Subject: Seeking Comments/ Suggestions on Draft National Statistical Commission (NSC) Bill 2019

In pursuance of the recommendations of Rangarajan Commission, National Statistical Commission was set up as an interim measure by a Notification dated 1st June 2005. The National Statistical Commission Bill 2019, has been drafted for establishing a Statutory National Statistical Commission (NSC) as the nodal and empowered body for all core statistical activities for the country.

2. The NSC Bill 2019 and a Background note is placed at annexure.

3. The Comments/ suggestions on the draft NSC Bill 2019 are invited in the following format:

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4. The Comments/ suggestions may be sent preferably by email to nsc-secretariat@nic.in and / or by post at the following address, latest by 19th Jan 2020:

Deputy Director General,
National Statistical Commission Secretariat
305, 3rd Floor, C-Wing,
Pushpa Bhawan,
Madangir Road,
New Delhi-110062

Encl: as above

(Vandana Marwah)
Director, NSCS
Phone: 011-29967128
Email: dir.nsc-mospi@gov.in

Copy to: Director, DIID with a request to upload the circular and enclosure on the website of MOSPI latest by 19th Dec 2019.
Background note for Draft National Statistical Commission (NSC) Bill

1. Informed policy decision making process derives its strength from reliable, timely and relevant data. The standardization and relevance of data is fundamental to create a credible system of official statistics in the country. The importance of creating a strong, independent statistical authority is crucial for ensuring public trust in the official statistical system.

2. The need for an independent apex advisory body for official statistics has been long felt. Rangarajan Commission was set up by the government in year 2000-2001 with a mandate to propose overhauling reforms for Official statistical system. In pursuance of the recommendations of Rangarajan Commission, National Statistical Commission was set up as an interim measure by a Notification dated 1st June 2005. In the absence of any legislative framework, the NSC has faced challenges in implementing its recommendations.

3. The present draft NSC Bill 2019 proposes to establish a National Statistical Commission (NSC), as the nodal and autonomous body for all core statistical activities for the country, to evolve, monitor and enforce statistical priorities and standards and to ensure statistical coordination. The salient features of the Bill are following:

   a) **The Composition of NSC:** The Bill proposes for the Commission to be composed of a fulltime Chairman and Members nominated from amongst eminent persons. It is proposed to include, amongst others, Deputy Governor, RBI as a member of Commission and the Chief Economic Adviser as ex-officio member. The revised composition of NSC aims to reinforce its independence and also align it with the vision and broad contours of national policies and priorities.

   b) **Chief Statistician of India (CSI):** The position of Chief statistician of India has been created by the same executive order that established the present NSC in 2005. The Act proposes to reaffirm the position and also include him as a Member of NSC.

   c) **Statistical Audit:** In the draft Bill, provisions for Statistical Audit is proposed to be included. The bill provides for establishing a National Statistical Audit and Assessment Organization within NSC with a Chief Statistical Auditor in the rank of Secretary to the GOI.

   d) **Independent secretariat for the Commission:** To further strengthen the autonomy of the commission, the Bill also proposes setting up of an independent secretariat for the Commission headed by a Secretary rank officer of GOI. The Bill also envisages financial autonomy for the Commission through an independent National Statistical Fund. The Bill also proposes the NSC to be a body corporate.

   e) **Functions of NSC:** The functions assigned to National Statistical Commission by the Rangarajan commission broadly classified into:
1) Nodal empowered body for setting up mandatory standards in respect of Core Statistics defined as statistical indicators which are critical for monitoring the economy.

2) Evolve, monitor and enforce statistical priorities and standards by way of periodical review and audit.

3) Ensure strong coordination through close linkage between budget and statistical programming.

4. The Draft Bill deals in detail with the advisory role assigned to NSC in terms of regular periodical review of all aspects of Official statistical System at various levels, including legislative, overall policy, HR and technology intervention issues of Center as well as State statistical systems, including administrative data. While NSC can take up such matters suo moto, the Bill primarily envisages encouraging Government agencies to proactively bring forth issues pertaining to the national statistical system proactively for discussion in the Commission.
THE NATIONAL STATISTICAL COMMISSION BILL, 2019

A Bill

to constitute a National Statistical Commission to regulate, develop, and strengthen the official statistical system of the country in order to promote public confidence, ensuring timeliness and reliability and professionalism, adopting best statistical practices, achieving independence and integrity of official statistics and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Sixty-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 National Statistical Commission Act, 2019.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification, appoint, and different dates may be appointed for different provisions of this Act and any reference to commencement in any such provision shall be construed as a reference to the date of commencement of that provision.

2. Definitions: (1) In this Act, unless the context otherwise requires:-

(a) “administrative statistics” means statistics collected, collated or derived or capable of being collected, collated or derived either –

(i) For the purpose of any Government agency as a by-product of general administration, or

(ii) In the course of administering or implementing the provisions of any law for the time being in force;

(b) “Chairperson” means the Chairperson of the Commission;

(c) “Chief Statistician of India” means the person appointed from time to time as Chief Statistician of India by the Central Government;

(d) “Commission” means the National Statistical Commission established under section 3;
(e) “Core Statistics” means any official statistical product as specified under section 15 and included in the First Schedule.

(f) “Fund” means the National Statistical Fund constituted under section 28;

(g) “Government” means Central or State Government read with Section 2(u), as the case may be.

(h) "Government agency” means –

   (i) any Ministry or Department of the Central Government or its instrumentality;

   (ii) any Department of any State Government or its instrumentality;

   (iii) the Reserve Bank of India, constituted under the Reserve Bank of India Act, 1934;

   (iv) any local Government,

   and includes any agency thereof;

(i) "Member” means a Member of the Commission and includes Chairperson;

(j) "National Statistical Office “ means the organisation in the Central Government known by that name, prior to the commencement of this Act, now identified under Section 24(1);

(k) “non-Government agency” means any agency which is not a Government agency;

(l) ”non-sampling error” means any error, other than a sampling error, the commission of which may result in erroneous inferences on the features of a population in any statistical survey;

(m) “Notification” means a notification published in the Official Gazette;

(n) "official statistics” means statistics obtained by Government agencies from statistical surveys, administrative and registration records and other forms and papers, the statistical analyses of which are published regularly, or planned to be published regularly, or required to be published regularly, or could reasonably be expected to be published regularly;

(o) "personal information” means any information about an informant whose identity can reasonably be ascertained from such information;

(p) “population” means a class of people objects or events about whom statistics on economic or demographic or social or scientific or environmental aspects is collected or collated ;

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

(r) “regulations” means regulations made under this Act;
"sampling error" means any error that may occur as a result of limiting a statistical inquiry only to a sample, instead of to a complete coverage of a population, or because of any erroneous strategy followed in drawing a sample from a population;

(t) "Schedule" means a Schedule appended to this Act;

(u) “State Government”, in relation to a Union territory, means the administration thereof; and

(v) “statistical purpose” means the employment of any statistical data for compiling or collecting information at various levels of aggregation or for updating the information already compiled or collected or for updating and collecting further data or for analyzing the data or its analysis.

Chapter-II

NATIONAL STATISTICAL COMMISSION

3. Establishment and incorporation of Commission.- (1) The Central Government shall, within 3 months from the date of commencement of this Act, by Notification, constitute a body to be called the “National Statistical Commission” to exercise the powers conferred upon it, and to perform the functions assigned to it, under this Act.

(2) The Commission shall be a body corporate by the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of this Act and rules made thereunder, to acquire, hold and dispose of property, both movable and immovable, and to contract and shall, by the said name, sue or be sued.

(3) The Commission shall consist of

   a. a whole time Chairperson

   b. 5 whole time members,

   c. Deputy Governor, RBI as nominated by the Governor, RBI,

   d. Chief Statistician of India (CSI)

   e. Chief Economic Advisor, Ministry of Finance, GOI as ex-officio member,

The Chairman and the members of the Commission as in 3(b) shall be appointed by the Central Government on the recommendation of the Search Committee constituted under sub-section (1) of section 5.

(4) The headquarters of the Commission shall be at New Delhi.

(5) The general superintendence, direction and management of the affairs of the Commission shall vest in the Commission which may exercise all such powers and do all such acts and things as may be exercised or done by the Commission under this Act.
4. Qualification for appointment of the Chairperson and other members.- The Chairperson and the members of the Commission as in 3(b) shall be appointed by the Central Government, from amongst persons of ability, integrity and standing who have special knowledge or practical experience in respect of matters relating to official statistics or experience in administering institutions dealing with the matters aforesaid or who have made outstanding contribution in the field of statistics or in any other related discipline with reference to statistical applications such as economic statistics including such areas as agriculture, industry, trade, finance or national accounts; social statistics including such areas as population, health, education, labour and employment or environment; statistical operations including such areas as censuses, surveys, statistical information system or information technology, and statistical and economic administration, national statistical system or state statistical systems as well as operations research, computer science, etc.

5. Appointment of Chairperson and other Members.- (1) The Chairperson and other members as in 3(b) shall be appointed by the Central Government on the recommendations of Search Committee constituted by the Government of India for the purpose as prescribed.

(2) No appointment of a Chairperson or any member of the Commission shall be invalid merely by reason of absence of any member in the meetings of the Search Committee referred to in sub-section (1)

6. Term of office, conditions of service etc. of Chairperson and other Members.-

(1) Before appointing any person, the Government shall satisfy itself that the person does not have any financial or other interest as is likely to affect prejudicially his functions as such Member.

(2) The Chairperson and the other members as in 3(b) shall hold office for a term not exceeding three years as the Central Government may notify in this behalf from the date on which they enter upon their offices or till they attain 65 years of age, whichever is earlier.

(3) The Chairperson and the members of the Commission as in 3(b) shall be appointed as such only for one term and shall not be eligible for reappointment, but a Member, other than Chairperson, shall be eligible for appointment as a Chairperson and such appointment for a Member shall not be counted as a second term.

(4) On the commencement of the National statistical Commission Act 2019, a person appointed as Chairman and members of the Commission and holding office immediately before such commencement shall vacate their respective offices of the Commission and shall be entitled to claim compensation not exceeding three months pay and allowance for the premature termination of the term of their offices or of any contract of their service.

(5) The sub section (4) will be applicable except for the case when on the commencement of the National statistical Commission Act 2019, a person appointed as Chairperson of the Commission and every other person appointed as Member and holding office immediately before such
commencement is appointed as the Chairperson or member of the Commission as in 3(b) under the National Statistical Commission Act 2019.

(6) The employee of the Government on his selection as the Member shall have to retire from service before joining as the Member.

(7) The status to be accorded to, the salary and allowances payable to, and other terms and conditions of service of, the Member shall be such as may be prescribed.

(8) The salary and allowances, as the case may be, and the other terms and conditions of service of a Member shall not be varied to his disadvantage after appointment.

(9) Notwithstanding anything contained otherwise, if the Chairperson or any other member of the Commission happens to be a Member of Parliament, or a State Legislature, he shall not be entitled to any remuneration other than the allowances, defined in clause (a) of section 2 of the Parliament (Prevention of Disqualification) Act, 1959 (10 of 1959) or as the case may be, other than the allowances, if any, which the Member of the Legislature of the State may, under any law for the time being in force in the State relating to the prevention of disqualification for membership of the State Legislature receive without incurring such disqualification.

(10) Notwithstanding anything contained in sub section (2), a Member may-

   a. Relinquish his office by giving in writing a notice of not less than 2 month to the Central Government; or
   b. Be removed from his office in accordance with the provisions of section 7.

(11) Any Member shall not, for a period of two years from the date on which he ceases to hold office as such, accept any employment under the Government of India or under the Government of any State without previous approval of the Central Government, except in respect of such academic and research assignments, as may be prescribed.

7. Removal and suspension of Chairperson and other Members.- (1) The Central Government may, by order, remove from office the Chairperson or any member of Commission as in 3(b) if the Chairperson or such Member–

   (a) has been adjudged insolvent; or
   (b) has become unfit to continue in office by reason of infirmity of mind or body; which makes him unsuitable for the job or has been declared as that of unsound mind by a competent court; or
   (c) is convicted and sentenced to imprisonment for an offence which in the opinion of the Central Government involves moral turpitude.
(d) has engaged during his term of office in any paid employment outside the duties of his office or acquired such financial or other interest as is likely to affect prejudicially his functions as a member; or

(e) has so abused his position as to render his continuance in the office prejudicial to the public interest.

(2) No such Member shall be removed from his office under clause (d) or (e) of sub-section(1) unless he has been given a reasonable opportunity of being heard in the matter.

8. Member to act as Chairperson or to discharge his functions in certain circumstances.- (1)
In the event of the occurrence of any vacancy in the office of the Chairperson, the Central Government may, by Notification, authorize one of the other Member to act as the Chairperson, which shall not be more than 4 months, until the appointment of a Chairperson is made in accordance with the provisions of this Act.

9. Meetings.- (1) The Commission shall meet at such times and places, and shall observe such rules of procedure in regard to transaction of business at its meetings (including quorum at such meetings) as may be provided by regulations.

(2) The Chairperson, or, if for any reason, he is unable to attend a meeting of the Commission, any other Member chosen by the Members present from amongst themselves at the meeting shall preside at the meeting.

(3) All questions which come up before any meeting of the Commission shall be decided by a majority of vote of the Members present and voting, and in the event of an equality of votes, the Chairperson or in his absence, the person presiding, shall have a second or casting vote.

(4) Commission may choose to have special invitees to the meetings.

10. Constitution of committees. - (1) The Commission may constitute committees consisting wholly of Members or wholly of other persons or partly of Members and partly of other persons for examining the system of official statistics in respect of any subject matter or for assisting the Commission in any of its functions, as and when deemed necessary.

(2) A committee constituted under sub-section(1) shall meet at such time and at such place, and shall observe such procedure in regard to the transaction of business at its meetings, as may be determined by regulations or otherwise, by the Commission.

(3) The fees and allowances payable to the members of a committee (other than Members of the Commission) constituted under sub-section (1), for attending its meetings and for attending other work of the Commission, shall be such as may be prescribed.

11. Temporary association of persons with Commission for particular purposes.- (1) The Commission may associate with itself, in such manner and for such purposes, as may be required by
any person whose assistance or advice or service it may desire to obtain in performing any of its
functions under this Act.

(2) A person associated with the Commission under sub-section (1) for any purpose may, if
required by the Commission, take part in the discussions of the Commission relevant to that
purpose, but shall not have a right to vote at a meeting of the Commission, and shall not be a
Member for any other purpose.

(3) The fees and allowances payable to such person associated with the Commission under sub-
section (1), for attending its meetings and for attending other work of the Commission, shall be
such as may be prescribed.

Provided that any regulation, in respect of salary and allowances payable to and other conditions of
service of such person associated with the Commission under sub-section (1), made before the
commencement of the NSC Act shall cease to have effect immediately on the notification of rules
made under the Section 42.

12. Vacancy in the Commission not to invalidate acts or proceedings.- No act or proceedings of
a Commission or any Committee thereof shall be called in question or be invalid merely by the
reason of

(a) any vacancy in or any defect in the constitution, of the Commission or such Committee, as the
case may be; or

(b) any defect in the appointment of a person acting as a Member; or

(c) any irregularity in the procedure of the Commission not affecting the merit of the case.

13. Administrative powers of Chairperson etc.- (1) The Chairperson shall have the powers
of general superintendence and direction in the conduct of the affairs of the Commission including
all administrative and financial matters of the Commission and he shall, in addition to presiding
over the meetings of the Commission, exercise and discharge such powers and functions and shall
discharge such other powers and functions as may be prescribed.

(2) All orders and decisions of the Commission shall be authenticated by the Secretary or any other
officer of the Commission duly authorised by the Chairperson in this behalf.

Chapter-III

Powers and Functions of the Commission

14. (1) Notwithstanding anything contained in any other Act or notification related to official
statistics, The Government (including a registry or an administrative office of any court, Tribunal or
other authority performing any judicial or quasi-judicial functions, including any regulatory
authority, whether established under any law or otherwise,) shall seek advice from the
Commission on any matter relating to official statistics, including,
(a) legislative measures to be undertaken in the matters relating to official statistics;

(b) to identify and evolve national policies and priorities relating to the official statistical system;

(c) laying down standard statistical concepts, definitions, classifications and methodologies for official statistics;

(d) promoting public awareness and devising measures for improving public trust in official statistics;

(e) establishing high professional standards and devising code of conduct or practice so as to build up an ethos for the profession of statistics so as to achieve highest standard and professional excellence in activities relating to official statistics;

(f) lay down standards for integration of data collected by different Government agencies, and for ensuring comparability at national and international levels;

(g) specify the manner in which any data gap is to be filled up or any unnecessary duplication in collection of statistics has to be avoided;

(h) promoting teaching and research and participation of academia in and related fields of official statistics;

(i) strategies for human resource development including information technology and communication needs for the official statistical system;

(j) to prescribe measures for effective coordination with State Governments on statistical activities including strengthening of existing institutional mechanisms;

(m) to exercise statistical coordination between Ministries, Departments and other agencies of the Central Government through the Chief Statistician of India and statistical agencies of that Government;

(2) The Central Government or a State Government, as the case may be, may, on receipt of any advice of the Commission under sub-section (1), issue such directions, as may be necessary, to any Government agency under its administrative control and forward a copy of the directions so issued along with a report on reasons for not accepting any advice to the Commission.

(3) Every notification made under sub-section (2) along with a report on reasons for not accepting any advice of the Commission shall be laid, as soon as may be after it is made, before each House of Parliament or a State legislature, as soon as may be, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session or the successive sessions aforesaid, both Houses or the State legislature agree in making any modification in the notification or both Houses or the State legislature agree that the notification should not be made, the notification shall thereafter have effect only in such modified form or be of no effect, 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
notification.

15. Functions of the Commission in respect of Core Statistics.- (1) On and from the
commencement of this Act, the official statistics products specified in the First Schedule shall be
designated as Core Statistics. The commission shall also, in consultation with relevant stakeholders,
identify the agencies that will be responsible for the collection, compilation and publication of such
Core Statistics and the release calendar of the statistics so defined.

(2) The Commission within one year of the enactment of this Act shall identify criteria and
standard procedures to be followed for official statistical product to be designated as Core
Statistics.

(3) The Commission shall undertake periodical review, not exceeding 5 years for each item
included in the First Schedule, of Core Statistics, for relevance and updating if any, in terms of
concepts, definitions, standards, methodology including the agencies responsible for the collection,
compilation and publication of such Core Statistics and the release calendar of the statistics so
declared.

(3) The Commission, either suo-moto or at the request of concerned Central Ministry/ State
Department, following the criteria in sub section (2) shall, if it is of the opinion that-

(a) any official statistics product is of national importance or critical to the economy of the
country, recommend to the Central Government, the inclusion of such a product as a Core Statistics
in the First Schedule; or

(b) any official statistics product is of importance or critical to the economy of the State,
recommend to the respective State Government, the inclusion of such a product as a Core Statistics
in the First Schedule by the way of a State Amendment; or

(c) any official statistics product included in the First Schedule is no longer necessary to be included
as Core Statistics, recommend to the Central Government or the State Government, as the case may
be, its discontinuance as a Core Statistics,

(4) The Central Government, or the State Government as the case may be, on receiving any such
recommendation from the Commission, shall either add or delete such product, as the case may be,
from the First Schedule, by means of a Notification and thereafter the First Schedule shall be
deemed to have been amended accordingly.

(5) Every notification made under sub-section (4) shall be laid, as soon as may be after it is made,
before each House of Parliament or a State Legislature, as the case may be, while it is in session, for
a total period of thirty days which may be comprised in one session or in two or more successive
sessions, and if, before the expiry of the session or the successive sessions aforesaid, both Houses or
the State Legislature, as the case may be, agree in making any modification in the notification or
both Houses or the State Legislature agree that the notification should not be made, the notification
shall thereafter have effect only in such modified form or be of no effect, 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 notification.

(6) The nodal officers designated in Central Ministries/ Departments/State Government shall be
professionally responsible to Chief Statistician of India (CSI) on Core Statistics.

(7) The NSO shall maintain a “warehouse” for Core Statistics, for dissemination amongst all users
in the public and private sectors inside and outside the country and serve as the sole provider of
information to foreign Governments, international bodies and United Nations agencies

16. Powers of the Commission in respect of Core Statistics etc.-

(1) The Commission shall, in respect of each product of Core Statistics, after making such inquiry or
consultation as it thinks fit, advice from time to time the Government, in respect of all or any of the
following aspects, namely -,

(a) The form, the manner by which collection, compilation and dissemination of statistics, in respect
of such product or any other product incidental to it, shall be carried out;

(b) Statistical standards including statistical concepts, definitions, classifications and
methodologies to be met in producing such product; the manner of controlling sampling and non-
sampling errors;

(c) The name or names, as the case may be, of Government agencies that are required to comply
with the directions given under this section;

(d) Safeguards and other precautions to be observed while outsourcing any statistical activity;

(e) Measures for ensuring confidentiality and security, including protection of personal
information from any unauthorized or illegal access, without compromising on meeting any
statistical purpose;

(f) Any other requirement that is incidental, including any of the following aspects for the purpose
of carrying out any activity in respect of any Core Statistics, namely, -

(a) Deployment of human resources including the qualifications and experience required for
employing any person and professional ethos to be complied with by any person on being
employed, for the purposes of sub-clause (a); and other resources including information
technology and communication resources available with any other Government agency;

(b) any other additional resources needed to be provided;

(c) measures to promote effective statistical coordination among Government agencies
involved; and

(d) Oversight any other strategy on Core Statistics that is incidental.
(2) The Government, on the basis of advice of the Commission under sub-section (1), shall within three months from the date of receipt of such advice, by Notification, issue such directions to any Government agency, as may be necessary, on all or any of the aspects mentioned under sub-clauses (a) to (f) of sub-section (1).

(3) The Government shall, in respect of the matters that are not notified under sub-section (2) or notified under that sub-section not in accordance with the advice of the Commission, report to the Commission forthwith the reasons thereof.

(4) The Commission shall have power to conduct statistical audit in the manner provided under section 20, during the course of or after the execution of any activity with regard to directions notified under sub-section (2) on any Core Statistics.

17. General powers of the Commission. – (1) Subject to the provisions of this Act and the rules made thereunder, the Commission shall have power to –

(a) convene meetings with users of official statistics from time to time to review user needs for such statistics;

(b) review the statistical system of any Government agency in the light of concepts, definitions, standards, methodologies and established policies, and recommend measures for enhanced Performance; to prescribe a code of practice and to exercise statistical audit over the statistical activities to ensure quality and integrity of the statistical products and their adherence to the prescribed code of practice;

(c) promote research and institute awards for outstanding work in official statistics;

(d) participate in, and in consultation with the Central Government coordinate with, National Statistical Organisations on matters of statistical standards, methodologies and classifications;

(e) advice any Government agency, on receipt of a reference and if the Commission deems it appropriate to do so, on methodological aspects of any statistical survey proposed to be undertaken by it;

(f) record its assessment on the performance, in respect of functions assigned under Section 24, for such period of the National Statistical Office, as may be prescribed; and

(g) perform such other functions including such administrative and financial functions as may be entrusted to it by the Central Government or as may be necessary to carry out the provisions of this Act.

(2) The Commission, for the purpose of exercising its mandate under this Act or the rules or regulations made thereunder, shall have powers to:

(a) require production of any document; or
require any Government agency to provide details of statistical activities, including concepts and definitions used, methodologies followed, quality standards adopted, sampling and non-sampling errors, etc., in respect of a statistical activity or a product; or

(c) require attendance of any person including any public servant; or

(d) Issue notice for the examination of any witness or document.

18. Advice of Commission on administrative statistics.- (1) The Commission may, from time to time, recommend to the Central Government or any State Government, collection, compilation and dissemination of administrative statistics with such periodicity and in such format, as may be useful for statistical purposes provided that it does not adversely affect the effectiveness of the data for primary purpose for which it was created.

(2) The Central Government or a State Government, as the case may be, on the basis of advice of the Commission under sub-section (1), shall within three months from the date of receipt of such advice, by notification, issue such directions to any Government agency, as may be necessary.

(3) The directions issued by the Central Government or a State Government, as the case may be, under sub-section (2) shall have effect, notwithstanding anything contained in any law for the time being in force.

(4) For the purpose of avoiding unnecessary duplication, clearly identifying data gaps, and facilitating conduct of statistical surveys, the Commission may recommend to the National Statistical Office or any Department in the Central Government or a State Government, on the following aspects, namely,

(a) Integration of official statistics collected from time to time by different Government agencies on the basis of such criteria, as may be specified by the Commission;

(b) Preparation and updating, from time to time, of statistical registers containing list of persons or business enterprises or any other lists which in the opinion of the Commission may be used by any Government agency for any statistical purpose; and

(c) Providing/ official statistics integrated under sub-clause (a) or statistical registers prepared under sub-clause (b),

(i) to any other Government agency for any statistical purpose in such manner and form and at such intervals, as may be specified by the Commission in this behalf; or

(ii) to any person in a manner not inconsistent with the provisions of this Act on payment of such fee, as may be determined by the Commission.

(5) The Central Government or a State Government, as the case may be, shall report to the Commission forthwith, but not later than four months, in respect of action taken on the advice of
the Commission received under sub-section (1) or under sub-section (4) and on reasons, in cases where such advice could not be acted upon.

19. Power of Commission in respect of statistics produced by non-Government agencies.- (1) If the Commission is of the opinion that any statistics produced by any non-Government agency is of public interest, it may order for statistical audit in a manner provided under section 20, and where necessary, recommend appropriate action.

(2) Every non-Government agency shall render such help and assistance and furnish such information to an officer of the National Statistical Appraisal and Assessment Organisation authorised for the purpose, as may be required for the statistical audit directed under sub-section (1) and shall make available for inspection and examination, such records, plans, other documents and data, as may be necessary.

20. Powers of the Commission on statistical audit.- (1) The Commission shall have power to obtain a report on any statistical audit from the National Statistical Appraisal and Assessment Organisation referred in section 22, in such format and within such period, as may be specified by the Commission in this behalf.

(2) The Commission shall satisfy itself about the correctness of the facts stated and the conclusions, if any, arrived at in the report submitted to it under sub-section (1) and for this purpose the Commission may make such inquiry (including the examination of the person or persons who conducted or assisted in the statistical audit) as it thinks fit.

(3) The Commission may, on the basis of a report on statistical audit referred to in sub-sections (1) and (2), advice any Government agency, the adoption of such measures for improvement, as may be deemed necessary.

Chapter-IV

Offices and officers under the Commission

21. Secretariat of the Commission.- (1) For efficient discharge of its functions under this Act, the Commission shall appoint a person in the rank not below that of a Secretary to the Government of India as Secretary of the Commission, with such salary and allowances and other terms and conditions of service, as may be prescribed.

(2) The Secretary of the Commission shall be the Chief Executive Officer of the Commission and shall exercise such powers and discharge such functions of the Commission as may be delegated to him by the Commission or the Chairperson, as the case may be.

(3) The Commission may appoint such other persons including any official of a Government agency on deputation basis, subject to such terms and conditions and with such qualifications and experience, as prescribed.
Provided that any regulation, in respect of the salary and allowances payable to and other
conditions of service of officers and other employees of the Commission, made before the
commencement of NSC Act 2019 shall cease to have effect immediately on the notification of rules
made under Section 41.

22. National Statistical Appraisal and Assessment Organisation.- (1) Central Government shall,
by notification, establish a Division of NSC, called ‘the National Statistical Appraisal and
Assessment Organisation’ (NSAAO) to conduct planned, periodic statistical audit, which may
include concurrent statistical audit of any statistical survey being conducted by a Government
agency, including National Statistical Organisation and may consist of the evaluation of statistical
tools, processes and products employed in Core Statistics to ascertain whether any process applied
in a statistical activity or a statistical product relating to official statistics is in accordance with the
standards, if any, specified by the Commission or whether there is any violation of professional
ethics or bias by any person or institution engaged in any such process and to ascertain such other
details or deficiencies in the system that require to be addressed, as may be specified by regulations
or otherwise by the Commission in this behalf.

(2) The National Statistical Appraisal and Assessment Organisation may, determine its own activity
schedule in such a manner that the all statistical activities related to Core Statistics are
mandatorily covered, at least, for post audit. NSAAO may also undertake Audit activities as directed
by the Commission or requested by the Government agency producing it. (3) The National
Statistical Appraisal and Assessment Organisation will submit its findings and recommendations in
the form of Annual Report for the approval and guidance of the Commission.

23. Appointment of Chief Statistical Auditor.- (1) The National Statistical Appraisal and
Assessment Organisation referred to in sub-section (1) of section 22 will be headed by a Chief
Statistical Auditor to be appointed by a Notification, in the rank of a Secretary to the Government of
India with such qualifications and experience and on such terms and conditions as may be
prescribed.

(2) The Chief Statistical Auditor will be assisted by not more than 8 persons appointed by
Notification, on such terms and conditions, as may be prescribed Chief Statistical Auditor may also
appoint such other employees necessary to discharge the administrative and secretarial functions
related to NSAAO with such salary and allowances and other terms and conditions of service, as
may be prescribed.

(3) The Chief Statistical Auditor or any person appointed under sub-sections (1) and (2) shall
perform the functions assigned to them under this Act and the rules and regulations and subject to
the direction and control of the Commission, may, for the purpose of statistical audit, exercise the
powers referred in clauses (a) to (d) of sub-section (2) of section 17.

Chapter-V

Arrangements for implementation of statistical policies and priorities
24. Implementation mechanism.- (1) There shall be a Chief Statistician of India appointed by Notification, in the rank of Secretary to the Government of India on the recommendations of Search Committee constituted by the Government of India for the purpose as prescribed, with such qualifications and experience and on such terms and conditions as may be prescribed. CSI shall head NSO, the executive wing of Government of India for official statistics in Ministry of statistics and Programme Implementation. The CSI shall also discharge the functions of Secretary to the Government of India for MOSPI.

(2) The National Statistical Office, headed by Chief Statistician of India, shall be responsible for coordinating implementation of the policies and priorities as laid down from time to time by the Commission by the way of -

(a) implementation and maintenance of statistical standards and coordination of statistical activities among Government agencies as laid down by the Commission from time to time;

(b) collecting or arranging to collect Core Statistics, as per the directions of the Central Government;

(c) publishing Core Statistics at regular intervals (as per the pre-determined release calendar) together with critical analysis regarding the quality of data and implication of the use of data in policy making and administration;

(d) arranging training for statistical personnel and for the purpose utilising the services of universities, research institutions and experts in relevant fields on such terms and conditions and on payment of such fee, as may be determined by the Commission;

(e) maintaining a warehouse for Core Statistics, for dissemination amongst all users in the public and private sectors inside and outside the country and serve as the sole provider of information to foreign Governments, international bodies and United Nations agencies;

(f) undertaking statistical surveys from time to time; and

(g) outsourcing of statistical activities as may be necessary, subject to such safeguards, and such terms and conditions including compensation or fee, as may be specified by the Commission from time to time.

(3) It shall be the duty of the Chief Statistician of India, in addition to his other responsibilities, to act in support of the efficient discharge of the functions of the Commission, and he shall, as per the recommendations of the Commission,-

(a) provide leadership to statistical activities by promoting coordination among Government agencies;

(b) assist the Commission in evolving and implementing statistical strategies;

(c) assist the Commission to decide and reallocate statistical priorities;

(d) promote reliability and integrity of official statistics; and
25. Responsibilities of Government agencies in respect of Core Statistics. - (1) Every Government agency engaged in any activity in respect of Core Statistics shall implement the directions of the Central Government on Core Statistics and for the purpose, assign the related coordination work to such officers as may be prescribed, who shall, -

(a) be responsible to and associated closely with, the Chief Statistician of India in implementing the directions of the Central Government;

(b) coordinate flow of statistical information to and from the National Statistical Office; and

(c) perform such other functions, as may be prescribed.

26. Duties of statistical personnel. - (1) Any person engaged in official statistics in any Government agency shall implement the directions of the Central Government in respect of Core Statistics relevant to his work and submit periodical reports as may be specified by the Commission from time to time.

Chapter VI

FINANCE, ACCOUNTS AND AUDIT

27. Grants by Central Government. - (1) The Central Government shall, after due appropriation made by Parliament by law in this behalf, make to the Commission an initial endowment grant of such sum as may be adequate to establish the Commission, as deemed appropriate by the Parliament.

(2) The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the Commission grants of such sums of money as required to pay the salaries, allowances and other remuneration payable to the Members, and the administrative expenses including the salaries allowances and pensions payable to or in respect of officers, other employees, persons and agencies employed by the Commission including NSAAO.

(3) Not more than five percent of the budgetary grant allocated by the Central Government to the National Statistical Office in each financial year, as may be determined by the Central Government, shall devolve as a Grant to the Commission in case of any contingency which shall have to be established in each case.

28. Constitution of Funds. - (1) There shall be constituted a Fund to be called ‘the National Statistical Fund’ and there shall be credited thereto-

(a) all Government grants, fees and charges received by the Commission including NSAAO;

(b) all sums received by the Commission from such other source as may be decided by the Central Government.

(2) All moneys belonging to the Fund referred in sub-section (1) shall be invested by the Commission following the standard regulations. (3) The Fund shall be applied for meeting—
(a) to pay the salaries, allowances and other remuneration payable to the Members, and the administrative expenses including the salaries allowances and pensions payable to or in respect of officers, other employees, persons and agencies employed by the Commission including NSAAO.

(b) the other expenses of the Commission in connection with the discharge of its functions and for the purposes of this Act;

(c) the expenses on objects and for purposes authorised by this Act.

29. Accounts and Audit.- (1) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The Accounts of the Commission shall be audited by the Comptroller and Auditor-General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Commission to the Comptroller and Auditor-General.

(3) The Comptroller and Auditor-General or any person appointed by him in connection with the audit of the accounts of the Commission under this Act shall have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Commission.

(4) The accounts of the Commission as certified by the Comptroller and Auditor-General or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Central Government by the Commission and the Central Government shall cause the audit report to be laid as soon as may be after it is received before each House of Parliament.

30. Exemption from tax on wealth and income.- Notwithstanding anything contained in the Wealth-tax Act, 1957, the Income Tax Act, 1961, or any other enactment for the time being in force relating to tax on wealth, income, profits or gains, the Commission shall not be liable to pay wealth-tax, income tax or any other tax in respect of its wealth, income, profits or gains derived.

Chapter-VII

Reports of the Commission

31. Annual and special reports of the Commission.- (1) The Commission shall prepare once in every financial year, in such form and within such time as may be prescribed, an annual report giving a full account of its activities during the previous year and copies thereof shall be forwarded to the Central Government and that Central Government shall cause the Annual Report together with a memorandum of action taken or proposed to be taken on recommendations therein, along with the reasons for the non acceptance and/or non implementation if any, to be laid before
each House of Parliament, and to the State Government concerned, where any recommendation or any part thereof concerns any State Government which shall cause it to be laid before the Legislature of the State together with a memorandum of action taken or proposed to be taken on recommendations therein, along with the reasons for the non-acceptance and/or non-implementation of these recommendations and may at any time submit a special report on any matter which, in its opinion, is of such urgency or importance that it should not be deferred till submission of the annual report.

Chapter-VIII

Inquiries, offences and penalties

32. Statement made by persons to the Commission.- No statement made or no information furnished by a person to the Commission in the course of performing any duty under the provisions of this Act or the rules or the regulations or directions made thereunder shall subject him to, or be used against him in, any civil or criminal or departmental proceeding except in case of action under this Act for giving false statement or false information.

33. Professional ethics.- Every person who has to perform any duty or function under this Act or the rules or regulations or directions made thereunder shall-

(1) be bound to perform such duty or function;

(2) be bound to follow the Code of Professional Ethics as prescribed including maintaining confidentiality of data and shall not divulge any information except in the manner provided in this Act or the rules or the regulations or directions made thereunder.

34. Power to Censure.- (1) Where, on receipt of a complaint made to it or otherwise, the Commission has reason to believe that a Government agency has not complied with the standards of statistical ethics or that any person engaged in official statistics has committed any professional misconduct or made any false or misleading statement or material omission in respect of any statement or information furnished to the Commission, the Commission may, after giving the Government agency, or person concerned an opportunity of being heard and holding an inquiry in such manner as may be provided by regulations, for reasons to be recorded in writing, warn, admonish or censure the concerned Government agency.

(2) If the Commission is of the opinion that it is necessary or expedient in public interest so to do, it may publish in such manner as it deems fit, any particulars relating to any inquiry under this section.

(3) Nothing in sub-section (1) shall be deemed to empower the Commission to hold an inquiry into any matter in respect of which any proceeding is pending in a court of law.

CHAPTER-IX
34. Power of Central Government to issue directions: (1) The Central Government may, from
time to time, issue to the Commission such directions as it may think necessary in the interest of the
sovereignty and integrity of India, the security of the State, friendly relations with foreign States,
public order, decency or morality.

(2) Without prejudice to the foregoing provisions, the Commission shall in exercise of its powers or
the performance of its functions, be bound by such directions or questions of policy as the Central
Government may give in writing to it from time to time.

Provided that the Commission shall, as far as practicable, be given an opportunity to express
its views before any direction is given under this sub-section.

(3) The decision of the Central Government, whether a question is of a policy or not shall be
final.

35. Delegation of powers to officers.- The Commission may, by regulations or by order, and
subject to such conditions and limitations, if any, as may be specified therein, delegate, to any
Member or officer of the Commission, such of its powers and functions under this Act or the rules
framed thereunder, as it may deem necessary.

36. Government agencies to assist.- (1) All government agencies shall render such help and
assistance, including assisting the Commission in any of its meetings as may be required by it, and
furnish such information to the Commission as it may require for the discharge of its functions,
and shall make available to the Commission for inspection and examination such records, plans and other documents, as may be necessary, for the discharge of its functions.

(2) Any activity relating to Core Statistics shall not be carried out by any Government agency
without a direction of the Central Government made on the basis of advice of the Commission.

37. Chairperson/ Members and officers to be public servants.- All Members, officers,
employees or any person appointed or authorised to exercise any function under this Act shall be
deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be a
public servant within the meaning of section 21 of the Indian Penal Code.

38. Bar of jurisdiction.- No civil court shall have jurisdiction to entertain any suit or proceeding in
respect of any matter which the Commission or the Central Government or a State Government or
any person is empowered by or under this Act to determine.

39. Protection of action taken in good faith.- No suit or other legal proceeding shall lie against
the Central Government, State Government, the Commission or any officer of Central Government
or State Government or any Member or any officer or other employee of the Commission for
anything which is in good faith done or intended to be done in pursuance of this Act or of any rules
or any order made thereunder (or in respect of the publication by or under the authority of the Central Government, State Government, the Commission of any report, paper or proceedings.)

40. Overriding effect.- The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

41. Power of Central Government to make rules.- (1) The Central Government may, by notification, make rules to carry out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters namely:-

(a) The status to be accorded to, the salary and allowances payable to, and other terms and conditions of service of, the Member under section 6(7);

(b) the academic and research assignments that are required to be exempted under sub-section (12) of section 6;

(c) Period of assessment on the performance, in respect of functions assigned under Section 24, of the National Statistical Office in Section 17(f);

(d) salary and allowances and other terms and conditions of service of the Secretary to the Commission and other persons in the Secretariat as in Section 21(1) and 21(3) respectively;

(e) qualifications and experience and terms and conditions for the appointment of Chief Statistical Auditor and other official of NSAAO in Section 23(1) and 23(2) respectively;

(f) Qualifications and experience and terms and conditions for selection of CSI under Section 24(1);

(g) assigning coordination work on Core Statistics and other functions to officers under section 25(1);

(h) the form in which the annual statement of accounts is to be prepared by the Commission under sub-section (1) of section 31; and

(i) any other matter which has to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, 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.
42. **Power of Commission to make Regulations.** (1) Subject to the provisions of this Act and the rules made thereunder, the Commission may, by notification, make regulations to carry out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:-

(a) the procedure for meetings of the Commission under sub-section (1) of section 9;

(b) the procedure for meetings of committees constituted by the Commission under sub-section (2) of section 10;

(c) the fees and allowances including sitting fee for attending its meetings for members of committees constituted by the Commission under sub-section (3) of section 10;

(d) the fees and allowances for persons temporarily associated with the Commission under sub-section (3) of section 11

(e) salary and allowances and other terms and conditions of service of the Secretary to the Commission and other persons in the Secretariat as in Section 21(1) and 21(3) respectively;

(f) qualifications and experience and terms and conditions for the appointment of Chief Statistical Auditor and other official of NSAAO in Section 23(1) and 23(2) respectively;

(g) any other matter which has to be, or may be, specified by regulations.

(3) Every regulation made by the Commission under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulations or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, 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 regulation.

43. **Power to remove difficulties.** (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government in consultation with the Commission, may by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be, after it is made, be laid before each house of Parliament.
### Schedule

**List of official statistical products identified as core statistics**

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