



The Andhra Pradesh Public Services Delivery Guarantee Act, 2017

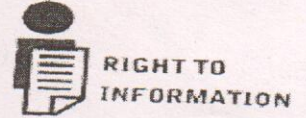
Act 6 of 2018

Keyword(s):

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Amendment appended: 12 of 2023

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ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 6] AMARAVATI, THURSDAY, JANUARY 4, 2018.

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGU LATIONS Etc.,**

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 2nd January, 2018 and the said assent is hereby first published on the 4th January, 2018 in the Andhra Pradesh Gazette for general information :

ACT No. 6 of 2018

AN ACT TO PROVIDE FOR DELIVERY OF TRANSPERENT, EFFICIENT AND TIMELY PUBLIC SERVICES TO THE ELIGIBLE PERSONS IN THE STATE OF ANDHRA PRADESH AND FOR MATTERS CONNECTED THEREWITH ARE INCIDENTAL THERETO.

Be it enacted by the Legislature of the state of Andhra Pradesh in the Sixty-eighth year of the Republic of India as follows, -

CHAPTER I

PRELIMINARY

- 1.** (1) This Act may be called the Andhra Pradesh Public Services Delivery Guarantee Act, 2017.
- (2) It extends to the whole of the State of Andhra Pradesh.
- (3) It shall be deemed to have come into force with effect on and from the 18th October, 2017.

Short title,
extent and
commencement.

Definitions. 2. In this Act, unless the context otherwise requires,-

- (a) "Applicant" means a person who is eligible for obtaining a public service including a legal person;
- (b) "Government" means the Government of Andhra Pradesh;
- (c) "Local Authority" means any authority, Municipal Corporation, Municipal Council, Nagar Panchayat, Industrial township, Zilla Praja Parishad, Mandal Praja Parishad, Gram Panchayat and other local self Government constituted by law and also includes development authorities;
- (d) "Notification" means a notification published in the Andhra Pradesh Gazette and the word "Notified" shall be construed accordingly;
- (e) "Person" shall include any company, or association or body of individuals, whether incorporated or not;
- (f) "Prescribed" means prescribed by rules made under this Act;
- (g) "Public Authority" means,-
 - (i) any Department or authorities of the Government;
 - (ii) any organisation or authority or body or corporation or institution or a local authority, established or constituted;
 - (a) by or under the Constitution of India in the State;
 - (b) by any other law made by the State Legislature;
 - (c) by notification issued by the Government.
 - (iii) and includes, an institution, a co-operative society, a Government Company or an authority owned, controlled or financed by the State Government.
- (h) "Service" means services, including functions, obligations, responsibility or duty, to be provided or rendered by a public authority;
- (i) "Stipulated time" means the maximum time to provide the service by the public authority;

CHAPTER - II**RIGHT TO OBTAIN DELIVERY OF SERVICES**

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| 3. Every person shall have the right to obtain delivery of services within the stipulated time. | Right to obtain Delivery of Services within the stipulated time. |
| 4. The Public Services delivered by the public authority shall be made available online as notified by the Government from time to time. | Right to obtain delivery of services. |
| 5. The Government may prescribe the services to which this Act, shall apply and the stipulated time within which the services shall be provided. | Notification of Services by the State Government. |
| 6. The Public Authority shall designate Officer/Officers for providing public services under this Act. | Designation of officers for providing public services. |

CHAPTER - III**DELIVERY OF PUBLIC SERVICES**

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| 7. (1) A person may apply for delivery of service online in the prescribed form with necessary particulars and supporting documents.

(2) Every application received, shall be given a number by the designated officer to enable the applicant to monitor the status of the application online in accordance with such procedure as may be prescribed. | Application for providing public service. |
| 8. (1) The designated officer, on receipt of the application, shall dispose of the same within the stipulated time.

(2) The stipulated time shall start from the date of application for delivery of public service is submitted to the designated officer.

(3) The Designated Officer shall ensure that there is no physical interface between the applicant and the officers for delivery of public services.

(4) The Designated Officer shall give reasons in the order, in case the application is rejected. | Disposal of application. |
| 9. Every Designated Officer who fails to deliver the public service to a person within the stipulated time shall be liable to pay compensation to the applicant at such rates as may be prescribed. | Failure to deliver service in time. |
| 10. Any person whose application is rejected under sub-section (4) of section 8 or who is not provided the service within the stipulated time, may file an appeal before such authority, within such time and in such form as may be prescribed. | Appeal by the aggrieved person. |

- Revision. **11.** The Appellate Authority and the Government may at any time for the purposes of satisfying itself or themselves as to the correctness, legality, propriety or regularity of proceeding or order passed by the Designated Officer or Designated Officer and Appellate Authority, as the case may be, either suomotu or on an application made to it or them, call for and examine the records and pass such orders with reference thereto as it or they think fit.
- Powers of designated officer and appellate authority. **12.** (1) The Designated Officer and Appellate Authority shall, for the purposes of its functions under this Act, have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 in respect of the following matters, namely, -
- (i) discovery and production of any document or other material object producible as evidence;
 - (ii) receiving evidence on affidavits;
 - (iii) such other matter which may be prescribed.
- (2) The Authority shall not be bound by the procedure laid down in the Code of Civil Procedure, 1908 but shall be guided by the principles of natural justice and subject to the other provisions of this Act and of any rules made thereunder, the Authority shall have the power to regulate its own procedure.
- committees to monitor the compliance of provisions of the Act. **13.** (1) A Committee with the District Collector and Magistrate as Chairman and General Manager, District Industries Centre as one of the Member along with other Members for Industries and Business and another Committee consisting of such number of Members at the District Level, and
- (2) two State Level Committees consisting of such number of Members at different Levels.
- as may be prescribed shall monitor the delivery of public services to the applicants/ persons within the stipulated time.
- CHAPTER - IV**
- MISCELLANEOUS**
- Bar of jurisdiction of courts. **14.** No court shall entertain any suit, application or other proceeding in respect of any order made under this Act and no such order shall be called in question otherwise than by way of an appeal or revision under this Act.
- Protection of action taken in good faith. **15.** No suit, prosecution or other legal proceedings shall lie against an employee of public Authority for anything which is done or purported to have been done in good faith in pursuance of the provisions of this Act or the rules made thereunder.
- Developing culture to deliver public services within the stipulated time limit. **16.** (1) The defaults on the part of designate officer/appellate authority in the time bound delivery of public services as defined in this Act shall not be counted towards misconduct as the purpose and object is to enhance and imbibe a culture to deliver time bound public services.

(2) In case of any competent authority who is a habitual and wilful defaulter, without any reasonable cause and persistently fails to receive an application or has failed to provide the public service within the stipulated time or intentionally denied the request for the public service or delayed inordinately, the committee at State Level, as notified, shall be competent to recommend appropriate action to the competent disciplinary authority after recording a finding to this effect. The competent disciplinary authority shall dispose such recommendations within ninety days and inform the action taken to the recommending authority.

17. In relation to the services notified under this Act and its implementation, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any rules having effect by virtue of any law other than this Act.

Act to
override other
Laws.

18. The Government may issue to the Public Authority such general or special directions in writing for the purpose of effective implementation of this Act and the Public Authority shall be bound to follow and act upon such directions.

Power of
Government to
issue directions.

19. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government, as occasion arises, by an order published in the Andhra Pradesh Gazette, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for the purpose of removing the difficulty.

Power to
remove
difficulties.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

20. (1) The Government may, by notification, make rules to carry out the provisions of this Act.

Power to make
rules.

(2) Every rule made by the State Government, under this Act shall be laid, as soon as may be after it is made, before each House of State Legislature, while it is in session, for a total period of fourteen days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule, shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

21. The Andhra Pradesh Public Services Delivery Guarantee Ordinance, 2017 is hereby repealed.

Repeal of Ordinance,
No.3 of 2017.

DUPPALA VENKATARAMANA,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.



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No. 12] AMARAVATI, WEDNESDAY, 26th APRIL, 2023.

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,**

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 20th April, 2023 and the said assent is hereby first published on the 26th April, 2023 in the Andhra Pradesh Gazette for general information :

ACT No. 12 of 2023

**AN ACT FURTHER TO AMEND THE ANDHRA PRADESH PUBLIC
SERVICES DELIVERY GUARANTEE ACT, 2017.**

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventy-fourth Year of the Republic of India as follows: -

1. (1) This Act may be called the Andhra Pradesh Public Services Delivery Guarantee (Amendment) Act, 2023. Short title and commencement.
(2) It extends to the whole of the State of Andhra Pradesh.
(3) It shall be deemed to have come into force with effect on and from the 31st October, 2022.
2. In the Andhra Pradesh Public Services Delivery Guarantee Act, 2017 Amendment of section 2.
(hereinafter referred to as the Principal Act), in section 2, - Act No.6 of 2018.
(i) for clause (c), the following shall be substituted, namely,-

“(c) “Local Authority” includes any authority, Municipal Corporation, Municipal Council, Nagar Panchayat, Industrial Township, Zilla Praja Parishad, Mandal Praja Parishad, Gram Panchayat and other

local self-Governments constituted by law and Development Authorities or other statutory or non-statutory bodies by whatever name called for the time being invested by law to render essential service of public utility in the State or to control, manage or regulate such services within a specified local area.”.

(ii) for clause (e), the following clause shall be substituted, namely,-

“(e) “person” shall include an individual or body of individuals, any company, association, whether incorporate or not.”.

Amendment of
section 13.

3. In section 13 of the principal Act,-

(i) for sub-section (1), the following shall be substituted, namely, -

“(1) The Government shall, by notification, appoint committee at State and District Level, with at least one officer not below the rank of Group B officer of the Government or its equivalent rank as it's member to monitor the delivery of public services to the applicants/persons within the stipulated time.”.

(ii) sub-section (2) shall be omitted.

Repeal and
Savings.

4. (1) The Andhra Pradesh Public Services Delivery Guarantee (Amendment) Ordinance, 2022, is hereby repealed.

Ordinance No12
of 2022.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

G. SATYA PRABHAKARA RAO,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.