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INFORMATION

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

No. 6] AMARAVATI, WEDNESDAY, 5th JULY, 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 3rd July, 2023 is being published under Article 348(3) of the Constitution of India for general information:-

ANDHRA PRADESH ORDINANCE No. 6 OF 2023.

Promulgated by the Governor in the Seventy-fourth year of the Republic of India.

AN ORDINANCE TO PROVIDE FOR, AS A GOOD GOVERNANCE, EFFICIENT, TRANSPARENT AND TARGETED DELIVERY OF SUBSIDIES, BENEFITS AND SERVICES, THE EXPENDITURE FOR WHICH IS INCURRED ENTIRELY FROM THE CONSOLIDATED FUND OF STATE TO INDIVIDUALS RESIDING IN THE STATE OF ANDHRA PRADESH USING AADHAAR NUMBER AS SOLE PROOF OF ESTABLISHING IDENTITY OF AN INDIVIDUAL AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

Whereas, the Government of Andhra Pradesh is at the forefront in implementing various targeted schemes for the socio economic development

of various sections of the society in the State. While meeting the noble objectives of the Government, it is proposed to use Aadhar number as the unique identification of beneficiaries under the various Government Schemes and Programmes to individuals, with the objective of enhancing efficiency, transparency and accountability.

And whereas, the Government of Andhra Pradesh proposes to use the Aadhaar number for the identification of the beneficiaries for various Government schemes in alignment with the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 and its subsequent amendments.

And whereas, accordingly, Government have decided to undertake a specific new legislation for "Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services)" in the State:

And whereas, the Legislature of the State of Andhra Pradesh 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 powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Andhra Pradesh is pleased to promulgate the following Ordinance:-

Short title,
extent and
commencement.

1. (1) This Ordinance may be called the Andhra Pradesh Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Ordinance, 2023.

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It shall come into force on such date, as the Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Ordinance and any reference in any such provision to the commencement of this Ordinance shall be construed as a reference to the commencement of that provision.

Definitions

2. (1) In this Ordinance, unless the context otherwise requires, -

(a) "agency of Government" means any authority or body established

or constituted by any Central or State law in the State of Andhra Pradesh including the local bodies and any other body owned and controlled by the Government and includes the bodies whose composition and administration are predominantly controlled by the Government;

- (b) "benefit" means any advantage, gift, reward, relief or payment, in cash or kind, provided to an individual or group of individuals and includes such other benefits, as may be notified by the Government, from time to time;
- (c) "Central Act" means the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016;
- (d) "Consolidated Fund" means the Consolidated Fund of the State of Andhra Pradesh;
- (e) "Government" means the Government of the State of Andhra Pradesh;
- (f) "prescribed" means prescribed by the rules made under this Ordinance;
- (g) "service" means any provision, facility, utility or any other assistance provided in any form to an individual or group of individuals and includes such other services, as may be notified by Government, from time to time;
- (h) "subsidy" means any form of aid, support, grant, subvention or appropriation, in cash or kind, to an individual or group of individuals and includes such other subsidies, as may be notified by the Government, from time to time.

(2) Words and expressions used in this Ordinance but not defined and defined in the Central Act shall have the same meanings as respectively assigned to them under the Central Act.

3. The Government or an agency of the Government may, for the purpose of establishing identity of an individual as a condition for receipt of a subsidy, benefit or service for which the expenditure is incurred by way of withdrawal

Central Act 18
of 2016.

Proof of Aadhaar
number necessary
for receipt of certain
subsidies, benefits
and services, etc.

from or the receipt therefrom forms part of the Consolidated Fund or any fund set up by an agency of Government, require that such individual undergo authentication or furnish proof of possession of Aadhaar number or in the case of an individual to whom no Aadhaar number has been assigned, such individual shall make an application for enrollment:

Provided that until Aadhaar number is assigned to an individual, the individual may be offered alternate and viable means of identification for delivery of the subsidy, benefit or service.

Notifying the Schemes.

4. The Government shall, within a period of three months from the date of commencement of this Ordinance and thereafter, from time to time, notify the list of schemes, subsidies, benefit or services for which Aadhaar number shall be an authenticated proof of identification of an individual.

Protection of action taken in good faith.

5. No suit, prosecution or other legal proceeding shall lie against the Government or any officer or other employees of the Government for anything which is in good faith done or intended to be done under this Ordinance or rules made thereunder.

Power to make rules.

6. (1) the Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Ordinance.

(2) Every rule made under this Ordinance shall immediately after it is made, be laid before the State Legislature if it is in session, and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiration of the session in which it is so laid or the session immediately following, the Legislature agree in making any modifications in the rule or in the annulment of the rule, the rule shall, with effect from the date of notification of such modification or annulment in the Andhra Pradesh Gazette is notified have effect only in such modified form or shall stand annulled, 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.

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

Power to
remove
difficulties.

Provided that, no such order shall be made after the expiry of the period of two years from the date of commencement of this Ordinance.

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

S. ABDUL NAZEER,

Governor of Andhra Pradesh

G. SATYA PRABHAKARA RAO,

Secretary to Government,

Legal and Legislative Affairs & Justice,

Law Department.