

THE COLLECTION OF STATISTICS ACT, 2008

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THE COLLECTION OF STATISTICS ACT, 2008

ACT No. 7 OF 2009

[7th January, 2009.]

An Act to facilitate the collection of statistics on economic, demographic, social, scientific and environmental aspects, and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Collection of Statistics Act, 2008.

¹[(2) It extends to the whole of India:

²* * * * *]

(3) It shall come into force on such date³ as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) “agency” includes a person or persons engaged by the appropriate Government, directly or by outsourcing, for collection of statistics;

(b) “appropriate Government” means—

(i) any Ministry or Department in the Central Government; or

(ii) any Ministry or Department in a State Government or Union territory Administration; or

(iii) any local government that is to say, Panchayats or Municipalities, as the case may be,

in relation to the collection of statistics under a direction issued by it under section 3;

(c) “informant” means any person, who supplies or is required to supply statistical information and includes a owner or occupier or person in-charge or his authorised representative in respect of persons or a firm registered under the Indian Partnership Act, 1932 (9 of 1932) or a co-operative society registered under any Co-operative Societies Act or a company registered under the Companies Act, 1956 (1 of 1956) or a society registered under the Societies Registration Act, 1860 (21 of 1860) or any association recognised or registered under any law for the time being in force;

(d) “information schedule” means any book, document, form, card, tape, disc or any storage media on which information required is entered or recorded or is required to be entered or recorded for statistical purposes under this Act;

⁴[(da) “nodal officer” means the officer designated as a nodal officer under sub-section (1) of section 3A;].

(e) “prescribed” means prescribed by rules made under this Act;

1. Subs. by Act 21 of 2017, s. 2 (w.e.f. 3-10-2017).

2. The proviso omitted by the Jammu and Kashmir Reorganization (Adaptation of Central Laws) Order, 2020, *vide* notification No. S.O. 1123(E) dated (18-3-2020) and *vide* Union Territory of Ladakh Reorganisation (Adaptation of Central Laws) Order, 2020, Notification No. S.O. 3774(E), dated (23-10-2020).

3. 11th June, 2010, *vide* notification No. S.O. 1416(E), dated 9th June, 2010, *see* Gazette of India, Extraordinary, Part II, sec. 3(ii).

4. Ins. by Act 21 of 2017, s. 3 (w.e.f. 3-10-2017).

(f) “sampling” means a statistical procedure by which information relating to a particular field of inquiry is derived by applying statistical techniques to information obtained in respect of a proportion of the total number of persons or units concerned relevant to the field of inquiry;

(g) “statistical survey” means a census or a survey, whereby information is collected from all the informants in the field of inquiry or from a sample thereof, by an appropriate Government under this Act or any other relevant Act, wholly or primarily for the purposes of processing and summarising by appropriate statistical procedures;

(h) “statistics” means statistics derived by collecting, classifying and using statistics, specially in or for large quantities or numbers by appropriate Government from statistical surveys, administrative and registration records, and other forms and papers, the statistical analysis of which are, whether in a published or unpublished form;

(i) “statistics officer” means any officer appointed under section 4 for the purposes of any direction issued under section 3 of this Act.

CHAPTER II

COLLECTION OF STATISTICS

3. Collection of statistics.—The appropriate Government may, by notification in the Official Gazette, direct that the statistics on economic, demographic, social, scientific and environmental aspects shall be collected through a statistical survey or otherwise, and thereupon the provisions of this Act shall apply in relation to those statistics:

Provided that—

(a) nothing contained in this section shall be deemed to authorise a State Government or Union territory Administration or any local government to issue any direction with respect to the collection of statistics relating to any matter falling under any of the entries specified in List I (Union List) in the Seventh Schedule to the Constitution; or

(b) where the Central Government has issued any direction under this section for the collection of statistics relating to any matter, no State Government or Union territory Administration or any local government shall, except with the previous approval of the Central Government, issue any similar direction for so long as the collection of such statistics by the Central Government remain to be completed; or

(c) where a State Government or Union territory Administration or any local government has issued a direction under this section for the collection of statistics relating to any matter, the Central Government shall not issue any similar direction for so long as the collection of such statistics by the State Government remain to be completed, except in cases where such statistics have to be collected with reference to two or more States or Union territories.

¹[**3A. Nodal officer.**—(1) The Central Government or a State Government or Union territory Administration shall designate one of its officers as a nodal officer for the purposes of statistics under this Act.

(2) The nodal officer shall coordinate and supervise such statistical activities in the Central Government or the State Government or Union territory Administration, as the case may be, in which he is designated, and shall exercise such other powers and perform such other duties, as may be prescribed.].

4. Powers of appropriate Government to appoint statistics officer, etc.—(1) The appropriate Government may appoint or cause to appoint an officer to be the statistics officer for any geographical unit for the purpose of collecting any statistics directed by it.

1. Ins. by Act 21 of 2017, s. 4 (w.e.f. 3-10-2017).

(2) The appropriate Government may appoint any agency or persons working in such agencies to take, or aid in, or supervise the collection of the statistics within any specified geographical unit and such agencies or persons, when so appointed, shall be bound to serve accordingly.

(3) The appropriate Government may employ on contract basis any agency or company or organisation or association or person, on such terms and conditions and on such safeguards as may be prescribed, for the purpose of collecting the statistics directed by it.

(4) The appropriate Government may delegate to any statistics officer, as it thinks fit, the power of appointing agencies or persons working in such agencies or employing on contract basis any agency or company or organisation or association of persons, conferred on it by sub-sections (2) and (3) within the geographical unit for which such statistics officer is appointed.

(5) The appropriate Government may, by order specify the form, the particulars required or the interval within which, and the statistics officer to whom, the statistical information by the informants shall be furnished.

(6) The appropriate Government may, by order published in the Official Gazette, delegate to any statistics officer, as it thinks fit, any power conferred under sub-section (5) for the purpose of the collection of statistics under a direction issued by it under section 3.

5. Power of statistics officer to call for information.—The statistics officer may, for the purpose of collection of statistics on any specified subject in any geographical unit for which the said officer was appointed—

(a) serve or cause to be served on any informant a notice in writing asking him to furnish the information specified under sub-section (5) of section 4 or cause a information schedule to be given to any informant for the purpose of its being filled up; or

(b) cause all questions relating to the subject to be asked from any informant; or

(c) seek information through tele fax or telephone or e-mail or in any other electronic mode or in a combination of different modes for different sets of information so specified.

6. Duty of informants.—The informants who are asked to furnish any information under the provisions of this Act shall be bound to furnish the information so asked in the prescribed manner to the best of knowledge or belief; and in cases where only a portion of a particular class or group of persons or units is asked to furnish information because of any sampling procedure, it shall not be a defence in failure on the part of any informant to furnish that information, if so asked.

7. All agencies to assist.—Every agency shall render such help and assistance and furnish such information to the statistics officer or a person or an agency authorised by him in writing, as he may require for the discharge of his functions, and shall make available for inspection and examination of such records, plans and other documents, as may be necessary.

8. Right of access to records or documents.—The statistics officer or any person authorised by him in writing in this behalf shall, for the purposes of collection of any statistics under this Act, have access to any relevant record or document in the possession of any informant required to furnish any information under this Act, and may enter at any reasonable time any premises where he believes such record or document is kept and may inspect or take copies of relevant records or documents or ask any question necessary for obtaining any information required to be furnished under this Act.

CHAPTER III

DISCLOSURE OF INFORMATION IN CERTAIN CASES AND RESTRICTIONS OF THEIR USE

9. Security of information.—¹“(1) The statistics officer or any person or agencies authorised under this Act shall, for statistical purposes, use any information furnished under section 6 in such manner as may be prescribed.]”

1. Subs. by Act 21 of 2017, s. 5, for “sub-section (1)” (w.e.f. 3-10-2017).