



RIGHT TO  
INFORMATION

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

No. 3] AMARAVATI, WEDNESDAY, OCTOBER 18<sup>th</sup>, 2017.

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 17<sup>th</sup> October, 2017 is being published under Article 348(3) of the Constitution of India for general information:-

**ANDHRA PRADESH ORDINANCE NO. 3 OF 2017.**

Promulgated by the Governor in the Sixty-eighth year of the Republic of India.

**AN ORDINANCE 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.**

Whereas, 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:-

**CHAPTER I**  
**PRELIMINARY**

Short title,  
extent and  
commence-  
ment.

1. (1) This Ordinance may be called the Andhra Pradesh Public Services Delivery Guarantee Ordinance, 2017.
- (2) It extends to the whole of the State of Andhra Pradesh.
- (3) It shall come into force at once.
- (4) It shall apply to such public authorities which provide public services to the eligible persons as per the provisions of any laws, rules, notification or orders of the Government.

Definitions.

2. In this Ordinance, 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 Panchyat 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 associations or body of individuals, whether incorporated or not.
- (f) "Prescribed" means prescribed by rules made under this Ordinance.
- (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 Ordinance 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 Ordinance.  | 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. | Application for providing public service. |
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(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.

Disposal of application.

**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 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.

Failure to deliver service in time.

**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.

Appeal by the aggrieved person.

**10.** (1) 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.

(2) The Appellate Authority may also take the appeal suo-moto.

Revision.

**11.** The Government may at any time for the purposes of satisfying itself as to the correctness, legality, propriety or regularity of proceeding or order passed by the Designated Officer or Appellate Authority, call for and examine the records and pass such orders with reference thereto as it thinks fit.

Powers to designated officer and appellate authority.

**12.** (1) The Designated Officer and Appellate Authority shall, for the purposes of its functions under this Ordinance, 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 Ordinance and of any rules made thereunder, the Authority shall have the power to regulate its own procedure.

**13.** 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 two Committees consisting of such number of members at the State Level as may be prescribed shall monitor the delivery of public services to the applicants/ persons within the stipulated time.

Constitution of committees to monitor the compliance of provisions of the Ordinance.

#### **CHAPTER - IV MISCELLANEOUS**

**14.** No court shall entertain any suit, application or other proceeding in respect of any order made under this Ordinance and no such order shall be called in question otherwise than by way of an appeal or revision under this Ordinance.

Bar of jurisdiction of courts.

**15.** No suit, prosecution or other legal proceedings shall lie against any person for anything which is done or purported to have been done in good faith in pursuance of the provisions of this Ordinance or the rules made thereunder.

Protection of action taken in good faith.

**16.** (1) The defaults on the part of Designate Officer/ appellate authority in the time bound delivery of public services as defined in this Ordinance shall not be counted towards misconduct as the purpose and object is to enhance and imbibe a culture to deliver time bound public services.

Developing culture to deliver public services within the stipulated time limit.

(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.

Ordinance to override other Laws.

**17.** In relation to the services notified under this Ordinance and its implementation, the provisions of this Ordinance 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 Ordinance.

Power of Government to issue directions.

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

Power to remove difficulties.

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

(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.

Power to make rules.

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

(2) Every rule made by the State Government, under this Ordinance 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.

**E.S.L.NARASIMHAN,**  
*Governor of Andhra Pradesh.*

**DUPPALA VENKATA RAMANA,**  
*Secretary to Government,*  
*Legal and Legislative Affairs and Justice,*  
*Law Department.*