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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 21st November, 1975

The following Act of Parliament received the assent of the President on the 17th November, 1975, is hereby published for general information:—

ACT No. LXIX OF 1975

An Act to constitute certain authorities for the collection and co-ordination of statistics to facilitate economic and other planning.

WHEREAS it is expedient to constitute certain authorities for the collection and co-ordination of statistics to facilitate economic and other planning and to provide for matters connected therewith or incidental thereto;

It is hereby enacted as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the General Statistics Act, 1975.

(2) It extends to the whole of Pakistan.

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

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) "appropriate Government" means,—

- (i) in relation to the Federal Statistics Authority or any matter relating to the collection and compilation of statistics for the whole of Pakistan, the Federal Government, and
- (ii) in relation to a Provincial Statistics Authority or any matter relating to the collection and compilation of statistics for a Province or a part thereof the Provincial Government;

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- (b) "competent authority" means an authority or officer appointed under section 6 to be a competent authority ;
- (c) "Council" means the National Statistical Council or the Provincial Statistical Council constituted under section 3 ;
- (d) "establishment" means a shop, commercial establishment, industrial establishment, firm, company, private dispensary, maternity home, residential hotel, restaurant, eating house, cafe, cinema, theatre, circus or other place of public amusement or entertainment and such other establishments or class thereof as the Federal Government may, by notification in the official Gazette, declare to be an establishment for the purposes of this Act ;
- (e) "prescribed" means prescribed by rules made under this Act ;
- (f) "statistical agent" means any agency, authority or officer, appointed for, or engaged in, the collection of statistics under this Act ; and
- (g) "Statistics Authority" means the Federal Statistics Authority or a Provincial Statistics Authority appointed under section 5.

3. Statistical Council.—(1) For the whole of Pakistan the Federal Government, and for a Province a Provincial Government, may, by notification in the official Gazette, constitute a Council to be called respectively the National Statistical Council and a Provincial Statistical Council consisting of such members, including a Chairman, as it may appoint.

(2) The Chairman and members of the Council shall hold office during the pleasure of, and on such terms and conditions as may be determined by, the appropriate Government.

(3) The Council shall regulate its own procedure.

4. Functions of the Council.—The following shall be the functions of the Council, namely :—

- (a) to co-ordinate the functions of the Statistics Authorities and competent authorities and to advise them as to the ways and means of achieving efficient, adequate and prompt results ;
- (b) to approve of the priorities for filling gaps in statistical data and, for that purpose, to allocate functions to the Statistics Authorities ;
- (c) to draw up schemes for avoiding duplication in the formulation and execution of statistical programmes and to resolve differences in that respect ;
- (d) to make competent advice and guidance available to Statistics Authorities, competent authorities and statistical agents in the matter of large-scale statistical operations and projects ;
- (e) to ensure economic and efficient utilization of field services, machine tabulation equipment and other scarce resources ;
- (f) to promote research and training in statistics ; and
- (g) to perform such other functions as the appropriate Government may, from time to time, direct.

5. Statistics Authority.—(1) For the whole of Pakistan the Federal Government, and for a Province the Provincial Government, may, by notification in the official Gazette, appoint an officer to be called respectively the Federal Statistics Authority and the Provincial Statistics Authority.

(2) A Statistics Authority shall, in accordance with such instructions as the Council may, from time to time give, perform the following functions, namely :—

- (a) drawing up specific statistical programmes to carry out the instructions of the Council ;
- (b) appraising the quality of all statistics of national or regional importance ;
- (c) laying down and approving forms and procedure for statistical enquiries and ensuring against any duplication and sub-standard data collection ;
- (d) standardization of concepts and definitions relating to statistics ;
- (e) giving of advice and guidance to, and co-ordinating the functions of, the competent authorities and the statistical agents ;
- (f) making of recommendations to the Council relating to the standards of training of statisticians and statistical agents ;
- (g) laying down the procedure for a continuing programme of in-service institutional and foreign training ;
- (h) periodical review of statistical progress on the basis of reports obtained from the competent authorities and the statistical agents ;
- (i) giving of advice to the Federal Government, the Provincial Government and other authorities or persons on the use and relevance of available statistics in relation to specific problems of economic policy ;
- (j) identification of gaps in the National, Provincial or Regional statistical series and submission for the consideration of the Council of proposals relating to the order of priority in filling such gaps ;
- (k) appraisal and allocation of technical resources required for statistical projects ;
- (l) compilation and publication of data of general nature for national and international reference ; and
- (m) such other functions as the appropriate Government may, from time to time, direct.

6. Competent Authority.—(1) The appropriate Government may, for the purpose of collection and compilation of statistics on any matter, appoint any authority or officer to be a competent authority for the purposes of this Act.

(2) In the exercise of its powers and performance of its functions under this Act, a competent authority shall be subject to the superintendence, direction and control of the Statistics Authority appointed by the same appropriate Government by which it has been appointed.

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7. **Statistical Agents.**—The appropriate Government, and, if so empowered by the appropriate Government, a Statistics Authority and a competent authority, may, for the purpose of collection of statistics or information under this Act, appoint or engage such officers or persons as it may think fit.

8. **Formulation of questionnaire, etc.**—(1) For the purpose of collecting statistics on any matter, a Statistics Authority may, by notification in the official Gazette, formulate such questionnaire as it may think fit, and a competent authority or a statistical agent appointed for the collection of such statistics may require any person within its jurisdiction to give answers to such questionnaire and to such other questions relevant thereto as may be necessary to elicit full answers to the questionnaire.

(2) Any person who is required to give answers to a questionnaire and other relevant questions under sub-section (1) shall give answers to the best of his knowledge and belief.

(3) Nothing in this section shall authorise a Statistics Authority, a competent authority or a statistical agent—

- (a) to require a woman to state the name of her husband or deceased husband or any other person whose name she is by custom forbidden to mention; or
- (b) to insist on information of a purely private nature.

9. **Power to call for returns and information.**—Without prejudice to the provisions of section 8, a competent authority may, for the purpose of collecting statistics for which it has been appointed, serve or cause to be served on any person, by post or otherwise, a notice requiring him to furnish to such authority or person in such manner, at such time or intervals and in such form and with such particulars, such information or returns as may be prescribed and a person served with such notice shall accordingly furnish information or returns required thereby.

10. **Right of access to record or document.**—(1) A statistical agent shall, for the purpose of collection of statistics for which he has been appointed, have access to any relevant record or document in the possession of any person required to furnish information or return under section 9 and may, at any reasonable time after due notice, enter any premises, house, vessel or other place wherein he believes such record or document to be and ask any person any questions necessary for obtaining any information required to be furnished by such person.

(2) Every person owning or occupying any premises, house, vessel or land shall allow a statistical agent such access thereto as he may reasonably require for the purpose of collection of statistics for which he has been appointed and shall allow him to paint on, affix to or dig in the premises, house, vessel or land such letters, marks or objects as may be necessary for such purpose.

11. **Secrecy of answers, information and returns.**—All answers to the questions received and all information and returns furnished under this Act shall be confidential and shall not be—

- (a) used for any purpose other than compilation of statistics under this Act;
- (b) published in a form which may disclose the state of affairs of any particular individual, firm or institution;

- (c) divulged, except with the written consent of the person answering the question or furnishing the information or return, to any person not connected officially with the enquiry in relation to which the said answers, information or returns have been called for ;
- (d) accessible to the inspection of any person otherwise than for the purpose of prosecution for contravention of the provisions of this Act ; or
- (e) disclosed to any person, or used or, notwithstanding anything contained in the Evidence Act, 1872 (I of 1872), be admissible in evidence in any proceedings to which the person giving the answer or furnishing the information or return is a party, except for the purpose of prosecution for contravention of the provisions of this Act.

12. **Penalty for refusal to answer questions, etc.**—Whoever, after he has been given due notice to answer any questionnaire or to furnish any information or returns under this Act, wilfully and without lawful excuse, refuses or fails to answer, to the best of his knowledge and belief, such questionnaire or other relevant questions asked of him by a statistical agent which he is legally bound to answer, or to furnish such information or returns, within the period specified in the notice or within the period allowed in a further notice which shall be given to him by the authority which gave him the earlier notice, shall be punishable with fine which may extend to five hundred rupees and, in the case of an establishment, with a further fine which may extend to two hundred rupees for every day, after the first, during which the offence continues.

13. **Penalty for obstructing statistical agents, etc.**—Whoever, refuses a statistical agent any right of access conferred by section 10 or wilfully obstructs him in the discharge of his duties under this Act or, before the collection of information or statistics for which any letter, mark or object was painted, affixed or dug on, to or in any premises, house, vessel or land, or, without lawful authority, removes, obliterates, alters or damages such letter, mark or object, shall be punishable,—

- (a) in the case of an establishment, with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both ; and
- (b) in any other case, with fine which may extend to five hundred rupees.

14. **Penalty for giving or furnishing false answers, information or returns.**—Whoever, wilfully gives a false answer to a questionnaire or other relevant question or furnishes or causes to be furnished any information or return which he knows to be false shall be punishable with fine which may extend to one thousand rupees in the case of an establishment and five hundred rupees in any other case.

15. **Penalty for improper disclosure of information, etc.**—Whoever, being engaged for or in connection with the collection of statistics under this Act, wilfully discloses, otherwise than in the discharge of his duties or for the purposes of prosecution for contravention of any of the provision of this Act, any answer to a questionnaire, or any information or the contents of any return, given or furnished under this Act, shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

16. Prosecution under other laws.—Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for the time being in force for any act or omission which constitutes an offence under such other law.

17. Sanction for prosecution.—No prosecution for an offence under this Act, or for an act or omission which constitutes an offence under any other law, shall be instituted except with the previous sanction of the appropriate Government or of a person authorised by it in this behalf.

18. Jurisdiction.—No court inferior to that of a Magistrate of the first class shall try an offence under this Act.

19. Act not to authorise collection of certain information or statistics.—Nothing in this Act shall authorise the collection of statistics or of any information relating to any work of defence, arsenal, naval, military or air force establishment or any other defence factory, installation or establishment.

20. Power to make rules.—The appropriate Government may make rules for carrying out the purposes of this Act.

21. Power of Federal Statistics Authority to issue directions.—Notwithstanding anything contained in any other law for the time being in force, which provides for the collection of statistics, the Federal Statistics Authority may issue to any other authority functioning under any such law such directions as it may consider necessary for the purposes of this Act.

M. A. HAQ,
Secretary.

CORRIGENDA

[to the Gazette of Pakistan, Extraordinary, Part I, dated the 21st October, 1975, containing Ordinance No. XX of 1975.]

- Page 551 : In the last line, for "knowledg" read "knowledge".
- „ 553 : In line 11 from the bottom, for "writing" read "writing".
- „ 558 : In line 17 from the bottom, for "licences" read "licencees".
- „ 561 : In line 23, for "In 14" read "In line 14".
- „ 562 : In line 9 from the bottom, for "Pgac" read "Page".