

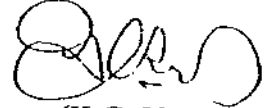
Suppose in the year 2001, a total of 200 vacancies arose in the grade, of which 50 posts were vacated by candidates from the direct recruitment quota and 150 by candidates from the promotion quota. As a result of this, the number of incumbents in the direct recruitment quota became 450 and in the promotion quota 350. Since Recruitment Rules provide for filling of 50% of the vacancies by direct recruitment and 50 % promotion, 100 vacancies in the year 2001 will be filled by direct recruitment and 100 by promotion. Thus in that year, the cadre strength for direct recruitment quota would become 550 and for promotion quota it would become 450. The number of reserved posts in the direct recruitment quota and promotion quota in that year will be as follows:

Direct Recruitment:	SCs-82,	STs-41,	OBCs-148
Promotion	SCs-67,	STs-33	

do not possess wealth above the exemption limit as prescribed in the Wealth Tax Act for a period of three consecutive years.

11. You are requested to bring the contents of this letter to all concerned in the State.

Yours faithfully,



(K.G. Verma)

Deputy Secretary to the Govt. of India

Copy to:-

1. All Ministries / Departments of Govt. of India
2. Department of Economic Affairs (Banking Division), New Delhi
3. Department of Economic Affairs (Insurances Division), New Delhi
4. Department of Public Enterprises, New Delhi,
5. Railway Board,
6. Union Public Service Commission / Supreme Court of India / Election Commission / Lok Sabha Secretariat / Rajya Sabha Secretariat / Cabinet Secretariat / Central Vigilance Commission / President's Secretariat / Prime Minister's Office / Planning Commission/ National Commission for Backward Classes.
7. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
8. Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.

With the request to bring the contents of this letter to the notice of all concerned.

G.I., Dept. of Per. & Trg., O.M. No. 36012/31/90-Estt. (SCT), dated 13-8-1990 as modified by O.M. No. 36012/22/93/Estt. (SCT), dated 8-9-1993 and O.M. No. 36012/52/93-Estt. (SCT), dated 13-1-1995

*Subject*:—27% Reservation for other Backward Classes in Civil Posts/services.

In a multiple undulating society like ours, early achievement of the objective of social justice as enshrined in the Constitution is a must. The Second Backward Classes Commission, called the MANDAL COMMISSION, was established by the then Government with this purpose in view, which submitted its report to the Government of India on 31st December, 1980.

2. Government have carefully considered the report and the recommendations of the Commission in the present context regarding the benefits to be extended to the Socially and educationally Backward Classes as opined by the Commission and are of the clear view that at the outset certain weightage has to be provided to such classes in the services of the Union and their Public Undertakings.

Following the Supreme Court judgment in the *Indira Sawhney and others v. Union of India and others case* [Writ Petition (Civil) No. 930 of 1982], the Government 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 Government of India.

3. Consequent to the consideration of the Expert Committee's recommendations, orders are issued 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%. (See *Clarifications below*)
- (c) (i) The aforesaid reservation shall not apply to persons/sections mentioned in Column 3 of the Schedule to this office memorandum. (See Appendix-1.)
- (ii) The rule of exclusion will not apply to persons working as artisans 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. (See Appendix-2)

(e) The aforesaid reservation shall take immediate effect. \*\*\*

4. Similar instructions in respect of Public Sector Undertakings and Financial Institutions including Public Sector Banks were issued by the Department of Public Enterprises and by the Ministry of Finance respectively, effective from the date of this office memorandum.

The above-said instructions relating to reservations for OBCs have been extended to Autonomous Bodies, Statutory and Semi-Government Bodies and Voluntary Agencies receiving grants from Government.

*Clarification.*—How the OBCs are to be assessed in relation to general candidates and how their reserved quota are required to be filled?

Normally for any recruitment or selection, basic minimum standards are fixed. In the case of competitive examination, merit lists are drawn, subject to fulfilment of this basic minimum standards and candidates are appointed to the extent of the number of vacancies. The cut-off point for the preparation of this general merit list is normally well above the basic minimum standards. In the process, not all the candidates who have obtained the basic minimum standards prescribed are appointed to the services/posts in question. While the OBCs candidates who come in the general merit list will not be adjusted against the reserved quota, those OBCs candidates who could not come in the merit list but have obtained the basic minimum standards can be appointed against the reserved vacancies.

A similar procedure is also required to be followed in the case of recruitment other than by open competition. It will be up to the recruiting authorities to prescribe the basic minimum standard in respect of any examination/selection.

[G.I., Dept. of Per. & Trg., O.M. No. 36012/22/93-Estt. (SCT), dated 1-2-1994.]

G.I., Dept. of Per. & Trg., O.M. No. 36012/2/93-Estt. (SCT),  
dated 2-2-1993

*Subject.*—Orders on reservation for SEBCs can be challenged only before the Supreme Court.

The undersigned is directed to say that the Supreme Court delivered its judgment on 16-11-1992, in Writ Petition filed by *Smt. Indira Sawhney and others*, against this Department's Office Memoranda, dated 13-8-1990 and 25-9-1991, providing for reservation in Civil posts and services under the Government of India in favour of Socially and Educationally Backward

Classes (SEBCs) and other Economically Weaker Sections. In this judgment, the Supreme Court has directed all concerned authorities, High Courts and Central State Administrative Tribunals that any petition or proceedings questioning the validity, operation or implementation of the two impugned memoranda on any grounds whatsoever, shall be filed or instituted ONLY before the Supreme Court and not before any High Court or other Court or Tribunal. This is brought to the notice of all Ministries/Departments of the Government of India.

G.I., Dept. of Per. & Trg., O.M. No. 36012/22/93-Estt. (SCT), dated 22-10-1993, OM of even number, dated 15-11-1993 and 29-12-1993

**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 OM of even number, dated the 8th September, 1993, on the above subject and to say that in accordance with the Supreme Court Judgment in the *Indira Sawhney* case, the reservations contemplated in Clause 4 of Article 16 should not exceed 50%. For the purpose of applying the rule of 50%, an year should be taken as the unit and not the entire strength of the cadre, service or the unit, as the case may be. This position would also apply in the case of carry forward vacancies. Therefore, the Ministries/Departments are requested to ensure that the reservations provided to SC/ST/OBCs put together do not exceed 50% of vacancies arising in an year.

2. In the light of the reservations provided to Other Backward Classes, it is necessary to revise the existing reservation rosters. In respect of direct recruitment on All India basis by open competition where there is a reservation for 15% for SC and 7½% for ST, the existing 40-point roster has been revised. In respect of direct recruitment on All India basis otherwise than open competition where there is a reservation of 16½% for SC and 7½% for ST, the existing roster has been revised. The revised roster will come into effect [from 2-7-1997] immediately. Vacancies filled on or after 2-7-1997 should be shown in the new roster now prescribed. The old roster shall be deemed to have been closed from this date. The reservations which had to be carried forward in the previous roster shall now be carried forward to the new roster.

3. There is no change in the existing reservation rosters in so far as promotion is concerned, as there is no reservation for OBCs in promotion.

4. The upper age-limit prescribed for direct recruitment shall be relaxed by three years in respect of candidates belonging to OBCs. In respect of written examinations and interview, in order to fulfil the quota earmarked to OBCs, relaxation of standards may be provided as in the case of SC/ST candidates.

[C.I., Dept. of Per. & Trg., O.M. No. 42014/10/94-Estt. (SCT), dated 13-10-1994 and O.M. No. 43013/2/95-Estt. (SCT), dated 25-1-1995.]

5. For the purpose of verification of the castes/communities the certificate (for model form, See Appendix-3) furnished by the candidates for the purpose of benefit of reservation to OBCs from the following authorities only will be accepted:—

- (a) District Magistrate/Additional District Magistrate/Collector/Deputy Commissioner/Additional Deputy Commissioner/Deputy Collector/I Class Stipendiary Magistrate/Sub-Divisional Magistrate/Taluka 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 Tehsildar; and
- (d) Sub-Divisional Officer of the area where the candidate and/or his family normally resides.

The same authorities which are notified as competent to certify OBCs status should also be authorized to certify that the candidate in question does not belong to the persons/section (*Creamy Layer*) mentioned in Column 3 of the Schedule to this Department's OM, dated 8-9-1993. (See Appendix-1).

G.I., Dept. of Per. & Trg., Lr. No. 36012/22/93-Estt. (SCT), dated 15-11-1993 (to all State Governments and Union Territories)

**Subject:**—Certificate to be produced by OBC candidates regarding *creamy layer*.

I am directed to say that the Government of India has issued instructions on 8-9-1993 providing for reservation to Other Backward Classes in the services and posts under the Government of India. The Other Backward Classes for the purpose of the above-said reservation would comprise in the first phase, the castes and communities which are common to both the lists in the report of Mandal Commission and the State Government's list. A list of such castes and communities was notified in Resolution No. 12011/68/93-BCC (C), dated 10th September, 1993, published in the Gazette of India, Extraordinary Part-I—Section I, dated 13-9-1993. For the purpose of verification of the castes and communities, the Government of India has prescribed a certificate from the following authorities as in the case of SC/ST vide this Department's O.M. No. 36012/22/93-Estt. (SCT), dated 22-10-1993.

- (a) District Magistrate/Additional District Magistrate/Collector/Deputy Commissioner/Additional Deputy Commissioner/Deputy Collector/I Class Stipendiary Magistrate/Sub-Divisional Magistrate/Taluka 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 Tehsildar; and
- (d) Sub-Divisional Officer of the area where the candidate and/or his family normally resides.

2. In the light of the Supreme Court's judgment in the *Indira Sawhney* case, this Department has specified the persons/section ("Creamy Layer") to whom the benefit of reservation shall not apply *vide* Column 3 of the Schedule to the Department of Personnel and Training, O.M. No. 36012/22/93-Estt. (SCT), dated 8-9-1993. It has been considered that the same authorities who are notified as competent to certify OBCs status should also be authorized to certify that a candidate does not belong to the "Creamy Layer". It is therefore, requested that instructions may be issued to the District Authorities under your control to verify and issue the necessary certificate to the candidates regarding his OBCs status as well as exclusion from "Cream Layer". To enable the District Authorities to examine the claims of the candidates, a model format has been devised as in Annexure-B. This may be suitably revised if considered necessary. The format of the certificate that may be given by the concerned district authorities may be as in Annexure-A.

3. It is also requested that wide publicity may be given to the Ministry of Welfare Resolution No. 12011/68/93-BCC (C), dated 10-9-1993, published in the Gazette of India, Extraordinary Part-I-Section I, dated 13-9-1993, containing the list of Backward Castes as well as to Dept. of Per. & Trg., O.M. No. 36012/22/93-Estt. (SCT), dated 8-9-1993, which specifies the criterion which will determine the persons who belong to the creamy layer and to whom the reservation shall not apply. This will facilitate the candidates to ascertain their eligibility for reservation. It would also be desirable to appropriately brief the certifying Authorities and to provide them with sufficient number of copies of the above-mentioned Gazette Notification and the Department, OM, dated 8-9-1993, in order to ensure prompt and correct certification.

4. A copy of the orders issued by your Government in this regard may also be endorsed to this Department for information.

#### ANNEXURE-A AND ANNEXURE-B

[See Appendix-3]

G.I., Dept. of Per. & Trg., O.M. No. 36012/22/93-Estt. (SCT),  
dated 30-12-1993

*Subject.*— Unfilled vacancies of OBCs should not be dereserved but carried forward.

The undersigned is directed to say that the question of dereservation and carry forward of unfilled posts reserved for Other Backward Classes has been examined by the Government. It has since been decided that the posts reserved for Other Backward Classes which remain unfilled should not be dereserved but should be carried forward as such for a period of three recruitment years or till the posts are filled by OBC candidates, whichever is earlier.

G.I., Dept. of Per. & Trg., O.M. No. 36012/27/94-Estt. (SCT),  
dated 13-5-1994

*Subject:—*Exemption of Scientific and Technical posts from the purview of reservation orders for OBCs.

The undersigned is directed to refer to this Department's O.M. No. 9-2/73-Estt. (SCT), dated 23-6-1975, (See Order No. 16 under Section 2) wherein such of the technical posts as satisfying all the following conditions are exempted from the purview of reservation orders.

- (i) The post should be in grades above the lowest grade in Group 'A' of the Service concerned.
- (ii) They should be classified as 'Scientific' or 'Technical' (in terms of Cabinet Secretariat, Department of Cabinet Affairs) O.M. No. 85/11/CF-61 (1), dated 28-12-1961 and
- (iii) These should be posts for conducting research or for organizing, guiding and directing research.

Orders of the Minister concerned are required to be obtained before exempting any post satisfying the above conditions from the purview of the scheme of reservations.

2. With the introduction of the Scheme of reservation for Other Backward Classes, doubts have been expressed by certain Ministries/Departments as to whether the above-said provisions of OM, dated 23-6-1975, would be applicable to the reservations for OBCs also. As the reasons for the grant of exemption from the purview of reservation orders in respect of SC/ST is equally applicable for the grant of such exemption in the case of OBC, it is clarified that the provisions of OM, dated 23-6-1975, for the grant of exemption from the purview of reservation orders would be equally applicable to reservation for OBCs.

C. & A.G. of India, Cir. No. NGE/431/94/1927-NGE (Appt.)/93-94,  
dated 4-1-1995

*Subject:—*Clarification regarding reservation for OBCs.

A reference is invited to Headquarters Office Circular No. N/17/94 issued under No. 86-NGE (App)/83-94, dated 3-3-1994, wherein compendium of instructions on the above subject, as received from Department of Personnel and Training, was circulated. Several field offices had sought



clarifications on various instructions contained in the said compendium Government of India, Department of Personnel and Training to whom the matter was referred, have since clarified the various doubts and are appended herewith for information and necessary action.

Point 1.—\*\*\*

Point 2.—As per instructions contained in Dept. of Per. & Trg., O.M. No. 36012/22/93-Estt. (SCT), dated 22-10-1993, appointing authorities are to ensure that the reservation provided to SC/ST/OBCs put together do not exceed 50% of vacancies arising in an year in a cadre. Under the existing Government of India orders, total reservation for SC/ST/Physically handicapped persons/Ex-servicemen together with carry forward reservation and compassionate appointment should not exceed 50% of the available vacancies in any particular year.

Now, a doubt has arisen as to how to 50% limit of total reservation in any particular year in a cadre is to be ensured when the reservation OBCs at 27% put together exceeds 50% of the total vacancies.

*Clarification.*—The reservation provided to SC/ST/OBCs put together should not exceed 50% of the vacancies arising in an year in a cadre.

As regards reservation for physically handicapped persons within 50% limit, the procedure outlined in the Dept. of Per. & Trg., O.M. No. 36035/16/91-Estt. (SCT), dated 20-9-1994, (circulated under Headquarters Office Circular No. N/42/94, dated 23-11-1994) is to be followed.

The matter relating to Ex-servicemen is under consideration of Government of India. Till the time it is decided, their reservation within 50% limit is to be governed by Rule 4 (1) of the Ex-servicemen (Re-employment in Central Civil Services and Posts) Rules, 1979, issued under G.I., M.H.A., D.P. & A.R., Notification No. 39016/10/79-Estt. (C), dated 15-12-1979.

50% limit in compassionate appointment is to be regulated in accordance with the instructions contained in Headquarters Office Circular No. NGE/5/86 issued under No. 61-N. 3/52/84/Zone-3, dated 28-1-1986, i.e., the percentage of vacancies against which compassionate appointment could be made should be determined after deducting from 50% the percentage of vacancies reserved for SC/ST/OBC/Physically handicapped and Ex-servicemen. (See Section 6)

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G.I., Dept. of Per. & Trg., O.M. No. 36033/9/95-Estt. (SCT),  
dated 10-5-1995

*Subject.*—Verification/acceptance of caste certificate furnished by candidates claiming to belong to OBC.

The undersigned is directed to refer to Dept. of Per. & Trg.'s O.M. No. 36012/6/88-Estt. (SCT), dated 24-4-1990, on the subject mentioned above wherein it was indicated that the appointing authority should include a clause in the offer of appointment to the candidates belonging to SC/ST to

the effect that the appointment was provisional and would be terminated in case the caste certificate produced by them was found to be false.

2. After the issue of reservation orders of OBCs, it is considered necessary to have similarly provisions in respect of the caste certificate furnished by candidates claiming to belong to OBC communities.

3. In the offer of appointment to candidates claiming to belong to OBC, the appointing authority should include a clause as follows:—

*"The appointment is provisional and is subject to the caste certificate being verified through the proper channels. If the verification reveals that the claim of the candidates to belong to OBC is false, the services of such candidates will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Penal Code for production of false certificate."*

4. All Ministries/Departments are requested to take further action on the above lines.

G.I., Dept. of Per. & Trg., O.M. No. 20011/1/96-Estt. (D),  
dated 30-1-1997

**Subject:**—General/OBC candidate regains his seniority on promotion over earlier promoted SC/ST candidates.

[See Order No. 62 under Section 2]

G.I., Dept. of Per. & Trg., O.M. No. 42011/18/96-Estt. (Res.),  
dated 6-3-1997 and OM of even number, dated 1-10-1997

**Subject:**—Officer of the rank of Deputy Secretary to be nominated as a separate Liaison Officer for looking after matters relating to the reservation for OBCs.

The undersigned is directed to invite attention to this Department's O.M. No. 36035/8/92-Estt. (SCT), dated 10-11-1994, according to which the Liaison Officers appointed to look after the reservation matters of SC/ST were also entrusted with the responsibility of looking after reservation matters relating to the OBCs.

2. The matter of having the same LO for the SCs/STs and the OBCs has been re-examined and it has been decided there should be a separate Liaison Officer for looking after matters relating to the reservation for the OBCs. Ministry of Finance, etc., are requested to take immediate steps to appoint a separate LO for the OBCs.

3. Ministry of Finance, etc., may also please bring these instructions to the notice of all the Attached and Subordinate Offices/PSUs under them for compliance.

12b

SWAMY'S—RESERVATIONS & CONCESSIONS IN GOVT. SERVICES

It has been noticed that the Ministries/Departments have appointed Liaison Officers below the level/status of the Deputy Secretary, without taking into consideration the instructions laid down for the appointment of LO for SC/ST, vide OM, dated 10-4-1968.

2. All the Ministries/Departments are requested to nominate the Deputy Secretary in-charge of Administration in the Ministry/Department or another officer of the rank of Deputy Secretary as LO for looking after work relating to matters of reservation for the OBCs in service/posts. The functions of the Liaison Officers will be at par with the LO looking after the work of SC/ST in services/posts.

[G.I., Dept. of Per. & Trg., O.M. No. 42011/18/96-Estt. (Res.), dated 1-10-1997.]

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### APPENDIX I

#### PERSONS/SECTIONS EXCLUDED FROM RESERVATION [Schedule to G.I., Dept. of Per. & Trg., O.M. No. 36012/22/93- Estt. (SCT), dated 8-9-1993]

Description of category	To whom rule of exclusion will apply
<b>I. Constitutional Posts</b>	Son(s) and daughter(s) of-- (a) President of India; (b) Vice-President of India; (c) Judges of the Supreme Court and of the High Courts; (d) Chairman and Members of UPSC and of the State Public Service Commission; Chief Election Commissioner; Comptroller and Auditor-General of India; (e) persons holding constitutional positions of like nature.
<b>II. Service Category</b>	
<b>A. Group 'A'/Class I officers of the All India Central and State Services (Direct Recruits).</b>	Son(s) and daughter(s) of-- (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 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 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.

Description of category	To whom rule of exclusion will apply
B. Group 'B'/Class II officers of the Central and State Services (Direct Recruitment).	<p>Provided that the rule of exclusion shall not apply in the following cases:—</p> <p>(a) 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;</p> <p>(b) A lady belonging to OBC category has got married to a Class I officer, and may herself like to apply for a job.</p>
	<p>Son(s) and daughter(s) of—</p> <p>(a) parents both of whom are Class II officers;</p> <p>(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;</p> <p>(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;</p> <p>(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</p> <p>(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;</p>
	<p>Provided that the rule of exclusion shall not apply in the following cases:—</p>
	<p>Sons and daughters of—</p> <p>(a) Parents both of whom are Class II officers and one of them dies or suffers permanent incapacitation</p>
	<p>Sons and daughters of—</p> <p>(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.</p>

Description of category	To whom rule of exclusion will apply
C. Employees in Public Sector Undertakings, etc.	The criteria enumerated in A and B above in this category will apply <i>mutatis mutandis</i> 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.
III. Armed forces including Paramilitary Forces (Persons holding civil posts are not included).	<p>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 Force and the Paramilitary Forces;</p> <p>Provided that—</p> <p>(i) if the wife of an armed forces officer 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;</p> <p>(ii) the service ranks below Colonel of husband and wife shall not be clubbed together;</p> <p>(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.</p>
IV. Professional class and those engaged in Trade and Industry	Criteria specified against Category VI will apply.
(i) Persons engaged in profession as a Doctor, lawyer, chartered accountant, income tax consultant, financial or management consultant, dental 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.	Criteria specified against Category VI will apply.
(ii) Persons engaged in trade, business and industry.	<p>EXPLANATION.—</p> <p>(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.</p>

Description of category	To whom rule of exclusion will apply
<p>V. Property owners</p> <p>A. Agricultural holding.</p>	<p>(ii) If the wife is in any profession and the husband is in employment in a Class II or lower rank 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.</p> <p>Son(s) and daughter(s) of persons belonging to a family (father, mother and minor children) which owns—</p> <p>(a) only irrigated land which is equal to or more than 85% of the statutory ceiling area, or</p> <p>(b) both irrigated and unirrigated land, as follows:—</p> <p>(i) 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 of 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 disenfranchisement will occur).</p> <p>(ii) The rule of exclusion will not apply if the land holding of a family is exclusively unirrigated.</p>
<p>B. Plantations.</p> <p>(i) coffee, tea, rubber, etc.</p>	<p>Criteria of income/wealth specified in Category VI below will apply.</p>
<p>(ii) Mango, citrus, apple plantations, etc.</p>	<p>Deemed as agricultural holding and hence criteria at A above under this category will apply. Criteria specified in Category VI below will apply.</p>
<p>C. Vacant land and/or buildings in urban areas or urban agglomerations.</p>	<p>EXPLANATION.— Building may be used for residential, industrial or commercial purpose and the like two or more such purposes.</p>

Description of category	To whom rule of exclusion will apply
VI. Income/Wealth Test.	<p data-bbox="987 584 1219 609">Son(s) and daughter(s)—</p> <p data-bbox="995 618 1398 725">(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.</p> <p data-bbox="995 734 1398 864">(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.</p> <p data-bbox="995 878 1166 902">EXPLANATION.—</p> <p data-bbox="995 907 1398 954">(i) Income from salaries or agricultural land shall not be clubbed;</p> <p data-bbox="995 958 1398 1066">(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.</p> <p data-bbox="1040 1077 1398 1182">EXPLANATION.—Wherever the expression "permanent incapacitation" occurs in this schedule, it shall mean incapacitation which results in putting an officer out of service.</p>



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

[ G.L. Dept. of Per. & Trg., O.M. No. 36033/28/94-Ext. (Res.), dated 2-7-1997. ]

This is to certify that \_\_\_\_\_, son of \_\_\_\_\_, of  
village \_\_\_\_\_ District/Division \_\_\_\_\_ in the \_\_\_\_\_  
State \_\_\_\_\_ belongs to the \_\_\_\_\_ community which is recognized  
as a Backward Class under—

- \* (i) Government of India, Ministry of Welfare, Resolution No. 12011/58/93-BCC (C), dated the 10th September, 1993, published in the Gazette of India, Extraordinary, Part-I, Section I, No. 186, dated the 13th September, 1993.
- \* (ii) Government of India, Ministry of Welfare, Resolution No. 12011/9/94-BCC, dated the 19th October, 1994, published in the Gazette of India, Extraordinary, Part-I, Section I, No. 163, dated the 20th October, 1994.
- \* (iii) Government of India, Ministry of Welfare, Resolution No. 12011/7/95-BCC, dated the 24th May, 1995, published in the Gazette of India, Extraordinary, Part-I, Section I, No. 88, dated the 25th May, 1995.
- \* (iv) Government of India, Ministry of Welfare, Resolution No. 12011/44/96-BCC, dated the 6th December, 1996, published in the Gazette of India, Extraordinary, Part-I, Section I, No. 210, dated the 11th December, 1996.

Shri \_\_\_\_\_ and/or his family ordinarily resides, in the \_\_\_\_\_  
District/Division of the \_\_\_\_\_ State. This is also to certify that he/she  
does not belong to the persons/sections (Creamy Layer) mentioned in Col-  
umn 3 of the Schedule to the Government of India, Department of Personnel  
and Training, O.M. No. 36012/22/93-Ext. (SCT), dated 8-9-1993.

*District Magistrate,  
Deputy Commissioner, etc.*

Dated:

SEAL

\* Strike out whichever is not applicable.

## **DUTIES AND RESPONSIBILITIES** **OF A LIAISON OFFICER**

(i) To ensure due compliance by the subordinate authorities with the reservation orders and other benefits admissible to SCs and STs.

(ii) To scrutinize and ensure prompt submission of the prescribed annual statements by the appointing authorities to the Ministries/Departments and consolidation of the annual statements and sending such consolidated statements to the Department of Personnel and Training.

(iii) To scrutinize properly all proposals for dereservation and to certify after due satisfaction that such dereservations are inevitable and that all steps prescribed in this regard have been faithfully taken.

[G.L. Dept. of Per. & A.R. O.M. No. 36013/6/81-Est. (SCT), dated the 7th December, 1981.]

(iv) To liaise between the Ministries/Departments/Attached and Subordinate offices and the Department of Personnel for supply of required information, answering queries and clearing doubts.

(v) To conduct annual inspection of the rosters maintained, keeping a record of such inspection

(vi) To extend necessary assistance to the Commissioner for SCs and STs in discharge of his duties and functions.

### **Follow-up action of inspection**

Cases of negligence or lapse in the matter of following the reservation and other orders relating to SCs and STs coming to light through the inspections carried out by the Liaison Officers or otherwise, are to be submitted to the Secretary/Additional Secretary to the Government in the respective Ministries/Departments and to the Heads of the Departments in respect of offices under them. The appointing authorities concerned should take necessary action for strict compliance of the directions issued by the Secretary/ Additional Secretary/Head of the Department on such reports.

### **Interview to SC/ST employees to be granted by the Liaison Officers**

The Liaison Officers for SC/ST employees should grant interviews to those SC/ST employees who are desirous of meeting them in connection with their grievance regarding appointments, promotions, etc. The meeting may, however, be informal without any agenda and no minutes thereof need be prepared.