

**Bill No. 47 of 2017**

**THE COLLECTION OF STATISTICS (AMENDMENT) BILL, 2017**

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**BILL**

*to amend the Collection of Statistics Act, 2008.*

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

**1.** (1) This Act may be called the Collection of Statistics (Amendment) Act, 2017.

Short title and commencement.

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

7 of 2009. 5

**2.** In the Collection of Statistics Act, 2008 (hereinafter referred to as the principal Act), in section 1, for sub-section (2), the following sub-section shall be substituted, namely:—

Amendment of section 1.

"(2) It extends to the whole of India:

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Provided that it shall apply to the State of Jammu and Kashmir in so far as it relates to statistics pertaining to matters falling under any of the entries specified in List I (Union List) or List III (Concurrent List) in the Seventh Schedule to the Constitution as applicable to that State."

Amendment  
of section 2.

**3.** In the principal Act, in section 2, after clause (d), the following clause shall be inserted, namely:—

'(da) "nodal officer" means the officer designated as a nodal officer under sub-section (1) of section 3A;'

Insertion of  
new section  
3A.

**4.** In the principal Act, after section 3, the following section shall be inserted, namely:—

Nodal officer.

"3A. (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."

Amendment  
of section 9.

**5.** In the principal Act, in section 9, for sub-section (1), the following sub-section shall be substituted, namely:—

"(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."

Amendment  
of section 33.

**6.** In the principal Act, in section 33,—

(i) in sub-section (1), after the words "The Central Government may", the words "subject to the condition of previous publication" shall be inserted;

(ii) in sub-section (2),—

(A) after clause (a), the following clause shall be inserted, namely:—

"(aa) the coordination and supervision of statistical activities by the nodal officer and the powers and duties of the nodal officer under sub-section (2) of section 3A;";

(B) after clause (d), the following clause shall be inserted, namely:—

"(da) the manner of use of information under sub-section (1) of section 9;".

## STATEMENT OF OBJECTS AND REASONS

The Collection of Statistics Act, 2008 (7 of 2009) was enacted to facilitate collection of statistics on economics, demographic, social, scientific and environment aspects by the Ministries or Departments at the Centre or the States or Union territories or by local Governments. The said Act came into force on 11th June, 2010 and extends to the whole of India, except the State of Jammu and Kashmir.

2. The Jammu and Kashmir Collection of Statistics Act, 2010 enacted by the Jammu and Kashmir Legislature extends to the State of Jammu and Kashmir.

3. The Collection of Statistics Act, 2008 and the Jammu and Kashmir Collection of Statistics Act, 2010, do not cover the matters specified in List I (Union List) in the Seventh Schedule to the Constitution as applicable to Jammu and Kashmir under the Constitution (Application to Jammu and Kashmir) Order, 1954. The Central Law is not applicable to matters specified in List III (Concurrent List) as applicable to the State of Jammu and Kashmir. Thus there is a legislative vacuum in respect of the statistical matters in the Union List or Concurrent List applicable to Jammu and Kashmir.

4. The Collection of Statistics Act, 2008 does not empower any person to coordinate and supervise the statistical activities in the Central Government, State Governments, Union territories or local Government. Therefore, it is proposed that the Central Government and State Government may designate its officers as Nodal Officers to coordinate and supervise the statistical activities for the purposes of this Act.

5. The amendments proposed in the Bill, *inter alia*, seeks to,—

(a) extend the Statistics Act, 2008 to the State of Jammu and Kashmir in so far as it relates to any Statistical survey relating to any matter falling under any of the entries specified in List I (Union List) or List III (Concurrent List) in the Seventh Schedule of the Constitution as applicable to that State;

(b) empower the Central Government and each State Government to designate one of its officers as nodal officer to coordinate and supervise the statistical activities and to exercise such other powers and perform such other duties as may be made by rules.

6. The Bill seeks to achieve the aforesaid objectives.

NEW DELHI;

D.V. SADANANDA GOWDA

*The 9th March, 2017.*

## FINANCIAL MEMORANDUM

Clause 4 of the Bill empowers the Central Government or a State Government or Union territory administration to designate one of its officers as a nodal officer. Since the employees of appropriate rank already working shall be notified as nodal officers no additional expenditure would be incurred for the purpose.

2. The Bill does not involve any additional expenditure of a recurring or non-recurring nature.

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 of the Bill empowers the Central Government to make rules on powers and duties of a nodal officer, who may be designated to coordinate and supervise such statistical activities in the Central Government or a State Government or Union territory Administration.

2. Clauses 5 and 6 of the Bill empowers the Central Government to make rules relating to the manner of using any information by the statistics officer or any person or agency under section 6 of the Act for statistical purposes.

3. Clause 6 of the Bill empowers the Central Government to make rules with the condition of previous publication of the said rules.

4. The matters in respect of which rules may be made under the aforesaid provisions are matters of procedure and administrative detail and it is not practicable to provide for them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

ANNEXURE

EXTRACTS FROM THE COLLECTION OF STATISTICS ACT, 2008

(7 OF 2009)

Short title, extent and commencement.	<b>1. (1)*</b>	*	*	*	*
	(2) It extends to the whole of India except the State of Jammu and Kashmir.				
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CHAPTER III

DISCLOSURE OF INFORMATION IN CERTAIN CASES AND RESTRICTIONS OF THEIR USE

Security of information.	<b>9. (1)</b> Any information furnished to the statistics officer or to any person or agencies authorised under this Act shall only be used for statistical purposes.	*	*	*	*
Power to make rules.	<b>33. (1)</b> The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.	*	*	*	*

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**BILL**

to amend the Collection of Statistics Act, 2008.

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*(Shri D.V. Sadananda Gowda, Minister of Statistics and Programme Implementation)*