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THE ANDHRA PRADESH GAZETTE

PART IV-B EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 43] AMARAVATI, MONDAY, 30th OCTOBER, 2023.

ANDHRA PRADESH ACTS, ORDINANCES AND REGULATIONS Etc.,

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 27th October, 2023 and the said assent is hereby first published on the 30th October, 2023 in the Andhra Pradesh Gazette for general information :

ACT No. 43 of 2023.

AN ACT 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.

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

Short title, extent and commencement.

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

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

(3) It shall be deemed to have come into force on and from the 14th,July,2023.

Definitions.

2. (1) In this Act, 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;

Central Act 18 of 2016.

(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 Act;

(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 Act but not defined and defined in the Central Act shall have the same meanings as respectively assigned to them under the Central Act.

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

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 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 Act and thereafter, from time to time, notify the list of schemes, subsidies, benefits 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 proceedings 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.

Power to make rules.

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

(2) Every rule made under this Act 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 of 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.

Power to remove difficulties.

7. (1) If any difficulty arises in giving effect to the provisions of this 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 such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

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

Repeal and savings of the Ordinance No.6 of 2023.

8. (1) The Andhra Pradesh Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Ordinance, 2023 is hereby repealed.

(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.

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