

The Andhra Pradesh Public Service Delivery Guarantee Bill, 2019

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THE ANDHRA PRADESH PUBLIC SERVICE DELIVERY GUARANTEE BILL, 2019

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The Andhra Pradesh Public Service Delivery Guarantee Bill, 2019

A BILL

to lay down an obligation upon every public authority to publish a Citizens' Charter stating therein the time within which specified goods shall be supplied and services be rendered and provide for a grievance redressal mechanism for non-compliance with Citizens' Charter and for matters connected therewith or incidental thereto.

BE it enacted by the State Legislature of the Republic of India as follows:—

CHAPTER I PRELIMINARY

1. Short title, extent and commencement:

(1) This Act may be called The Andhra Pradesh Public Service Delivery Guarantee Bill, 2019

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

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

2. Definitions:

In this Act, unless the context otherwise requires,—

(a) "Action Taken Report" means a report furnished to the complainant by the Grievance Redressal Officer or the Independent Designated Authority or the Lokayukta in response to a complaint or appeal, as the case may be;

(b) "appellate authority" means the Independent Designated Authority or the Lokayukta, as the case may be;

(c) "assisted access" means assistance to access electronic services;

- (d) "Citizens' Charter" means a document declaring the functioning, obligations, duties and commitments of a public authority in providing goods and services effectively and efficiently with acceptable levels of standards, time limits, mandatory compensation in cases of delay and/or non-delivery as per specified standards, designation of public servants for delivery and grievance redress as defined in sub-section (1) of section 4;
- (e) "complainant" means a person or a company or a society or an academic institution or any organisation who is entitled to goods and services specified in the Citizens' Charter contained in the Schedule as amended from time to time, the rendering of which or the delivery of which, as the case may be, is denied or delayed in respect of which a complaint is lodged;
- (f) "complaint" means a complaint filed by a citizen or an organisation regarding any grievance relating to, or arising out of, any failure in the delivery of goods or rendering of service pursuant to the Citizens' Charter, or any violation of any law, rule or order relating to the corresponding public authority but does not include grievance relating to the service matters of a public servant whether serving or retired;
- (g) "days" means the working days, referred to as the timeline;
- (h) "electronic mode" includes any method, process or application to deliver any service electronically;
- (i) "electronic service" means public services or other services through electronic mode including, the receipt of forms and applications, issue or grant of any license, permit, certificate, sanction or approval and the receipt or payment of money;
- (j) "Grievance Redressal Officer" means a Grievance Redressal Officer appointed under section 7;
- (k) "Government" means the Government of the State;
- (l) "Independent Designated Authority" means such officer or authority appointed as per section 11:
- Provided that in case an officer is designated as the Independent Designated Authority, such officer shall be above the rank of the Grievance Redressal Officer referred to in sub-section (1) of section 7;
- (m) "Information and Facilitation Centre" means an Information and Facilitation Centre, including customer care centre, call centre, help desk, people's support centre established under section 6;
- (n) "Lokayukta" means the Lokayukta appointed under section 3 of the Andhra Pradesh State Lokayukta Act, 1983 (Act No. 11 of 1983);
- (o) "notification" means a notification published in the Official Gazette;

(p) "prescribed" means prescribed by the rules made under this Act;

(q) "public authority" means any authority or office under the control of the Government or institution of self-government, under the jurisdiction of the State, established or constituted,—

(i) by or under the Constitution;

(ii) by any other law made by Parliament;

(iii) by any other law made by the State Legislature;

(iv) by notification issued or order made by the Government, and includes any,—

(A) body owned, controlled or substantially financed;

(B) a Non-Governmental Organisation substantially financed, directly or indirectly by funds provided by the Government to the extent of its activity of delivering goods or rendering services to the public;

(C) an organisation or body corporate in its capacity as an instrumentality of "State" as defined under article 12 of the Constitution and rendering services of public utility in India;

(D) a Government company as defined under section 2(45) of the companies Act 2013 (617 of the Companies Act, 1956);

(v) by an agreement or memorandum of understanding between the Government and any private entity as Public-Private Partnership or otherwise and includes a ration shop and its dealer;

(r) "regulations" means regulations made by the Lokayukta under section 21 of this act

(s) "Schedule" means the Schedule to this Act.

(a) (t) "service" means supply of goods and rendering of services being provided to any person by the Government or public authority either directly or through any service provider and includes the receipt of forms and applications, issue or grant of any license, permit, certificate, sanction or approval and the receipt or payment of money by whatever name called in a particular manner;

(u) "service provider" means any individual, agency, company, partnership firm, sole proprietor firm, Non-Governmental Organisation or any such other body or agency which has been authorized, or entrusted by the Government to offer public services through electronic mode or otherwise;

(v) "Sevottam" means a public service standard IS 15700:2005 developed by the Bureau of Indian Standards;

CHAPTER II
RIGHT TO SERVICE

3. Right to service:

Subject to the provisions of this Act, every individual citizen and organisation shall have the right to time bound delivery of goods and provision for services and redressal of grievances.

CHAPTER III
PUBLICATION OF CITIZENS' CHARTER AND GRIEVANCE REDRESSAL
OFFICER BY PUBLIC AUTHORITIES

4. Citizens' Charter

(1) The Citizens' Charter shall cover the supply of goods and services by the public authority including those specified in the Schedule:

Provided that it shall be competent to the Lokayukta either on the request of any person, association or organisation or on their own to amend the Schedule, by notification, so as to bring in additional services or goods within the scope of the Citizens' Charter:

Provided further that every notification issued under the foregoing proviso shall be placed on the table of both Houses of the State Legislature in their next session.

(2) every public authority shall, within 15 days of the commencement of this Act, publish in such manner as may be specified in the regulations made by the Lokayukta, the following matters relating to the Citizens' Charter contained in the Schedule namely:-

- (a) the details of all the goods supplied and services rendered by the public authority and the name of person or agency through which such goods are supplied or services rendered and timings during which such goods are supplied or services rendered;
- (b) the conditions under which a person or organisation becomes entitled for goods and services, the class of persons who are entitled to receive such goods and avail services, the process through which a person or organisation can apply for such goods and services and the time within which such goods shall be supplied or services be rendered, the form in which the services that are rendered are going to be provided, the nature of assisted access available at the public authority for accessing electronic services;
- (c) the qualitative, quantitative and tangible parameters (including weight, size, frequency) of the goods and services available to the public;
- (d) complaint redressal mechanism including the time within which the complaint shall be disposed off and the officer of the public authority to whom such complaint may be made, including mandatory compensation per day in cases of delay and/or non-

delivery as per specified standards;

(e) the name and addresses of individuals responsible for the delivery of goods or rendering of services as designated officer mentioned in (a) above;

(f) the person responsible for providing feedback forms and receiving the feedback or comments or suggestions offered by the citizens or organisations dealing with the respective public authority;

(g) the month and year of next review of the Charter.

(h) any other information relevant to delivery of goods or provision of services or such other information as may be specified in the regulations made by the Lokayukta;

5. Obligation of public authority for updating and verifying the Citizens' Charter:

(1) Every public authority shall be responsible for updating and verifying the Citizens' Charter every year and the accuracy of the contents thereof by bringing the new services/goods to be rendered or delivered by him or taken out of his control to the notice of the Government so that the Citizens' Charter contained in the Schedule is suitably amended.

(2) It shall be the responsibility of every public authority to ensure that the Citizens' Charter is widely disseminated to the public.

(3) It shall be the responsibility of every public authority to take steps in accordance with section 4 of the Right to Information Act, 2005, for providing relevant information to the public enabling them to exercise their rights mandated under this Act.

(4) Every public authority shall ensure that all material be disseminated taking into consideration the local language and the most effective method of communication in that local area free of cost.

Explanation — For the purposes of this section the expression "disseminated" means making known and communicating the information to the public in such a manner as may be prescribed.

(5) Every public authority shall to the extent possible, ensure that the Citizens' Charter is made available at the website of the public authority and in other electronic forms and shall be available free of cost.

(6) Every public authority shall ensure that a copy of the Citizens' Charter of the public authority duly certified by him is submitted to appropriate bodies, including the Lokayukta, when it is published and subsequently, every time that it is modified, updated or amended.

(7) Every public authority shall ensure that an appropriate feedback receiving mechanism is instituted and appropriate grievance prevention measures are taken to improve the delivery mechanisms of goods and services to the citizens.

(8) Every public authority shall ensure that an appropriate stakeholder consultation process is carried out before the formulation and subsequent review of the Citizens' Charter.

CHAPTER IV

ESTABLISHMENT OF INFORMATION AND FACILITATION CENTRE

6. Establishment of Information and Facilitation Centre:

(1) Every public authority shall be deemed to be an Information and Facilitation Centre or, shall, with the permission of the Lokayukta, establish a separate Information and Facilitation Centre for efficient and effective delivery of services and redressal of grievances, which may include establishment of customer care centre, call centre, help desk and people's support centre, and for this purpose the government shall make available all resources, staff and infrastructure sought for by the Lokayukta.

(2) Every public authority shall be responsible for the development, improvement, modernisation and reform in service delivery and redressal of grievance system and also include adoption of electronic modes, internet, etc.

(3) The Lokayukta may, make regulations in relation to the functioning of the Information and Facilitation Centre.

CHAPTER V

APPOINTMENT AND OBLIGATION OF GRIEVANCE REDRESSAL OFFICERS BY PUBLIC AUTHORITY

7. Appointment and Obligations of Grievance Redressal Officers, including for each Municipality and Panchayat:

(1) Every public authority shall, within six months from the date of the coming into force of this Act, designate as many officers as may be necessary as Grievance Redressal Officers in all administrative units or offices at the State, district and sub-district levels, municipalities, Panchayats whereat supplies of goods or render services to receive, inquire into and redress any complaints from citizens in the manner as may be prescribed:

Provided that the Grievance Redressal Officer so appointed shall be at least one level above and be deemed to have administrative control on the individual designated to deliver goods or render services as per the Citizens' Charter as referred to in section 4.

(2) Every public authority shall, immediately on appointment or designation of a Grievance Redressal Officer,—

(a) give, through a public notice published in such a manner as may be prescribed, indicating therein the name of the Grievance Redressal Officer, his address and telephone number, e-mail address, facsimile number and other means of contacting him in respect of each area for which the Grievance Redressal Officer has been appointed or designated and thereafter give such public notice at least once in twelve months in the same manner:

Provided that in case of change of the name of the Grievance Redressal Officer, his

address and telephone number, e-mail address, facsimile number and other means of contacting him shall be intimated by public notice, in the same manner specified in this clause;

(b) display, at its office, Information and Facilitation Centre, call centre, customer care centre, help desk, People's Support Centre and at the sales outlets, website and at the office of the Grievance Redressal Officer and the appellate authorities, the name of the Grievance Redressal Officer, their addresses and telephone numbers, e-mail addresses, facsimile numbers and other means of contacting them, in respect of each area for which the Grievance Redressal Officer have been appointed or designated.

(3) The Grievance Redressal Officer shall provide all necessary assistance to citizens in filing complaints.

(4) Where a complainant is unable to make a complaint in writing, the Grievance Redressal Officer shall render all reasonable assistance to the person making the request orally to reduce the same in writing.

8. Acknowledgement of complaint by receipt thereof:

All complaints shall, within two days of the making of the complaint, be acknowledged by a receipt, issued in writing or through electronic means or through text message or through any other means as may be prescribed, specifying the date, time, place, unique complaint number and particulars of receiver of complaint along with the stipulated time frame in accordance with its Citizens' Charter within which the complaint will be redressed.

Provided that where the complaint pertains to another public authority, the recipient shall refer the complainant to the appropriate authority.

9. Action to be taken by Grievance Redressal Officer:

(1) Upon receipt of a complaint as defined in clause (e) of section 2, it shall be the duty of the concerned Grievance Redressal Officer to ensure that,—

(a) the grievance is remedied in a time frame not exceeding three days in case of complaints relating to electronic services or goods/services which have no supply constraints, fifteen days in case of those complaints that warrant physical works, and sixty days in case of complaints related to violation of any law or rules or order pertaining to that public authority, from the date of receipt of the complaint;

Provided that an appeal of an urgent or immediate nature shall be disposed of within the same day of the receipt of the appeal or before the date on which the cause of action may cease to exist, which shall not be later than thirty days from the date of receipt of the appeal.

Provided further that the classification of goods/services into those that need to be delivered immediately or three days or fifteen days or sixty days shall be approved by the Lokayukta.

(b) the reason for the occurrence of the grievance is identified and the responsibility of the defaulting office or individual is fixed and the grievance is redressed satisfactorily within thirty days from the date of receipt of the complaint by the Grievance Redressal Officer;

(c) where the grievance has occurred as a result of a deficiency, negligence or malfeasance on the part of an office or individual then the action is taken in accordance with conduct rules and departmental procedures;

(d) where the Grievance Redressal Officer is convinced that the individual responsible for the delivery of the goods and services has willfully neglected to deliver the goods or services or there exist *prima facie* grounds for a case under the Prevention of Corruption Act, 1988, the Grievance Redressal Officer can make an observation to that effect along with a recommendation for the penalty, including compensation to the complainant, to be imposed, to the Independent Designated Authority.

(2) The Grievance Redressal Officer may seek the assistance of any other officer required for the proper discharge of his duties or may direct any other officer to take action to redress a complaint.

(3) Any officer, whose assistance has been sought under sub-section (2), shall render all assistance to the Grievance Redressal Officer seeking his assistance and for the purposes of any contravention of the provisions of this Act, such other officer shall be deemed to be a Grievance Redressal Officer for the purposes of this Act.

(4) The Grievance Redressal Officer shall ensure that the complainant is informed in writing the manner in which the grievance is redressed and shall give him a report in the form of an Action Taken Report.

10. Forwarding of details of non-redressal of complaints to Independent Designated Authority:

The Grievance Redressal Officer shall, immediately after the expiry of the period of thirty days, report every complaint which has not been redressed along with the details of the complainant, nature of complaint, and reasons for non-redressal of complaints to the Independent Designated Authority.

CHAPTER VI

APPEAL TO THE INDEPENDENT DESIGNATED AUTHORITY

11. Appointment of the Empowered Independent Designated Authority:

(1) The Government shall appoint an Independent Designated Authority for each district, and Municipal Corporation who shall not be below the rank of a District Magistrate, in consultation with the Lokayukta, to Act as the Independent Designated authority to entertain and dispose of appeals against the decision of the Grievance Redressal Officers for the purposes of this Act.

12. Appeal:

(1) Every complaint forwarded along with the details under section 10 shall be deemed to have been filed by way of an appeal to the Independent Designated Authority.

(2) Any individual aggrieved by a decision of the concerned Grievance Redressal Officer or who has not received an Action Taken Report in respect of a complaint filed by him, may, if he so desires, within thirty days from the expiry of such period or from the receipt of such decision, prefer an appeal to the Independent Designated Authority:

Provided that the Independent Designated Authority may admit the appeal after the expiry of thirty days if it is satisfied that the complainant was prevented by sufficient cause from filing the appeal in time.

(3) The receipt of the appeal under sub-section (2) shall be acknowledged by the office of the Independent Designated Authority.

(4) The Independent Designated Authority shall, for the purposes of its functions under this Act, 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:—

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) discovery and production of any document or other material object producible as evidence;

(c) receiving evidence on affidavits;

(d) requisitioning of any public record;

(e) issuing commission for the examination of witnesses;

(f) reviewing its decisions, directions and orders;

(g) any other matter which may be prescribed.

(6) The Independent Designated 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, equity and the provisions of this Act and of any rules made thereunder. The Authority shall have the power to regulate its own procedure.

(7) Every appeal or complaint filed under this section shall be disposed of by the Independent Designated Authority within three days in case of appeals relating to electronic services or goods/services which have no supply constraints, fifteen days in case of appeals that warrant physical works, and sixty days in case of appeals related to violation of any law or rules or order pertaining to that public authority, from the date of receipt of such appeal:

Provided that an appeal or complaint of an urgent or immediate nature shall be disposed of on

the same day of the receipt of the appeal or before the date on which the cause of action may cease to exist, which shall not be later than thirty days from the date of receipt of the appeal.

(8) The Independent Designated Authority shall arrange to deliver copies of the decisions to the parties concerned within a period of five working days from the date of such decisions.

(9) The Independent Designated Authority shall impose penalty, including compensation to the complainant, in deciding an appeal against concerned officer, service provider or any other person for acting in a *mala fide* manner or having failed to discharge their duties without any sufficient and reasonable cause:

Provided that the concerned officers of the public authority shall be given a reasonable opportunity of being heard before any penalty is imposed on them.

(10) Where it appears to the Independent Designated Authority that the grievance or complaint complained of is, *prima facie*, indicative or suspect of a corrupt act or practice within the meaning of the Prevention of Corruption Act, 1988, on the part of the individual officer of the public authority complained against, then, it shall record in writing with such evidence as may be found in support of such conclusion and shall intimate the same to the authority competent to take disciplinary action against him under the relevant rules.

(11) The Independent Designated Authority shall upon adjudication of a complaint have the powers to issue directions requiring the concerned officers of the public authority to take such steps as may be necessary to secure compliance with the provisions of Citizens' Charter.

(12) Every order passed by the Independent Designated Authority shall be a speaking order in writing and shall be communicated to the appellant free of cost within 7 days of the passing of that order.

CHAPTER VII

AMENDMENTS TO THE ANDHRA PRADESH STATE LOKAYUKTA ACT, 1983

13. In the Andhra Pradesh State Lokayukta Act, 1983 (hereinafter called the Principal Act), in its application to the State of Andhra Pradesh State;

(a) In the long title after the words "in certain cases", the words "and for hearing appeals from the Independent Designated Authority under The Andhra Pradesh Public Service Delivery Guarantee Act, 2019" shall be inserted.

(b) After section 18 of the Principal Act the following sections shall be inserted, namely:

"18A. Appeals from the Independent Designated Authority under The Andhra Pradesh Public Service Delivery Guarantee Act, 2019:

Notwithstanding anything contained in this Act,

- (1) An appeal against an order passed by the Independent Designated Authority under the Andhra Pradesh State Public Service Delivery Guarantee Act, shall lie to the Lokayukta.
- (2) Every appeal under this section shall be filed within a period of 15 days from the date of communication of the order by the Independent Designated Authority appealed against, in the manner specified in the regulations.
- (3) The Lokayukta may specially designate one or more Upa-Lokayuktas, not exceeding three, for the purpose of dealing with the appeals under this section.
- (4) The Lokayukta may recommend to the Government the creation of such number of Upa-Lokayuktas, not exceeding three, to the Government with the required supporting staff for the purposes of this section and the Government shall comply with the recommendations of the Lokayukta.
- (5) Every appeal filed under this section shall be disposed of within a period of 30 days from the date of filing and not more than two adjournments shall be allowed and where the public authority does not cooperate for the disposal of the appeal it shall be competent for the Upa-Lokayukta to pass an *ex-parte* order.
- (6) An order passed by the Upa-Lokayukta under this section shall be executed in the same manner as a decree of a civil court.

18B. Qualifications for appointment, Salary and Allowances and Removal of the Upa-Lokayukta under Section 18A:

- (1) Notwithstanding anything contained in section 3 of this Act, a person appointed as Upa-Lokayukta for the purposes of this chapter shall be a person who has held the post in the rank of Secretary or Principal Secretary to the Government and the appointment shall be made by the Government in consultation with the Lokayukta.
- (2) The salary and allowances payable to and the other terms and conditions of service of the Upa-Lokayukta appointed under this section shall be the same as that of the Chief Secretary of the State minus pension, if any, drawn by him.
- (3) The Upa-Lokayukta appointed under this chapter shall be liable to be removed for misconduct in such manner as may be prescribed.

18C. Penalty and Compensation for *mala fide* action and dereliction of duty:

- (1) It shall be competent for the Upa-Lokayukta to,-
 - (a) impose penalty for each day of delay in the delivery of goods or rendering of services as per schedule;
 - (b) award compensation for dereliction of duty or *mala fide* action on the part of the public authority commensurate with the damage caused or suffered by the appellant.
- (2) An order of compensation passed under this section shall be deemed to be a decree of the civil court and shall be executed against the public authority guilty of dereliction of duty or *mala fide* action.
- (3) While passing an order under this section the Upa-Lokayukta shall take into consideration whether the delay caused is unavoidable or the damage caused or

suffered by the appellant is inspite of the best care taken by the public authority.

(4) An order passed under this section shall be ordered to be attached to the Annual Confidential Report of the public authority concerned.

(5) While passing an order under this section, it shall be competent to the Upa-Lokayukta to send a copy thereof to the competent authority for taking such disciplinary action as he deems fit for the dereliction of duty or *mala fide* action on the part of the accused public authority.

18D. Rewards and Incentives for better performing public officials and authorities:

- (1) The Upa-Lokayukta shall formulate and implement a reward scheme with financial incentives and out-of-turn promotions for public authorities or their employees, who are fulfilling their duties better than the expected service levels laid down in the Citizens' Charters in consultation with the Government.
- (2) The financial incentives to be provided in sub-section (1) shall be charged to the Consolidated Fund of the State.
- (3) An order rewarding an officer under this section shall be attached to the Annual confidential Report of the officer."

CHAPTER VIII PENALTIES AND COMPENSATION

14. Penalty and compensation for *mala fide* action:

(1) The appellate authority shall impose a penalty of two hundred and fifty rupees for each day of delay or a lump sum penalty in providing the goods and services, against the concerned official responsible for delivery of goods and services or Grievance Redressal Officer for their failure to deliver goods or render services to which the applicant is entitled or the concerned functionary of the public authority for his failure to publish Citizens' Charter in accordance with the provisions in sections 4 and 5 of this Act, as the case may be, which may extend up to fifty thousand rupees which shall be recovered from the salary of the official against whom penalty has been imposed. The order of recovery shall be implemented in the same manner as a decree of a Civil Court.

Provided the government shall periodically revise, upwards, the penalty adjusting to inflation and cost of living index.

(2) On imposition of the penalty under sub-section (1), the appellate authority shall, by order, direct that such penalty imposed under the said section shall be awarded to the appellant, as compensation, as it may deem fit or in lieu of compensation, a written apology and an explanation of the steps being taken to ensure that such failures are not repeated shall be provided by the responsible official to the appellant within a stipulated timeframe, if the appellant so desires:

Provided that the amount of such compensation awarded shall not exceed the amount of

penalty imposed under the said section.

(3) An order for payment of compensation to the complainant shall be enforced in the same manner as a decree of a Civil Court.

(4) While awarding penalty for delay under sub-section (1) it shall be considered whether the delay was un-avoidable and due diligence was exercised.

(5) If any public servant is found guilty under sub-section (1), the disciplinary authority shall initiate the disciplinary proceedings against such officer of the public authority, who if proved to be guilty of a *mala fide* action in respect of any provision of this Act, shall be liable to such punishment including a penalty as the disciplinary authority may decide.

(6) Any order issued under sub-section (1) imposing penalty on the accused officer shall be attached to his Annual Confidential report of that officer.

CHAPTER IX **SUPERVISORY FUNCTIONS AND POWERS OF THE LOKAYUKTA**

15. Supervisory Functions and Powers of the Lokayukta

(1) The Lokayukta shall be the authority for the implementation of this Act.

(2) Without prejudice to the provisions contained in sub-section (1), the supervisory functions and powers of the Lokayukta shall, amongst other things, include the following, namely:—

(a) directing the system of delivery of services in electronic form as quickly as possible, except those services which the Government notifies;

(b) monitoring the publication of services to be delivered in the Citizens' Charters and adherence to the time schedule, manner of delivery and quality of service notified for delivery of public services by the Government;

(c) acting as a unified dissemination centre for all the information pertaining to the Citizens Charters of all the public authorities in its jurisdiction by setting up a call centre for related enquiries and displaying this information on its website;

(d) monitoring the periodic progress made by the Government or any public authority, as the case may be, towards achieving the objects of this Act;

(e) monitoring the periodic progress made by the Government or any public authority, as the case may be, towards compliance with the applicable electronic governance standards and make recommendations in respect thereof;

(f) recommending the simplification of processes and forms relating to delivery of goods and services by the Government or any public authority, as the case may be and appropriate modifications to the Citizens' Charters from time to time;

(g) recommending the simplification and redesigning/ reengineering of processes and forms relating to delivery of services to be provided in electronic form;

- (h) recommending the integration of delivery points through single window outlets such as Common Service centres;
- (i) recommending the integration of Information and Facilitation Centres and Common Service Centres, where appropriate;
- (j) conducting citizen awareness surveys of Citizens' Charters and satisfaction surveys of citizens and organisations for the goods and services delivered by the public authorities;
- (k) undertaking independent evaluations or performance audits of Government schemes or programmes, when referred to by the Government or by a resolution of the State Legislature, as the case may be;
- (l) offering recommendations on design of new schemes or programmes, when referred to by the Government or by a resolution of the State Legislature, as the case may be;
- (m) compiling the best practices adopted in the process of delivery of goods and services including processes of e-governance, from the Action Taken Reports sent by the Heads of the Departments or from any other source and organizing appropriate events such as training workshops or conferences etc., to disseminate and aid in adoption of such best practices and the same shall be displayed on the website;
- (n) directing every public authority to take necessary steps to be Sevottam certified within the time specified by the Government; and
- (o) monitoring the progress made by the Government or any public authority, as the case may be, in adopting the recommendations provided.

Provided that the recommendations of the Lokayukta shall be ordinarily implemented by the Government, or the Independent Designated Authority or any public authority, as the case may be, in the specified time frame and reasons for any disagreement in implementation of these recommendations shall be communicated to the Lokayukta in writing.

CHAPTER X

REPORTING OF REDRESSAL OF GRIEVANCES BY PUBLIC AUTHORITY

16. Reporting requirements:

- (1) Every public authority shall ensure that every Grievance Redressal Officer keeps a record of complaints made to it or appeal therein and the decisions on such complaints and appeals, in such form as may be specified in the regulations.
- (2) Every public authority shall publish on its website, by the 15th day of every month or at such shorter intervals, as may be specified in the regulations, a report mentioning therein—

- (a) the number of complaints received;
- (b) the number of complaints pending;
- (c) the number of complaints disposed of; and
- (d) the number of decisions of the Grievance Redressal Officers upheld by the Independent Designated Authority;
- (e) the number of complaints or appeals, as the case may be, upheld by the Lokayukta;
- (f) such other particulars, as may be specified in the regulations, for discharge of its functions under this Act.

(3) Every public authority shall furnish to the Lokayukta, within such period as may be specified in the regulations, or periodically every month:-

- (a) information specified in sub-section (2);
- (b) a compilation of the feedback received and an Action Taken Report in pursuance thereof;
- (c) Action Taken Reports on the recommendations of the Lokayukta in the stipulated time frame;
- (d) the steps taken to enhance the services that are provided in electronic form;
- (e) the steps taken to facilitate the citizens to access electronic services;
- (f) the steps taken to ensure compliance with the applicable electronic governance standards;
- (g) the steps taken to simplify the processes and integrate delivery points of different goods and services;
- (h) recommendations for further improvement of delivery of goods and services and the legal and policy interventions which may be required for this improvement;
- (i) any other information, which the Lokayukta seeks in relation to the provisions of this Act, from time to time.

Explanation: - For purposes of this section, the public authority shall be responsible for ensuring their compliance.

(4) Lokayukta shall prepare an annual report on the status of implementation of the Citizens' Charter to be submitted to the Governor who shall cause it to be laid before the legislature.

CHAPTER XI MISCELLANEOUS

17. Protection for acts done in good faith:

No suit, prosecution or other legal proceeding shall lie against any person or anything which is in good faith done or intended to be done under this Act or any rule made thereunder.

18. Specification of electronic governance standards:

Any department in the Government may, from time to time, notify, in such manner as may be prescribed, electronic governance standards, being not inconsistent with electronic governance standards notified by the Central Government, as may be necessary for ensuring inter-operability, integration, harmonisation and security of electronic services:

Provided that the Government may prescribe such standards which had not been notified by the Central Government and the standards so notified by the State Government shall remain in force till such standards are notified by the Central Government.

19. Act to override other laws:

The provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force.

20. Power to make rules:

The government may, by notification, make rules in matters, in respect of which they are empowered.

21. Power of the Lokayukta to make regulations:

(1) Subject to the provisions of this Act, the Lokayukta may, by notification, make regulations for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(a) the officer or the authority to be designated as Independent Designated Authority under clause (k) of section 2;

(b) other information under clause (g) of sub-section (2) of section 4;

(c) matters in relation to the information and facilitation centre, under sub-section (3) of section 6;

(d) the manner of inquiry into and redressal of grievance of the complaints received from citizens under sub-section (1) of section 7;

(e) the other means by which complaints may be made under section 8;

(f) the other matters for which the Lokayukta shall have the powers under Sections 13,

14 and 15;

(g) the time within which the record of complaints to the public authority and the decisions on the complaints and appeals shall be published on the website and other particulars under section 16;

(h) any other matter to facilitate the efficient and quick disposal of the complaints filed before the Grievance Redressal Officer.

22. Laying of rules and regulations:

Every rule made under this Act shall, immediately after it is made, be laid before each House of 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, both Houses agree in making any modification of the rule or in the annulment of the rule, the rule shall from the date on which such modification or annulment is notified have effect only in such modified form or have 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.

23. Power to remove difficulties:

(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 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, on the table of both Houses of Legislature.

SCHEDULE

(as per Chapter III, Sec. 4 of this Act)

List of illustrated services under various departments provided here is based on the compilation of relevant information made publicly available through the state government's

Mee Seva portal (as on 17th August 2017). Suitable amendments may be made department-wise.

MeeSeva Citizen Charter							
Total Count	Sl.No	Department	Service name	Service Level & Category	Service Charge	Statutory Charge	Total(Rs)
1	1	UIDAI	Know Your AADHAAR	15 Minutes, Cat A	25/-	Nil	25/-
2	2		Seed Your AADHAAR	15 Minutes, Cat A	25/-	Nil	25/-
3	3		Aadhar Daily Enrolment Data	15 Minutes, Cat A	25/-	Nil	25/-
4	1		Adangal /Pahani Corrections	15 Days	35/-	Nil	35/-
5	2		Agricultural Income Certificate	1st Time-7 Days, 2nd Time & There after 15 Min*	35/-	Nil	35/-
6	3		Apathbandhu Application	1 year, Cat B	35/-	Nil	35/-
7	4		Appeals On Demarcation (HYD)	45 days , Cat B	35/-	1300/-	1335/-
8	5		Certified Copies of Records of Measurement (HYD)	15 days , Cat B	35/-	1300/-	1335/-
9	6		Certified Copies Of Protected Tenant	15 Days, Cat B	35/-	Nil	35/-
10	7		Certified copies of TSLR	7 Days, Cat B	35/+ postal charges	As Stipulated	35/+ postal charges
11	8		Certified copies of certificates issued by RDO	15 Days, Cat B	35/-	Nil	35/-
12	9		Certified copies of Panchanama	15 Days, Cat B	35/+Postal Charges	Nil	35/+ Postal Charges
13	10		Certified copies of Chesala Pahani	15 Days, Cat B	35/+ postal charges	As Stipulated	35/+ postal charges
14	11		Copy of village Map	15 Days, Cat B	35/+ postal charges	200/- Per sheet	35/+ 200/- Per Sheet
15	12		Copy of FMB	15 Minutes, Cat A	25/-	50/- Sheet	25/- + 50/- Per Sheet
16	13		Demarcation(HYD)	30 days , Cat B	35/-	1250/-	1285/-
17	14		Duplicate Copy of Certificate-Income	15 Minutes, Cat A	25/-	Nil	25/-
18	15		Duplicate Copy of Certificate-Integrated	15 Minutes, Cat A	25/-	Nil	25/-
19	16		Duplicate Copy of Certificate-Residence	15 Minutes, Cat A	25/-	Nil	25/-
20	17		Duplicate Pattadar Pass Book Service (Tahsildar)	60 days , Cat B	35/+100 for printing	100/-	235/-
21	18		EBC certificate	Cat B, 7 Days	35/-	Nil	35/-
22	19		Extract of Adangal / Pahani	15 Minutes, Cat A	25/-	Nil	25/-
23	20		Extract of D-Form Patta Application	7 Days, Cat B	35/+ postal charges	Nil	35/+ postal charges
24	21		Extract Of House Site patta	7 Days, Cat B	35/+ postal charges	Nil	35/+ postal charges
25	22		Extract of ROR 1B	15 Minutes, Cat A	25/-	Nil	25/-
26	23		Certified Copies of Faisal Patti	15 Days, Cat B	35/+ postal charges	Nil	35/+ postal charges
27	24		Family Member Certificate (Social security schemes & govt. employees / pensioners)	Cat B, 30 Days	35/+Postal Charges*	Nil	35/-
28	25		F-Line Petitions	30 Days, Cat B	35/+Postal Charges*	As Stipulated	35/- + 250/--challan amount
29	26		Income Certificate	1st Time-7 Days, 2nd Time & There after 15 Min*	35/+Postal Charges*	Nil	35/-
30	27		Integrated Certificate (Caste-Nativity-Date of Birth)	1st Time-30 Days, 2nd Time & There after 15	35/+Postal Charges*	Nil	35/-

STATEMENT OF OBJECTS AND REASONS

Citizens' Charters were introduced in India in 1997, which was voluntary in character. The main elements of the Citizens Charter were to be published containing the details of services and the time period for delivery of such services. These Charters gradually spread from Central Ministries and Departments to States and their organisations. However, a vast majority of them remained ineffective and dormant. In order to improve Public Service Delivery, a service excellence model called "Sevottam" was initiated in 2005 to give a new thrust to the implementation of Citizens' Charter, which has been successfully piloted in a few chosen organisations of the Government of India and States and is being up-scaled considerably.

Centralised Public Grievance Redress and Monitoring System (CPGRAMS) was launched in 2007, which is a web based portal for lodging complaints by the public. It is now operational in the Ministries and Departments of Government of India along with about 6000 of their subordinate organisations.

Many States have also enacted Right to Public Service Delivery Legislation in which a few important Public Services have been selected for service delivery. In this context, it was felt that Rights based approach be followed in this respect, in the State, by making the Citizens' Charter statutory and endowing public with the right to get delivery of services within stipulated time lines.

2. In view of the aforesaid, it has been felt necessary to enact a comprehensive legislation, namely, the Andhra Pradesh State Public Service Delivery Guarantee Bill.

3. The Bill, inter alia,—

- (a) confers right on every individual citizen to time bound delivery of goods and provision for services and Redressal of grievances;
- (b) requires every public authority to publish, a Citizens' Charter specifying therein the category of goods supplied and services rendered by it, the time within which such goods shall be supplied or services be rendered, the name and addresses of individuals responsible for the delivery of goods or rendering of services and mandatory compensation for any delay and/or non-delivery;
- (c) provides for obligation of the public authority for updating and verifying the Citizens' Charter;
- (d) requires every public authority to establish information and facilitation centres for efficient and effective delivery of services and redressal of grievances, which may include establishment of a customer care centre, call centre, help desk and people's support centre;
- (e) requires every public authority to, designate as many officers as may be necessary as Grievance Redressal Officers in all administrative units or offices at the State, district and sub-district levels, municipalities, Panchayats whereat supplies of goods or render services to receive, enquire into and redress any complaints from citizens in the specified manner;
- (f) requires the concerned Grievance Redressal Officer, upon receipt of a complaint, to

ensure that the grievance is remedied in a timeframe not exceeding thirty days from the date of receipt of the complaint;

- (g) provides that any individual aggrieved by a decision of the concerned Grievance Redressal Officer or who has not received an Action Taken Report in respect of a complaint filed by him, may, if he so desires, within thirty days from the expiry of such period or from the receipt of such decision, prefer an appeal to the Independent Designated Authority who shall dispose of such appeal within thirty days from the date of receipt of such appeal;
 - (h) provides for the amendments to the Andhra Pradesh State Lokayukta Act, 1983.
 - (i) any person aggrieved by the decision of the Independent Designated Authority falling under the jurisdiction of the State Government may prefer an appeal to the Lokayukta.
 - (j) confers power upon the Independent Designated Authority and the Lokayukta to impose a lump sum penalty, including compensation to the complainant, against designated official responsible for delivery of goods and services or Grievance Redressal Officer for their failure to deliver goods or render services to which the applicant is entitled, which may extend up to fifty thousand rupees which shall be recovered from the salary of the official against whom penalty has been imposed;
 - (k) provides that on the imposition of the penalty, the appellate authority may, by order, direct that such portion of the penalty imposed under the proposed legislation shall be awarded to the appellant, as compensation, not exceeding the amount of penalty imposed, as it may deem fit;
 - (l) provides that if any public servant is found guilty of offence, the disciplinary authority shall initiate the disciplinary proceedings against such officer of the public authority, who if proved to be guilty of a mala fide action in respect of any provision of this Act, shall be liable to such punishment including a penalty as the disciplinary authority may decide;
 - (m) provides that in any appeal proceedings, the burden of proof to establish the non-redressal of complaint by the Grievance Redressal Officer, shall be on the Grievance Redressal Officer who denied the request;
 - (n) provides that where it appears to the Independent Designated Authority or the Lokayukta that the grievance complained of is prima facie indicative of a corrupt act or practice in terms of the Prevention of Corruption Act, 1988, on the part of the responsible officer of the public authority complained against then it shall record such evidence as may be found in support of such conclusion and shall refer the same to the appropriate authorities competent to take cognizance of such corrupt practice;
4. The Bill seeks to achieve the above objects.