

The Goa Aadhaar (Targeted Delivery of Financial and Other Subsidies,  
Benefits and Services) Bill, 2017.

(BILL NO. 12 OF 2017)

**A**

**BILL**

to provide for, as a good governance, efficient, transparent, and targeted delivery of subsidies, benefits and services, the expenditure for which is incurred from or receipts there from are credited to, the Consolidated Fund of the State of Goa, to individuals residing in the State of Goa using Aadhaar number and for matters connected therewith or incidental thereto.

BE it enacted by the Legislative Assembly of Goa in the Sixty eighth Year of the Republic of India, as follows:-

**1. Short title, extent and commencement.**-(1) This Act may be called the Goa Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2017.

(2) It extends to the whole of the State of Goa.

(3) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

**2. Definitions.**-(1) In this Act, unless the context otherwise requires,-

- (a) “**Agency of the Government**” means any Government Department, authority or body established or constituted under any Central or State law in the State of Goa including the local body, any other body owned and controlled by the Government and aided institution;
- (b) “**benefit**” means any advantage, gift, reward, relief, or payment, in cash or kind, provided to an individual or a group of individuals and includes such other benefits as may be notified by the Government;
- (c) “**Central Act**” means the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services ) Act, 2016 (Central Act 18 of 2016);
- (d) “**Consolidated Fund**” means Consolidated Fund of the State of Goa;
- (e) “**Government**” means the Government of Goa;
- (f) “**prescribed**” means prescribed by rules made under this Act;
- (g) “**service**” means any provision, facility, utility or any other assistance provided in any form to an individual or a group of

individuals and includes such other services as may be notified by the Government;

(h) “**subsidy**” means any form of aid, support, grant, subvention or appropriation, in cash or kind, to an individual or a group of individuals and includes such other subsidies as may be notified by the Government.

(2) Words and expressions used herein but not defined and defined in the Central Act shall have the same meanings respectively assigned to them in that Act.

**3. Proof of Aadhaar number necessary for receipt of certain subsidies, benefits and services, etc.-** The Government or, any Agency of the Government, may, for the purpose of establishing identity of an individual before receipt of a subsidy, benefit or service, etc, the expenditure for which is incurred either entirely or partly, by way of withdrawal from or the receipts there from are credited to, the Consolidated Fund, or any fund set up by any Agency of the 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 makes an application for enrolment:

Provided that, if an Aadhaar number is not assigned to an individual, the individual shall be offered alternate and viable means of identification for delivery of the subsidy, benefit or service.

**4. Notifying Schemes etc. by Government.-** The Government shall, within a period of three months from the date of commencement of this Act, and thereafter, from time to time, notify the list of schemes, subsidies, benefits or services for which such authentication or proof is required as per section 3:

Provided that any notification of the existing scheme or service which provides for authentication, or furnishing proof of possession of Aadhaar number shall be deemed to have been issued under this section.

**5. Application of Chapters III and VI of the Central Act.-** The provisions of Chapter III and Chapter VI of the Central Act shall mutatis mutandis apply for authentication.

- 6. Act to be in addition and not in derogation of any other law.-** The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force.
- 7. Protection of action taken in good faith.-** 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 Act or rules made thereunder.
- 8. Power to make rules.-**(1) The Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-
- (a) specifying the manner of use of Aadhaar number for the purpose of providing or availing of various subsidies, benefits, services and for other purposes for which Aadhaar number may be used;
- (b) any other matter which is required to be, or may be, specified, or in respect of which provision is to be made by rules.

(3) Every rule made under this Act shall be laid, as soon as may be, after it is made, before the State Legislature, while it is in session for a total period of not less than fourteen days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the session or sessions immediately following, the legislature agree in making any modification in any rule or the legislature agree that rule should not be made, and notify their decision to that effect in the Official Gazette, the rule shall, from the date of publication of such notification, 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 or omitted to be done under that rule.

**9. Power to remove difficulties.**-(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for the purposes of removing the difficulty:

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

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

## **STATEMENT OF OBJECTS AND REASONS**

The Bill seeks to provide for, as a good governance, efficient, transparent, and targeted delivery of subsidies, benefits and services, the expenditure for which is incurred from or receipts there from are credited to the Consolidated Fund of the State, to individuals residing in the State of Goa using Aadhaar number .

This Bill seeks to achieve the above objects.

## **FINANCIAL MEMORANDUM**

No financial implications are involved in this Bill.



**MEMORANDUM REGARDING DELEGATED LEGISLATION**

Clause 1(3) of the Bill empowers the Government to appoint a date by notification in the Official Gazette, for bringing into force the Act.

Clause 4 of the Bill empowers the Government to notify the list of schemes, subsidies, benefits or services requiring production of Aadhaar as a proof of identity and address.

Clause 8 of the Bill empowers the Government to frame rules for carrying out the purposes of the Act.

Clause 9 of the Bill empowers the Government to make an order for removing any difficulty which arises in giving effect to the provisions of the Act.

These delegations are of normal character.

Porvorim-Goa

(Manohar Parrikar)

21<sup>st</sup> July, 2017

Minister for Planning/ Chief Minister

Assembly Hall

(Nilkanth Subhedar)

Porvorim, Goa

Secretary to

21<sup>st</sup> July, 2017

the Legislative Assembly of Goa