

**SWAPNA RAY**

Joint Secretary

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सामाजिक न्याय एवं

अधिकारिता मंत्रालय

शास्त्री भवन

नई दिल्ली-110001

GOVERNMENT OF INDIA  
MINISTRY OF SOCIAL JUSTICE  
AND EMPOWERMENT  
SHASTRI BHAWAN  
NEW DELHI-110001

Date 26.4.2002

Dear Shri Mahata,

Kindly refer to your letter No.NM/OBC/CL/245, dated the 21<sup>st</sup> February, 2002 addressed to Smt.Vasundhara Raje, Minister of State for Personnel, Public Grievances and Pension, Government of India, regarding the revision of income criteria for determining Creamy Layer amongst the OBCs and clubbing of income from salary and agricultural land for the purpose of calculation of annual income for issue of OBC certificate.

As already informed, the Government of India is in the process of setting up an Expert Committee to review the income criteria for determining the Creamy Layer amongst the OBCs. The income criteria will be revised as soon as the proposed Review Committee submits its recommendations in this regard.

As regards treatment of income from salaries and agricultural land for the purpose of calculation of annual income for exclusion of Creamy Layer, it is already clarified by way of an explanation under category VI specified in DOP&T OM No.36012/12/93-Estt.(SCT), dated 8.9.1993 that the income from salaries or agricultural land shall not be clubbed. In serial No.12 of the application form prescribed by the Government of India, Ministry of Personnel, Public Grievances and Pension, for certificate of eligibility also, the annual income is defined as the income excluding salaries and income from agricultural land. Accordingly, the employees in Government Departments, Public Sector Undertakings, banks, insurance organizations and universities etc. will not fall under the category of Creamy Layer unless income from other sources alone (without clubbing the income from salaries or agricultural land) exceeds the prescribed limit i.e. Rs.1.00 lakh or above.

In other words, the income from salaries and agricultural land should not be taken into account for the purpose of calculation of annual income for exclusion of Creamy Layer for issue of OBC certificate. (This also disposes of your letter No.NM/OBC/CL/255(DO), dated 29.3.2002).

With regards,

Yours sincerely,

  
(Swapna Ray)

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