

Andhra Pradesh (50 Percent Reservation to BCs, SCs, STs and Minorities in Works Contracts and Service Contracts given on nomination) Act, 2019

ANDHRA PRADESH

India

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Act 25 of 2019

- Published on 14 August 2019
- Commenced on 14 August 2019
- [This is the version of this document from 14 August 2019.]
- [Note: The original publication document is not available and this content could not be verified.]

Andhra Pradesh (50 Percent Reservation to BCs, SCs, STs and Minorities in Works Contracts and Service Contracts given on nomination) Act, 2019(Act No.25 of 2019)Last Updated 9th March, 2020The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 14th August, 2019 and the said assent is hereby first published on the 17th August, 2019 in the Andhra Pradesh Gazette for general information :An Act to provide reservation in nominated works contracts and service contracts for economic upliftment for BCs, SCs, STs and Minorities for matters connected therewith or incidental thereto.Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventieth Year of the Republic of India, as follows :

1. Short title, extent and commencement.

(1)This Act may be called the Andhra Pradesh (50 Percent Reservation to BCs, SCs, STs and Minorities in Works Contracts & Service Contracts given on nomination) Act, 2019.(2)It extends to the whole of the State of Andhra Pradesh.(3)It shall come into force on such date as the State Government may, by notification in the Andhra Pradesh Gazette, appoint.

2. Definitions.

- In this Act, unless the context otherwise requires, -(a)"Administrative Departments" mean all the Departments working under the administrative control of the Government of Andhra Pradesh;(b)"Engineering Departments" mean all the Engineering wings attached to the Administrative Departments functioning under the control of Government of Andhra

Pradesh;(c)"Backward Classes" mean the class or classes of people other than the Scheduled Castes and the Scheduled Tribes, who are socially and educationally backward, as may be notified by the Government of Andhra Pradesh in the State Gazette, from time to time;(d)"Minority", for the purposes of this Act, means a community notified as such by the Central Government;(e)"Nominated Works" means any civil work or service, which is given on nomination, by any Department functioning under the administrative control of the Government of Andhra Pradesh;(f)"Scheduled Castes and Scheduled Tribes" shall have the meaning assigned to them respectively under Clause (24) and Clause (25) of Article 366 of the Constitution.

3. Reservation.

(1)There shall be 50 Percent Reservation to BCs, SCs, STs and Minorities in all Works Contracts and Services Contracts, given on nomination basis (Nomination Works) by all the Engineering Departments and the Administrative Departments, working under Government of Andhra Pradesh.(2)There shall be a minimum of 50% reservation for women out of the reservation earmarked for BCs, SCs, STs and Minorities in their respective reservations in the Works Contracts and the Services Contracts.

4. Earmarking.

- The 50 percent reservation to BCs, SCs, STs and Minorities in Works Contracts/Services Contracts given on nomination basis (Nomination Works) shall be apportioned as follows :

SI.No.	Category	Percentage of Reservation
1.	BCs & Minorities	29%
2.	SC	15%
3.	ST	6%
	Total	50%

5. Nodal Agency.

(1)The ENC (PR) shall be the Nodal Agency, at the State level, for the purpose of implementation of reservation in all Works Contracts given on nomination basis (Nomination Works). Any works to be given on nomination basis shall be informed to the ENC (PR). The ENC (PR) shall submit monthly reports to all the Welfare Departments, in this regard. At District level, the District Collectors are responsible for the implementation of reservation in all Works Contracts.(2)The General Administration Department shall be the Nodal Agency for the implementation of reservation in all Services Contracts given on nomination basis, at State level. Any Department proposing a Services Contract to be given on nomination basis, shall inform the General Administration Department and the General Administration Department will monitor the implementation of reservation policy in those Services Contracts and will send monthly reports to all the Welfare Departments. At District level, the District Collectors are responsible for the implementation of reservation in all Services Contracts.

6. Protection of actions taken in good faith.

- No suit or other legal proceedings shall lie in any Court against the Institution, or against any authority, officer or employee of the Institution or against any person or body or persons acting under the order or direction of any authority or officer or employee of the Institution for anything which is in good faith done, or intended to be done in pursuance of the Act.

7. Power to remove difficulties.

(1) If any difficulty arises, in giving effect to the provisions of the Act, the Government may, by order, make such provisions, not inconsistent with the provisions of the Act, as appear to them to be necessary or expedient for removing the difficulty : Provided that no such order shall be made after the expiry of two years from the commencement of the Act. (2) Every order made under this section shall as soon as may be after it is made, be laid before each house of the State Legislature.

8. Act to override the other laws.

- Unless otherwise expressly provided in this Act, the provisions of this Act and of any orders and rules made thereunder shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any instrument having effect by virtue of such law.

9. Power to make rules.

(1) The Government may, by notification, make rules for carrying out all or any of the purposes of this Act. (2) Every rule made under this Act shall, immediately after it is made, be laid before the Legislature of the State, 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 agrees in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment 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.