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

No. 1] AMARAVATI, SUNDAY, 22nd JANUARY, 2023.

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

The following is the authoritative text in English Language of the Ordinance promulgated by the Governor on the 22nd January, 2023 is being published under Article 348(3) of the Constitution of India for general information.

ANDHRA PRADESH ORDINANCE No. 1 OF 2023

Promulgated by the Governor in the Seventy Third Year of the Republic of India.

AN ORDINANCE FURTHER TO AMEND THE ANDHRA PRADESH SCHEDULED CASTES SUB-PLAN AND TRIBAL SUBPLAN (PLANNING, ALLOCATION AND UTILIZATION OF FINANCIAL RESOURCES) ACT, 2013.

Whereas, The Andhra Pradesh Scheduled Castes Sub-Plan and Tribal Sub-Plan (Planning, Allocation and Utilization of Financial Resources) Act, 2013 is enacted to ensure, accelerated development of Scheduled Castes and Scheduled Tribes with emphasis on achieving equality in the next ten years focusing on economic, educational and human development along with ensuring the security and social dignity and promoting equity among Scheduled Castes and the Scheduled Tribes, by earmarking a portion, in proportion to population of Scheduled Castes and Scheduled Tribes in the State, of the total plan outlay of the State of Andhra Pradesh

as the outlay of the Scheduled Castes Sub- Plan/Tribal Sub-Plan of the State and ensuring effective institutional mechanisms for the implementation and for matters connected therewith or incidental thereto;

And whereas, as per section 1(4) of the Act, the Act shall cease to have effect after the expiry of ten years from the date of commencement;

And whereas, the intended objective of the Act is yet to be achieved and therefore, there is a need to extend the Act for a period of another ten years in order to achieve the objectives of the Act;

And whereas, The Government of India has done away with the distinction of the expenditure between the 'plan' & 'non-plan' categories in the year 2017-18. Therefore, the provisions of the Act which relate to apportionment of plan expenditure in proportion with the SC/ST population and other related such provisions may not be relevant and enforceable today ;

And whereas, to achieve the objectives as discussed above, Government have taken a decision to amend The Andhra Pradesh Scheduled Castes Sub-Plan and Tribal Sub-Plan (Planning, Allocation and Utilization of Financial Resources) Act, 2013 accordingly ;

And whereas, as the Legislature of the State is not now in session and the Governor of Andhra Pradesh is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor hereby promulgates the following Ordinance:-

Short title and Commencement.

1. (1) This Ordinance may be called the Andhra Pradesh Scheduled Castes Sub-Plan and Tribal Sub-Plan (Planning, Allocation and Utilization of Financial Resources) (Amendment) Ordinance, 2023.

(2) It shall come into force at once.

Substitution of the words.

Act No. 1 of 2013.

2. In the Andhra Pradesh Scheduled Castes Sub-Plan and Tribal Sub-Plan (Planning, Allocation and Utilization of Financial Resources) Act, 2013 (herein after referred to as the principal Act), otherwise expressly provided-

(i) for the words "Scheduled Castes Sub-plan" wherever they

occurs, the words "Scheduled Castes Component" and for the words "Tribal Sub-plan" wherever they occurs, the words "Scheduled Tribes Component" shall be substituted.

- (ii) for the word "Sub-plan" wherever it occurs, the word "Component" shall be substituted.
- (iii) for the words " plan/total plan outlays/plan outlays/Annual plan/planning" wherever they occurs, the words" allocable budget" shall be substituted.
- (iv) for the expression "SCSP" wherever it occurs, the expression " SCC" and for the expression "TSP" wherever it occurs, the expression, "STC" shall be substituted.

3. In the principal Act, in the long title, for the words "ten years", the words "twenty years" shall be substituted.

Amendment of Long title.

4. In the principal Act, in section 1, in sub-section (4), for the words "ten years", the words "twenty years" shall be substituted.

Amendment of Section 1.

5. In the principal Act, in section 2,-

Amendment of Section 2.

(i) The existing clause (a) shall be renamed as clause (ab) and before clause (ab) so as renamed, the following clauses shall be inserted.

(a) "allocable budget" means the total expenditure in the Consolidated Fund of the State excluding exempted expenditure".

(aa) "exempted expenditure" means the expenditure exempted from the applicability of this Act and includes expenditure on salary, salary Grant in aid, pension, administrative expenditure, charged expenditure, principal repayment and interest payment on account of the State Government's own borrowings and off-budget borrowings by the State Government Undertakings and any other expenditure of administrative nature notified by the Government".

6. In the principal Act, in section 5, in the proviso there under, the words "and five year" shall be omitted.

Amendment of Section 5.

7. In the principal Act, in section 8, for the words "State Plan priorities", the words "State priorities" shall be substituted.

Amendment of Section 8.

Power to remove
difficulties.

8. (1) If any difficulty arises in giving effect to the provisions of the Act, the Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:

Provided that no order shall be made under this section after the expiry of two years from the commencement of this Act.

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

BISWABHUSAN HARICHANDAN,

Governor of Andhra Pradesh.

G. SATYA PRABHAKARA RAO,

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