

GOVERNMENT OF ANDHRA PRADESH

Backward Classes Welfare Department – Criteria to be adopted to determine Creamy Layer among the Backward Classes – Orders – Issued.

BACKWARD CLASSES WELFARE (C2) DEPARTMENT

G.O.Ms. No. 3

Dated. 04-04-2006

Read the following:-

1. From the Joint Secretary, Government of India, Ministry of personnel. Public Grievances & Pensions (Department of Personnel & Training), New Delhi, Office Memorandum No. 36012/22/93 – Estt (SCT), dt. 08-09-1993.
2. G.O. Ms. No. 9, Social Welfare (P2) Department dt. 26-01-1994.
3. G.O.Ms.No. 37, Social Welfare (P2) Department dt. 03-03-1994.
4. G.O. Ms. No. 43, Backward Classes Welfare (C2) Department, dt. 28-08-04.
5. From the High Court of Andhra Pradesh, Hyderabad, order dt. 30-01-2006 in W.P. No. 15460/2005.

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ORDER:

In the reference 1st read above, the Government of India has issued orders enumerating persons belonging to O.B.C who are excluded from the provisions of reservation.

2. Following the directions issued by the Supreme Court to the Government of India and all the State Government in the country in Mandal case, the Government of Andhra Pradesh, enacted the Andhra Pradesh Commission for BCs Act. 1993 (Act. No. 20 of 1993) which came into force from 08-12-1993. In exercise of the powers conferred by section 3 of the said Act. the Government in the G.O. 2nd read above, constituted A.P. Commission for Backward Classes, which started functioning from 31-03-1994.

3. As directed by the Supreme Court, in exercise of the powers conferred by section 9 (2) of the said Act, the Government, in the G.O. 3rd read above, requested the A.P. Commission for Backward Classes to evolve criteria to identify the “Creamy Layer” among socially and educationally Backward, Classes in the State, Accordingly the AP. Commission for Backward Classes after conducting elaborate enquiry submitted its report to the Government on 01-08-1994, which was placed before the Cabinet. The Council of Ministers, in its meeting held on 25-08-1994, resolved to remit the said report to a cabinet sub – Committee to make an in depth study and make suitable recommendations to Government.

4. Several meetings were held by the Cabinet Sub-Committees and Group of Ministers Group of Ministers also held meetings with representatives of political parties and Backward Classes Organisations.

5. The High Court in the reference 5th read above, has directed the respondents i.e. Principal Secretary, Backward Classes Welfare Department to file an affidavit incorporating therein the decision taken by the Cabinet Sub-Committee.

6. The Group of Ministers submitted its recommendations on 20-02-2006 which inter-alia recommended to adopt the criteria of creamy layer as fixed by Government of India saving that annual income limit which is fixed by Government of India at Rs. 2.50 lakhs per annum in A.P. may be fixed at Rs. 4.00 lakhs per annum as above.

7. The Government after careful examination of the matter, hereby agree to the above recommendation of the Group of Ministers.

8. Accordingly, the Government of Andhra Pradesh hereby issue orders to adopt all the criteria to determine the creamy layer among Backward Classes, as fixed by Government of India, except the annual Income limit, which is fixed by Government of India at Rs. 2.50 lakhs per annum, is fixed at Rs. 4.00 lakhs per annum in the State of Andhra Pradesh.

(BY ORDER AND IN THE NAME OF THE GOVERNMENT OF ANDHRA PRADESH)

MD. SHAFIQUZZAMAN,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner,
Backward Classed Welfare, A.P. Hyderabad.
The Member Secretary,
A.P. Commission for Backward Classes, Hyderabad.
The Vice Chairman & Managing Director, A.P. Backward Classes.
Co-operative Finance Corporation Ltd, Hyderabad.
All the Director Collectors in the State.
All Departments in Secretariat
Copy to G.A. (Cabinet) Department.
Copy to Special Secretary to C.M.
Copy to the P.S. to the Advocate General, High Court of AP., Hyderabad.
Copy to the Government Pleader, High Court of AP., Hyderabad.
Copy to P.S. to M (BCW).
Copy to P.S. to M. (Revenue)
Copy to P.S. to M (Marketing)
Copy to I & P. R. Dept.
Stock file.

//Forwarded a By Order //

Sd/-
SECTION OFFICER.