MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION

NOTIFICATION

New Delhi, the 16th May, 2011

G.S.R. 387(E). - In exercise of the powers conferred by section 33 of the Collection of Statistics Act, 2008 (7 of 2009), the Central Government hereby makes the following rules, namely:-

COLLECTION OF STATISTICS RULES, 2011

1. Short title and commencement: (1) These rules may be called the Collection of Statistics Rules, 2011.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions: (1) In these rules, unless the context otherwise requires –

(a) 'Act' means the Collection of Statistics Act, 2008;
(b) "Form" means a form appended to these rules;
(c) 'nodal officer' means an officer designated as nodal officer under rule 3 of these rules;
(d) "personal information" means any information, whether true or not, and whether recorded in a material form or not, about an informant whose identity can reasonably be ascertained from such information;
(e) "reference period" means the time period over which the data collected reflects the characteristics of the units of enumeration;
(f) "State Government", in relation to a Union territory, means the Administration thereof; and
(g) "outsourcing" means making use of the services of a private service provider for the purposes of these rules.

(2) Words and expressions used but not defined herein shall have the meanings respectively assigned to them in the Act.

3. Nodal officer. – (1) The Central Government shall designate an officer not below the rank of a Joint Secretary to the Government of India in a nodal Department dealing with statistical matters, as the nodal officer for exercising powers and performing duties under these rules.

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(2) Every State Government shall designate an officer not below the rank of a Deputy Secretary to the State Government in a nodal Department dealing with statistical matters, as the nodal officer for exercising powers and performing duties under these rules.

4. Powers and duties of nodal officer. - (1) The nodal officer designated by the Central Government under sub-rule (1) of rule 3 shall –

(a) maintain and update register of statistics officers appointed by the Central Government;

(b) obtain and maintain, from time to time, information on availability of statistics including unit-level data, whether collected under the provisions of the Act or not, with different Departments of the Central Government and nodal officers in the States;

(c) advise the Departments of the Central Government and the nodal officers in the States on steps to improve the statistical potential of administrative records to avoid conducting separate statistical surveys to collect statistics contained or purported to be contained in such administrative records;

(d) issue instructions from time to time on promoting the sharing of statistical information including unit-level data among different Departments of the Central Government and States to avoid unnecessary duplication of programmes of collection of statistics and resolve disputes or differences of opinion, if any, among them on the issue; and

(e) submit annual report to the Central Government on the working.

(2) The nodal officer designated by the State Government under sub-rule (2) of rule 3 shall –

(a) maintain and update a register of statistics officers appointed from time to time in the State;

(b) obtain and maintain from time to time information on availability of statistics including unit-level data, whether collected under the provisions of the Act or not, with different Government Departments and local governments in the State;

(c) advise the Departments of the State Government and local governments in the State on steps to improve the statistical potential of administrative records to avoid conducting separate statistical surveys to collect statistics contained or purported to be contained in such administrative records;

(d) issue instructions from time to time on promoting the sharing of statistical information including unit-level data among Departments of the State Government and local governments in the State to avoid unnecessary duplication of programmes of collection of statistics and resolve disputes or differences of opinion, if any, among them on the issue; and

(e) obtain reports, as may be required, on the working of this Act from Government Departments and local governments in the State and submit annual reports on the working of this Act in the State to the nodal officer appointed by the Central Government.

5. Direction on collection of statistics.- (1) Any Department in a State Government or any local government in a State shall, before making a direction under section 3 of the Act for collection of statistics on any subject for any reference period in any geographical unit under its jurisdiction, consult the nodal officer in the State to avoid unnecessary duplication in collection of statistics.

(2) Any Department of the Central Government shall, before making a direction under section 3 of the Act for collection of statistics on any subject for any reference period in any geographical unit under its jurisdiction, consult the nodal officer of the Central Government to avoid unnecessary duplication in collection of statistics.

(3) The nodal officer shall, on receipt of any request under sub-rule (1) or sub-rule (2), as the case may be, within a period of one month render such advice as may be necessary to the concerned office to avoid unnecessary duplication in collection of statistics.

(4) The appropriate Government on receipt of advice under sub-rule (3) shall communicate to the nodal officer, the reasons in all cases of disagreement with such advice, at least fifteen days prior to issuing notification under section 3 of the Act.

(5) Every notification under section 3 of the Act shall contain the following particulars, namely: -

(a) subject and purpose for collection of statistics;
(b) geographical area for collection of statistics;
(c) method of data collection;
(d) nature of informants from whom data may be collected;
(e) period during which collection of statistics may be completed;
(f) reference period;
(g) nature of information to be collected;
(h) language in which information is to be furnished by informant;
(i) obligation of informant;

(j) nature of business records and other records which may be inspected; and
(k) the manner of inspection.

(6) A copy of every notification referred in sub-rule (5) shall be forwarded to the nodal officer of the Central Government and the nodal officer of the State concerned.

6. Principles for prescribing information schedules. - In respect of prescribing any information schedule for collection of statistics on any subject, the appropriate Government or a statistics officer, as the case may be, shall satisfy itself that –

(i) it has authority to direct collection of statistics on the subject under the Act subject to the restrictions given in the proviso to section 3 of the Act;
(ii) it has, for the purpose of finalising items on which information is to be collected, consulted the nodal officer to include the requirements of other Government Departments;
(iii) excessive demands would not be placed on the informants by making the direction and for the purpose field testing of information schedules has been carried out where necessary;
(iv) the range and detail in the information schedules specified for collection of statistics on any subject shall be limited to what is absolutely necessary;
(v) the reporting burden shall be spread as widely as possible over informant populations through appropriate sampling;
(vi) the information sought from business shall, as far as possible, be readily available from their accounts and electronic means are used where possible to facilitate their collection;
(vii) best estimates and approximations on any item of information sought shall be accepted when exact details are not readily available with any informant;
(viii) each information schedule used for collecting statistics from any informant has, where necessary, a provision for particulars on which information may be furnished at the discretion of the informant;
(ix) provision is made in each information schedule for filling up the details and appending the signature of the person concerned who would be engaged in the collection of statistics;
(x) indicate in each information schedule, for general information of informants prior to collection of statistics from them under the Act, its plan, if any, to disclose any information collected from them which in the opinion of the appropriate Government is otherwise available to the public under any other Act or as a public document or which is in the form of an index or list of the names and addresses of informants together with the classification, if any, allotted to them and the number of persons engaged; and

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(xi) make a provision in each information schedule to obtain written consent from each informant whose information other than the information covered in clause (x), it proposes to disclose.

7. Appointment of statistics officers. - (1) Every notification under section 4 of the Act appointing the statistics officer shall contain the following particulars, namely: -

(a) name, designation and address of the officer appointed as statistics officer for each geographical unit for collection of statistics;
(b) details of any agency or company or organisation or association or person engaged for collection of statistics, and, terms and conditions of engagement and safeguards laid down for the purpose;
(c) the form and the particulars required or the interval within which, and the statistics officer to whom, the statistical information by the informants shall be furnished; and
(d) the powers, if any, delegated under sub-sections (4) or (6) of section 4 the Act to any statistics officer.

(2) Every statistics officer, immediately on his appointment, shall submit an undertaking in Form-I to the appropriate Government.

8. Registration of statistics officers. - The appropriate Government shall maintain a record of statistics officers in respect of their appointment, their terms and geographical areas for which they have been appointed, in Form-II.

9. Powers and functions of a statistics officer. - A statistics officer, appointed for the purposes of collection of statistics on any subject in any geographical unit, shall –

(i) take, aid in and supervise the collection of statistics;
(ii) cause agencies to be appointed or engaged for collection of statistics;
(iii) obtain undertaking from all the persons engaged in the collection of statistics in Form-I and forward them to the appropriate Government or to an officer authorised for the purpose by that Government;
(iv) devise or cause to devise relevant information schedules and the mode or modes of collection of statistics;
(v) allot or cause to allot work of collection of statistics in his jurisdiction to different persons and agencies engaged for the purpose;
(vi) provide all the relevant material to be distributed to agencies engaged and arrange for their training for facilitating collection of statistics;
(vii) cause to provide necessary publicity for collection of statistics at an appropriate time;
(viii) coordinate the work of all agencies during the period of collection of statistics and maintain liaison with local authorities for smooth conduct of the collection of statistics;

(ix) cause notices to informants for furnishing information issued under his signature, where necessary and cause acknowledgements received from such informants, to be kept in safe custody;

(x) take steps, in case of statistical surveys having the same set of informants with different reference periods, to issue only one notice to each informant indicating therein the information required to be furnished and the reference periods for which the information is required;

(xi) cause entry of persons authorsied by him in writing and carrying a photo-identity card issued by him into any premises of any informant for collection of statistics;

(xii) cause necessary assistance provided to informants requiring such assistance for furnishing the information sought;

(xiii) cause access to any informant to the information collected from that informant for facilitating intimation of corrections or amendments on any inaccurate information;

(xiv) cause verification of information furnished by any informant;

(xv) based on complaints or otherwise, take action against erring persons and others in accordance with the provisions of the Act and these rules;

(xvi) obtain from the agencies engaged in the collection of statistics, all the information schedules, all the undertakings obtained from persons engaged in collection of statistics, all other relevant records and documents on completion of their work and forward them with a certificate to that effect to the appropriate Government or to any officer authorised by that Government;

(xvii) carry out such other tasks as may be necessary for the successful collection of statistics; and

(xviii) submit periodical reports as may be specified by the appropriate Government.

10. Assistance in collection of statistics. - (1) Every Department of the Central Government or the State Government or the local governments shall furnish within such time and in such form as required, the list of informants and other information which is available with them, relevant for conducting any statistical survey under these rules to a statistics officer or any agency or person authorised by the appropriate Government upon receipt of a notice to that effect.

(2) The appropriate Government or a statistics officer, as the case may be, may write to any Department of the Central Government or the State Government or any local government specifying the nature of assistance required for collection of statistics under the Act and upon receipt of such communication, the latter shall comply with the requirement to the extent feasible.

(3) In cases of collection of statistics in disturbed areas, the police, the para-military and the armed forces shall provide such assistance as would be required by the concerned statistics officer.

11. Duty to furnish information. - Subject to the provisions of section 6 of the Act,

(1) every informant shall, on demand, produce or give a copy of any books of accounts, vouchers, documents, or other business records or personal records or documents in his possession relevant to collection of statistics under the Act to any statistics officer or any person authorised by him in writing and carrying a photo-identity card issued by him, and the statistics officer or the authorised person, as the case may be, may take a copy or extract of such record or document; and

(2) the head of every family shall be responsible to furnish or cause to furnish the correct details of name and number of members, other particulars, records and documents, as may be required, of the family of which he is the head including dependants:

provided that in so far as inmates of institutions, such as orphanages, old age homes, and mental asylums are concerned, the responsibility for providing or causing to provide the requisite details, records and documents shall lie with the head of the Institution.

12. General terms, conditions and safeguards for outsourcing. - Every contract or arrangement for collection of statistics under the Act by any person or agency or company or organisation or association shall be subject to the following terms, conditions, and safeguards, namely: -

(a) outsourcing arrangements shall be subject to a formal and comprehensive written contract;
(b) functions which are to be decided and enforced by the appropriate government under the Act shall not be outsourced;
(c) appropriate Government or a statistics officer authorised for the purpose by that Government shall have a right, of information and conduct or order on-site inspections in an outsourcing service provider's premises or place of work and right to cancel contract in case of unsatisfactory performance;
(d) every agency, engaged in collection of statistics, 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 such records, plans and other documents, as may be necessary;
(e) persons engaged by any agency for collection of statistics, are made aware of the agency's obligations, and they shall submit a written undertaking in Form-I to the concerned statistics officer not to access, use, disclose or retain personal information except in performing their duties of employment or contractual obligations; and are informed that failure to comply with the provisions of the Act and these rules may be an offence rendering themselves for punishment as per the provisions of the Act;

(f) each person engaged in any activity relating to the collection of statistics shall be bound by the provisions of the Act and these rules, the violation of which shall render him punishable as per the provisions of the Act;
(g) provisions relating to disclosure of information and restrictions of their use under sections 9, 10, 11, 12, 13 and 14 of the Act and these rules shall have effect during the period of collection of statistics provided in the contract and shall continue to have effect even after the termination or completion of the contract, as the case may be;
(h) the appropriate Government or any statistics officer on receipt of any complaint shall immediately communicate the agency engaged in collection of statistics of only those details of the complaint, as may be necessary to minimize any breach or prevent further breaches of the agreement or failure to comply with any of the provisions of the Act or these rules;
(i) if any agency engaged in collection of statistics receives any complaint from any informant, it shall immediately communicate the complaint to the appropriate Government or the concerned statistics officer, as may be required;
(j) the appropriate Government or the statistics officer may, on receipt of any communication under clauses (h) or (i), give directions, as may be necessary, to the agency; and
(k) the statistics officer and every person engaged in the collection of statistics shall, on completion of their work, handover all the records and documents and furnish a certificate to that effect to the appropriate Government or to an officer authorised for the purpose by that Government.

13. Restrictions on use of personal information. - Each agency engaged in collection of statistics shall take all reasonable measures to ensure that -

(a) personal information is protected against unauthorised access, disclosure or other misuse;
(b) the agency uses personal information only for the purpose of fulfilling its obligations under a specified contract;
(c) in case of repetitive statistical surveys with a common set of informants, the agency uses the personal information earlier collected only for the purpose of setting up interviews with or otherwise contacting informants; and
(d) the agency uses personal information for data processing only with adequate security checks.

14. Right of entry into any premises of informants. - A statistics officer or any person authorised by him in writing and carrying a photo-identity card issued by the statistics officer, shall, during the period of collection of statistics for the purpose of collection of statistics under the Act or for inspection and examination of records, and documents in connection with it, during 10.00 hrs to 17.00 hrs on any day or at a time mutually convenient to both the parties have the right to enter the premises of any informant in the portion of the premises normally entered by visitors or guests or as suggested by the informant.

15. Processing of complaints - (1) In cases of alleged offences committed by any informant as per provisions of the Act, any statistics officer, after making such inquiries as deemed fit, may cause a notice issued to the informant in writing to show cause within a reasonable period to be specified in the notice as to why prosecution under the Act shall not be sanctioned for committing the alleged offence.

(2) A statistics officer shall consider the explanation, if any, furnished by the informant in pursuance to the notice issued under sub-rule (1), and after satisfying himself, for reasons to be recorded in writing, sanction for institution of prosecution of the informant.

(3) In case of any alleged offences committed by any person other than an informant, the appropriate Government may, after making such inquiries as deemed fit, cause a notice issued to the person in writing to show cause within a reasonable period to be specified in the notice as to why prosecution under the Act shall not be sanctioned for committing the alleged offence.

(4) The appropriate Government may, if it considers necessary, send a copy of the show-cause notice issued under sub-rule (3) of this rule and the explanation, if any, received from the alleged offender to the concerned statistics officer and obtain his recommendation on it, and after considering the explanation of the alleged offender and recommendation of statistics officer, if any, sanction the institution of prosecution..

16. Storage of data and records. - Subject to the provisions of section 13 of the Act, the appropriate Government or an officer authorised by that Government shall, provide details by which any informant could access his own information for facilitating intimation of corrections or amendments on any inaccurate information, store the statistics collected under the provisions of the Act in such a manner as would facilitate easy retrieval of information collected from any informant so as to provide access to the informant, if necessary and keep all the undertakings and other material obtained from the statistics officers and other persons or agencies engaged in collection of statistics in safe custody.

Form-I

[See rules 7 (2), 9 (iii), 12 (e)]

Undertaking by statistics officer and other persons to be engaged in any capacity for collection of statistics under the provisions of the Collection of Statistics Act, 2008 (7 of 2009)

I, _____ (Full Name), born on ___ (Date of birth), son/ daughter/ wife of _____ (Name of person) resident of _____ (address) do hereby solemnly affirm, that I accept the responsibility _____ (nature of work) assigned to me for collection of statistics in respect of _____ (direction under section 3 of the Act) under the Collection of Statistics Act, 2008 (7 of 2009) and the Collection of Statistics Rules, 2011, that I shall not access, use, disclose or retain personal information of any informant except in performing my duties of employment or contractual obligations in respect of collection of statistics, and that in case of any violation on my part to comply with the provisions of the Act and the rules made thereunder, and I shall render myself punishable as per the provisions of the Act.

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Place: ___
Date: ___

Signature of statistics officer or the person
engaged in any capacity for collection of statistics

Form-II
(See rule 8)

Register of statistics officers to be maintained by the appropriate Government

1. Details of the direction issued under section 3 of the Collection of Statistics Act, 2008:

2. Name and address of the appropriate Government making direction:

3. Details of statistics officers appointed for collection of statistics under the aforesaid direction:

S. No.	Name of statistics officer	Permanent address	Educational qualifications and experience, if any, in collection of statistics	Geographical unit for which appointed and period of appointment	Powers, if any, delegated under section 4 (4) and (6) of the Act
(1)	(2)	(3)	(4)	(5)	(6)

Date of appointment	Date of termination of appointment
(7)	(8)

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Place: ___
Date: ___

Signature with office seal of the officer
responsible for maintaining
the record of statistics officers

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