

GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
RAJYA SABHA
UNSTARRED QUESTION NO - 305
ANSWERED ON - 03/02/2021

CREAMY LAYER PROVISION FOR OBCs

305 # CH. SUKHRAM SINGH YADAV
SHRI VISHAMBHAR PRASAD NISHAD
SMT. CHHAYA VERMA

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

- (a) whether that the provision of creamy layer in reservation for Government jobs is only being applied to candidates belonging to Other Backward Classes (OBCs), thereby causing hurdles for the youth from this category in Government jobs;
- (b) whether applicability of creamy layer to the candidates from OBCs only is not an injustice to OBCs;
- (c) the categories on which creamy layer is applicable and whether Government is proposing to apply this on any other category; and
- (d) the current income limit fixed for creamy layer, when was it due for raising and whether it is being raised from time to time?

ANSWER

THE MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT

(SHRI KRISHAN PAL GURJAR)

(a) to (c) The Hon'ble Supreme Court in their judgement in the Indira Sawhney case [Writ Petition (Civil) 930 of 1990] has, while upholding the reservations for OBCs, mandated that reservation benefit shall be made available only to the poorest sections of the OBC. The concept of 'Creamy Layer' has been implemented strictly in accordance with this order.

(d) The 'Creamy Layer' income limit is normally revised every three years. Accordingly, the income criterion has been revised from time to time as under :

Revision	Income limit (Annual)	Date of DOPT OM
First @	Rs. 2.5 lakhs	9.3.2004
Second	Rs. 4.5 lakhs	14.10.2008
Third	Rs. 6.0 lakhs	27.5.2013
Fourth	Rs. 8.0 lakhs#	13.9.2017

@ The income limit at the time of introduction of OBC reservation vide DOPT OM dated 8.9.1993 was Rs.1 lakh per annum.

This is the existing annual income limit.
