

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.
2. Ministry of Finance (Banking &
Insurance Divisions), New Delhi.

} It is requested that the said instructions may be issued in respect of PSUs, Public Sector Banks & Insurance Corporations.

SCHEDULE

To whom rule of exclusion will apply

Description of Category

(1) (2)

(3)

I. CONSTITUTIONAL POSTS

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 & 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.

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

- (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.

Son(s) and daughter(s) of

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

- (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

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:—

(Persons holding civil posts are not included)

- (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.

Criteria specified against Category VI will apply:—

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:

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 holder of a family...

(1)

(2)

(3)

B. *Plantations*

- (i) Coffee, Tea, Rubber etc.
- (ii) Mango, Citrus, Apple, Plantations etc.

C. *Vacant land and/or buildings in urban AREAS OR URBAN agglomerations*

Criteria of Income/Wealth specified in Category VI below will apply.

Deemed as agricultural holding and hence criteria at A above under this category will apply.

Criteria specified in Category VI below will apply.

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

Son(s) and Daughter(s)

VI. INCOME/WEALTH TEST

(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. 93C 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	Dheevera	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 Vadugan Vadukar Vaduka (Vadukan)	67 67 67 67	192 135 135 135	
60	Velaan (Velaar)	69 69	198 198	
61	Vanian Vanika, Vanika Vaisya, Vanibha Chetty Vaniya Chetty Ayiravar, Nagarathar and Vaniyan)	70 70 70 70 70 70	195 195 195 195 195 195	
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 Reorganisation 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