

CENSUS RULES, 1990

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CENSUS RULES, 1990

S.O. 967(E), dated the 31st December, 1990.1-In exercise of the powers conferred by sub-section (1) of Sec. 18 of the Census Act, 1948 (37 of 1948), the Central Government hereby makes the following rules, namely :

1. Short title and commencement :-

(1) These rules may be called the Census Rules, 1990.

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

2. Definitions :-

In these rules unless the context otherwise requires,-

(h) "Joint Director of Census Operations", "Deputy Director of Census Operations" and "Assistant Director of Census Operations" mean officers Assisting Director of Census Operations ;

3. Appointment of Census Officer :-

The State Governments and the Union Territory Administrations in order to aid the taking of the census within their States or Union Territories, may appaint officers from against the category mentioned in column 2 as census officers within their jurisdictions with -such designation mentioned in column I of the Table below.

4. Designating of Officers :-

..-¹["The Central Government"]may designate the Director of Census Operations, the Joint Director of Census Operations, the Deputy Director of Census Operations and Assistant Director of Census Operations as the Chief Principal Census Officer, Joint Chief Principal Census Officer, Deputy Chief Principal Census Officer and Assistant Chief Principal Census Officer² ["for the States and the Union Territories"].

1. Substituted for "The State Governments and the Union territory Administrations ", vide " Census Rules, 1990" Dt.19th July, 1994 Published in G.S.R. 589 (F)Published in theGazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 19th July, 1994.

2. Substituted for "within the jurisdiction of the State or Union territory concerned", vide " Census Rules, 1990" Dt.19th July, 1994 Published in G.S.R. 589 (F)Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 19th July, 1994.

5. Functions of the Census Officers :-

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6. Census schedules and questionnaires :-

The census schedules or questionnaires shall be notified by the ¹ ["Central Government"] through Official Gazette under sub-scction (I) of Section 8 oftheAct.

1. Substituted for "State Government", vide " Census Rules, 1990"

Dt.19th July, 1994 Published in G.S.R.589 (F)Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 19th July, 1994.

6A. Declaration of the date and duration of Census :-

.¹ .-The Central Government may by a notification published in the Official Gazette declare the date for the commencement of the census and the period during which the house-listing operations and population census shall take place.

1. Inserted vide " Census Rules, 1990" Dt.19th July, 1994 Published in G.S.R. 589 (F)Published in theGazette of India, Extraordinary, Pt. II, Sec. 3 (i), dated 19th July, 1994.

6B. Manner of serving the order of requisition of premises and vehicles :-

An order of requisition under Sec. 7-A, shall be served-

(a) where the person to whom such order is addressed is a corporation or firm-in the manner provided for the service of summons in rule 2 of Order XXXIX or rule 3 of OrderXXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1908 (Act 5 of 1908); and

6C. Time for application for reference to arbitration under Sec.7-B :-

The time within which any interested person, who is aggrieved by the amount of compensation determined under Sec. 7-B may make an application for referring the matter to arbitration shall be fourteen days from the date of determination of the amount of such compensation or where the amount of such compensation has been determined in the absence of the person interested or, as the case may be, the owner, fourteen days from the date on which the intimation of such determination is sent to that person or owner.

7. Census data :-

The Census Commissioner shall decide the items on which data may be released.

8. Notifications, Orders and Instructions to be.. issued by State Government :-

The State Governments and the Union territory Administrations shall-

(i) republish the intention of taking a census notified by the Central Government in their State or Union Territory Gazettes ;

(iv) freeze the administrative boundaries of districts, tehsils, towns, etc., from the date to be intimated by the Census Commissioner which shall not be earlier than one year from the census reference date and till the completion of the census;

(v) nominate a senior officer of the State Government at State Quarters as Nodal officer to liaise between Director of Census Operations and other Officers in Census work.

(vi) impose restrictions on the Head of Department/Officer on the transfer of officers/officials once appointed as Supervisor/Enumerator, without the proper consent of Principal/District Census Officer; and

(vii) give wide publicity of the census through radio audiovisuals, posters, etc.

9. Custody of census schedules and connected papers :-

After the completion of the taking of the census the canvassed census schedules shall be kept in the office of the Director of Census Operations or at such other place the Director of Census Operations may direct for processing the data collected.

10. Canvassed schedules :-

The canvassed schedules shall after processing is over be preserved at the Office of the Director of Census Operations or at such other place the Director of Census Operations may direct.

11. Disposal of census schedules and other connected papers :-

The schedules and other connected papers shall be disposed of totally or in part by the Director of Census Operations a year before the next census in accordance with the general or special directions as may be given by the Census Commissioner in this behalf.

12. General or special instructions :-

The Census Commissioner and the Director or Census Operations may issue from time to time general or special instructions or such directions, to the Principal Census Officers and other census officers appointed under the Act, as may be necessary for the efficient conduct and timely completion of the census operations. Liberal construction.-The widest possible construction, according to the ordinary meaning of the words in the entry, must be put upon them. Reference to legislative practice may be admissible in reconciling two conflicting provisions in rival legislative lists. In construing the words in a constitutional document conferring legislative power the most liberal construction should be put upon the words so that the same may have effect in their widest amplitude. ¹

1. The Elal Hotels and Investments Ltd. v. Union of India, A.I.R. 1990 S.C. 1664 at pp. 1667-69.