holding civil posts are not included)

Son(s) and daughter(s) of parents either or both of whom is or are in the rank of Colonel and above in the Army and to equivalent posts in the Navy and the Air Forces and the Para Military Forces:

Provided that:—

- (i) If the wife of an Armed Forces (i.e., the category under consideration) the rule of exclusion will apply only when she herself has reached the rank of Colonel;
- (ii) The service ranks below Colonel of husband and wife shall not be clubbed together;
- (iii) If the wife of an officer in the Armed Forces is in civil employment, this will not be taken into account for applying the rule of exclusion unless she falls in the service category under item No. II in which case the criteria and conditions enumerated therein will apply to her independently.

| (1) | (2) | (3) |
|-----|-----|-----|
|-----|-----|-----|

IV. Professional Class and those engaged in trade and Industry.

Criteria specified against Category VI will apply :

(1) Persons engaged in profession as a doctor, lawyer, chartered accountant, income tax consultant, financial or management consultant, civil surgeon, engineer, architect, computer specialist, film artists and other film professional, author, playwright, sports person, sports professional, media professional or any other vocations of like status.

(2) Persons engaged in trade business and industry

Criteria specified against Category VI will apply :

Explanation : (i) Where the husband is in some profession and the wife is in a Class II or lower grade employment, the income/wealth test will apply only on the basis of the husband's income.

(ii) If the wife is in any profession and the husband is in employment in a Class II or lower grade post, then the income/wealth criterion will apply only on the basis of the wife's income and the husband's income will not be clubbed with it.

V Property Owners

Son(s) and Daughter(s) of

(A) Agricultural holdings and plantations

Person/Persons/family having 5 hectares or more of agricultural holdings/plantations.

| (1) | (2) | (3) |
|-----|-----|-----|
|-----|-----|-----|

Explanation:—Family includes Father, Mother and Minor children.

Criteria specified in Category VI below will apply.

(B) Vacant land and/or buildings in urban areas or urban agglomerations.

Explanation:—Building may be used for residential, industrial or commercial purposes and the like or two or more such purposes.

VI. Income/Wealth Test

Son(s) and Daughter(s) of

- (a) Persons having gross annual income of Rs. 4.5 lakhs or above or possessing wealth above the exemption limit as prescribed in the Wealth Tax Act for a period of three consecutive years.
- (b) Persons in Categories I, II, III, and V A who are not disentitled to the benefit of reservation but have income from other sources of wealth which will bring them within the income/wealth criteria mentioned in (a) above.

Explanation:—(i) Income from salaries or agricultural land shall not be clubbed;

- (ii) The income criteria in terms of rupee will be modified taking into account the change in its value every three years. If the situation, however, so demands, the interregnum may be less.
-

(1)

(2)

(3)

(4)

Note:—The Income/Wealth test governs categories IV, VB and others covered under VI as stated earlier. For the remaining categories, namely, I, II, III and VA, specific criteria have been laid down; however, if in these categories, any person, who is not disentitled to the benefit of reservation has income from other source or wealth, which will bring him within the criterion under item No. VI, then he shall be disentitled to reservation, in case his income without clubbing his income from salaries or agricultural land or his wealth is in excess of cut-off point prescribed under the income/wealth criteria. This note is for the guidance of the Revenue authorities for issuing the Creamy Layer Certificate.

Explanation:—Wherever the expression “permanent incapacitation” occur in this schedule, it shall mean incapacitation which results in putting an officer out of service.

ANNEXURE II

FORM OF CERTIFICATE TO BE PRODUCED BY OTHER BACKWARD CLASSES FOR APPOINTMENT TO POSTS UNDER GOVERNMENT OF KERALA AND ITS ORGANISATIONS AND INSTITUTIONS

This is to certify that Shri/Smt.
Son/daughter of
..... of Village.....
District/Division in the State of Kerala belongs to
Community which is designated as a Backward Class in the State of Kerala.

2. This is also to certify that the above Shri/Smt.
does not belong to the category of “Creamy Layer” in the light of the guidelines dated
..... and the schedule prescribed there
under to indentify the “Creamy Layer” among the designated “Other Backward
Classes” in the State of Kerala.

Signature :

Place :

Name :

Date :

Designation:

ANNEXURE III

**APPLICATION FORM FOR A CERTIFICATE FOR ELIGIBILITY FOR
RESERVATION OF JOBS OTHER BACKWARD CLASSES IN CIVIL POSTS
AND SERVICES UNDER GOVERNMENT OF KERALA**

.....
.....
.....

Sir,

I request that a certificate in respect of reservation for other Backward Classes in Civil Posts and Services under Government of Kerala be granted to me.

I. Give below the necessary particulars:

1. Full name of the applicant :
(in block letters)
2. Date of Birth :
3. Complete residential address :
(a) Present :
(b) Permanent :
4. Religion :
5. Caste :
6. Sub Caste :
7. Occupational Group :
8. Serial Number of the Caste in
the State List of O.B.Cs. :
9. Name of Father :
10. Name of Mother :
11. Status of Parent(s) :
Father Mother

- A. Constitutional Posts
 - (i) Designation
- B. Government Service : Father Mother
 - (i) Service (Central/State) :
 - (ii) Designation :
 - (iii) Scale of Pay including
Classification, if any :
 - (iv) Date of appointment to
the post :
 - (v) Age at the time of promotion
to Class I post (if applicable) :

II. Employment in International

Organisation e.g. U.N., UNICEF, WHO

- (i) Name of Organisation :
- (ii) Designation :
- (iii) Period of Service :
(indicate date from to)

III. Death/Permanent incapacitation

(Omit if not applicable)

- (i) Date of death/Permanent
Incapacitation putting an
Officer out of service :
 - (ii) Details of permanent
Incapacitation :
- C. Employment in Public Sector :
- Undertaking etc.
- (i) Name of Organisation :
 - (ii) Designation :

Date of appointment to the :
Post.

D. Armed Forces including Para
Military Forces (this will not
Include persons holding Civil
Posts)

(i) Designation :

(ii) Scale of Pay :

E. Professional Class (Other than those covered in item Nos. B&C) and those
engaged in Trade, Business, and Industry.

F. Property Owners Son(s) and Daughter(s) of

(i) Agricultural Holdings and Plantations Person/Persons/Family having 5
Hectares or more of agricultural
Holdings/Plantations.

(ii) Vacant land/or buildings in urban areas or Urban
agglomeration Criteria specified in Category VI
below will apply.

Explanation:- Building may be used for
residential, industrial or Commercial
purposes and the like or two or more
such purposes.

G. Income/Wealth

(i) Annual income of parents from all sources (excluding salaries and
income from agricultural lands)

(ii) Whether Tax Payer (Yes/No)
(If yes a copy of the last three years return be furnished)

(iii) Whether covered in Wealth Tax Act (Yes/No)
(If yes furnished details)

H. Any other remarks,

I. I, certify that the above said particulars are true to the best of my knowledge and belief and that I do not belong to the Creamy Layer of O.B.Cs. and am eligible to be considered for posts reserved for O.B.Cs. In the event of any information being found false or incorrect or ineligibility being detected before or after this selection, I understand that my candidature/appointment is liable to be cancelled and I shall be liable to such further action as may be provided under the law and/or rules.

Place :

Yours faithfully,

Date :

Signature of Candidate

**Revised Classification of Government Employee into
Group A, Group B, Group C and Group D
As per GO(P) No. 07/2016/Fin Dated : 20.01.2016**

| Group A | Group B | Group C | Group D |
|--------------|--------------|--------------|--------------|
| Scale of Pay | Scale of Pay | Scale of Pay | Scale of Pay |
| 55350-101400 | 35700-75600 | 17000-37500 | 16500-35700 |
| 60900-103600 | 36600-79200 | 17500-39500 | |
| 68700-110400 | 39500-83000 | 18000-41500 | |
| 77400-115200 | 40500-85000 | 19000-43600 | |
| 81000-117600 | 42500-87000 | 20000-45800 | |
| 85000-117600 | 45800-89000 | 22200-48000 | |
| 89000-120000 | | 25200-54000 | |
| 93000-120000 | | 26500-56700 | |
| | | 27800-59400 | |
| | | 29200-62400 | |
| | | 30700-65400 | |
| | | 32300-68700 | |

Sundhu Beegam M-S
സെക്രട്ടറി ഓഫീസർ



GOVERNMENT OF KERALA

Abstract

Backward Communities Development Department - - Scheme for excluding the creamy layer from the Socially and Educationally Backward Classes for reservation in admission to Professional Degree Courses - Report of Kerala State Commission for Backward Classes - Accepted - Orders issued

BACKWARD COMMUNITIES DEVELOPMENT (A) DEPARTMENT

G.O.(P)No. 1 /2015/BCDD.

Dated, Thiruvananthapuram, 01/01/2015.

- Read:-
1. G.O.(P)No.208/66/Edn. Dated 02.05.1966.
 2. G.O.(MS)No.12/2013/BCDD, Dated 26.10.2013.
 3. G.O.(MS)No.95/08/SCSTDD dated 6.10.2008
 4. G.O.(MS)No.10/2014/BCDD dated 23.5.2014
 5. Letter No.650/C/2013/KSCBC. Dated 15.12.2014.

ORDER

As per Government Order 2nd cited, the State Government have entrusted the Kerala State Commission for Backward Classes, to conduct an independent study on the basis of the principles laid down by the Hon'ble Supreme Court in Ashoka Kumar Thakur case [(2008) 6 SCC 1] and to submit a report for evolving a scheme for excluding the creamy layer from the Backward classes for reservation in admission to Professional Degree Courses under Article 15(4) of the Constitution of India taking into consideration the socio-economic and educational background of different communities, including the income derived by the family as directed by the Hon'ble High Court in the common judgment dated 07.08.2013 in W.P.(C) Nos. 29271/12 and 11578/13.

2. The Kerala State Commission for Backward Classes, accordingly conducted the study, and submitted a report vide letter read as 5th paper above.

3. Government have examined the matter in detail and considered the report and accept the recommendations and guidelines for excluding the creamy layer among SEBCs for the purpose of reservation of seats in admission to Professional degree courses in Kerala as per the terms of reference and order as follows:

- (i) Annual income of Rs.6 lakhs or above or possession of wealth above the exemption limit as prescribed in the Wealth Tax Act for a period of three consecutive years, is fixed as the criterion for determining the creamy layer.
- (ii) The guidelines and criteria to be adopted for identifying the creamy layer among SEBCs made by the KSCBC are accepted and shall be observed.
- (iii) The Creamy Layer criteria applied to SEBCs shall be applied to OECs and children of intercaste married couples as well.

4. The guidelines for excluding the creamy layer among SEBCs mentioned in para 3(ii) above are given in Annexure I to this Order.

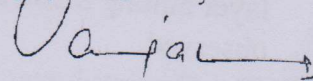
5. The list of SEBCs in Kerala for whom Creamy Layer assessment is applicable is shown in Annexure 'II'.
6. The Schedule showing the description of categories of people to whom the rule of exclusion will apply is appended as Annexure 'III'.
7. The Form of application for the issue of certificate will be as shown in Annexure IV.
8. The form of Certificate to be issued will be as shown in Annexure V.
9. The authority to issue the certificate to candidates who do not belong to the Creamy Layer among SEBCs will be any of the following officers:-
 - (a) District Magistrate/Additional District Magistrate/Collector/
I Class Stipendiary Magistrate/Sub Divisional Magistrate
/Taluk Magistrate/Executive magistrate/Extra Assistant Commissioner
(not below the rank of I Class Stipendiary Magistrate)
 - (b) Chief Presidency Magistrate/Additional Chief Presidency
Magistrate/ Presidency Magistrate.
 - (c) Revenue Officer not below the rank of Tahasildar and
 - (d) Sub Divisional Officer of the area where the candidates and / or his
family normally resides.
10. The Creamy Layer Certificate should be issued or refused, as the case may be within 7 days of the receipt of the application for such certificate.
11. These orders will apply to all educational institutions owned/controlled by the State Government other than the Institutions governed by minority communities under Article 30(1) of the Constitution of India.
12. It is clarified that for the purpose of claiming reservation of seats in professional degree courses, the Government Order read as 4th paper above and related clarifications / Orders will stand.

By Order of the Governor
Dr. Asha Thomas
Principal Secretary

To

- The Advocate General, Ernakulam (with C/L)
- The Commissioner of Entrance Examinations, Thiruvananthapuram.
- The Principal Accountant General (A&E) Kerala, Thiruvananthapuram.
- The Accountant General (Audit), Kerala, Thiruvananthapuram.
- The Registrar, All Universities.
- Land Revenue Commissioner, Thiruvananthapuram.
- All District Collectors.
- The Registrar, Kerala State Commission for Backward Classes,
Ayyankali Bhavan, Vellayambalam, Thiruvananthapuram.
- The Director, Backward Communities Development Department,
Ayyankali Bhavan, Vellayambalam, Thiruvananthapuram.
- Information & Public Relations Department
- Information Officer, Web and New Media (for publication)
- Higher Education Department
- Health & Family Welfare Department.
- General Education Department.

Forwareded / By Order



Section Officer

Sandhu Beegam M-S
സ്മാരകം 03/20/2017

No. 36033/1/2013-Estt. (Res.)
 Government of India
 Ministry of Personnel, Public Grievances and Pensions
 Department of Personnel & Training

North Block, New Delhi,
 Dated: September 13, 2017

OFFICE MEMORANDUM

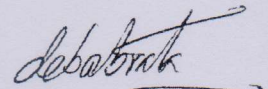
Subject: Revision of income criteria to exclude socially advanced persons/sections (Creamy Layer) from the purview of reservation for Other Backward Classes (OBCs)-reg.

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 ₹ 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 ₹ 2.5 lakh, ₹ 4.5 lakh and ₹ 6 lakh vide this Department's OM No. 36033/3/2004-Estt. (Res.) dated 09.03.2004, OM No. 36033/3/2004-Estt. (Res.) dated 14.10.2008 and OM No. 36033/1/2013-Estt. (Res.) dated 27.05.2013 respectively.

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

3. The provisions of this office memorandum have effect from 1st September, 2017.

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



(Debabrata Das)

Under Secretary to the Government of India
 Ph: 2304 0279

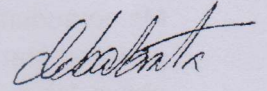
To:

1. All the Ministries/Departments of the Government of India.
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/Niti Aayog.
6. Staff Selection Commission, CGO Complex, Lodhi Road, New Delhi.
7. Ministry of Social Justice & Empowerment, Shastri Bhawan, New Delhi.

8. National Commission for Scheduled Castes/National Commission for Scheduled Tribes, 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. Director General, Press Information Bureau, National Media Centre, 7E Raisina Road, New Delhi – with a request to give wide publicity to this OM
12. The NIC, DoPT with a request to upload it at the website of this Department in OMs & 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.



(Debabrata Das)

Under Secretary to the Government of India

Sendhu Beegam M.S

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