

AGRICULTURAL CENSUS ACT
ACT No. XLI of 1958 (as amended in 1983)

An act to provide for certain matters for the purpose of taking Census of Agriculture and Livestock.

Whereas in a general meeting of the Food and Agricultural organization of the United Nations a decision has been taken urging the member Countries to take Agricultural Census;

And whereas it is expedient to take Agricultural Census in pursuance of the said decisions and to provide for certain matters for that purpose; It is hereby enacted as follows:

1. Short title; Extent and Commencement:

- i) This Act may be called Agricultural Census Act, 1958.
- ii) It extends to whole territory of Bangladesh;
- iii) It shall come into force on such date as the Govt. of the People's Republic of Bangladesh by notification in the Official Gazettes, appoint.

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

- a) "Census" means the Agricultural Census;
- b) "Census officer" means and officer of Bangladesh Bureau of Statistics and other such officers as appointed for the purpose of carrying out the provisions of this Act.
- c)

3. Census Officers:

- (1) The Govt. of the People's Republic of Bangladesh may appoint
 - i) Director General of Bangladesh Bureau of Statistics to conduct the census of Agriculture;
 - ii) Director, Jt. Director, Deputy Director, Statistical Officer to supervise the taking of Census within the territorial jurisdictions assigned to them;
 - iii) Other Officers designated as Census Officers/Census Coordinators to take, aid in or Supervise the taking of the Census within any specified area.
- (2) The Government may, by order delegate the powers conferred upon it by clause (ii) & (iii) sub section (1) to such officers or an authority subordinate to Government as may be specified in the order.
- (3) A declaration in writing signed by any authority authorized by the census officer shall be conclusive proof of such appointment.

4. Collection of information for Census:

- (1) For the purpose of taking Census information shall be collected on or with respect to the following matters namely;
 - i) Number and Classification of households;
 - ii) Area and number of all crops;

- iii) The number of agricultural holdings and their principal characteristics, such as type, size, form of tenure, utilization of land, type of land, agricultural machinery, equipment, tools etc.
 - iv) the number and characteristics of farm population;
 - v) the number and characteristics of livestock and poultry birds;
 - vi) the number and employment pattern of persons engaged in agriculture
 - vii) irrigation and drainage and use of fertilizers, insecticides and soil-dressing;
 - viii) woods and private forests contained in agricultural holdings;
 - ix) any other items as the Government may deem fit to include;
- (2) For the purpose of collecting information referred to in Subsection (1), the Government may, by notification in the official Gazette, prepare such schedules/questionnaire as it thinks fit and a Census Officer may require any person within his jurisdiction to give answers to such schedules/questionnaires and to such other questions related to the schedules/questionnaire as he may think fit to ask;
- (3) Any person who is required to give answers to the questionnaire and other relevant questions under sub-section (2) shall be legally bound to give answers to best of his knowledge or belief.
5. Access to Census Officers to Premises and Lands-Every persons owning or occupying any house, premises or lands shall allow the Census Officers such access thereto as they may require for the purpose of the Census and shall allow them to paint on, affix to, or dig in, the house, premises or lands such letters, mark or objects as may be necessary for the said purpose
6. Penalties:
- (a) Any Census Officer or any person lawfully required to give assistance towards the taking of a Census who refuses or neglect to use reasonable diligence in performing any duty imposed upon him or in obeying any order issued to him in accordance with this Act or any rule made there under or any person who hinders or obstructs another persons in performing any such duty or in obeying any such order, or
 - (b) Any Census Officer who knowingly makes any false return or, without the previous sanction of the Government of the People's Republic of Bangladesh discloses any information which he has received by means of or for the purposes of, a Census return, or
 - (c) Any persons who intentionally gives a false answers to, or refuses to answer to the best of his knowledge or belief, to the questionnaire or other relevant question asked of him by a Census Officer he is legally bound to answer, or
 - (d) Any person occupying any house, premises or land who refuses to allow a Census Officer such reasonable access thereto as he is required under section 5 to allow, or
 - (e) Any person who removes, obliterates, alters or damages without proper authority or before the completion of the Census any letters, marks or objects which have been painted, affixed or dug for the purpose of the Census, shall be punishable with fine which may extend to five hundred takas.

7. Sanction for prosecution under this Act-No prosecution under this Act shall be instituted except with the previous sanction of the Government or of an authority authorized in this behalf.

8. Prosecution under other laws: Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission under this Act. which constitutes an offense under such other law. Provided the no such prosecution shall be instituted except with the previous sanction referred to in section 7.

9. Jurisdiction-No court inferior to that of a Magistrate of the second Class shall try an offense under the Act.

10. Census Records not Open to Inspection-No person shall have a right to inspect any book, register or record made by a Census Officer in the discharge of his duties as such, and notwithstanding anything to the contrary in the Evidence Act of 1872, no entry in any such book, register or record shall be admissible as evidence in any civil proceesing whatsoever, or in any criminal proceedings, Other than a prosecution under this Act or under any other law for any act or omission under this Act which constitutes an offense under such other law.

11. Preparation of Statistical Abstracts-The Director General, Director or such person as the Government may authorize in this behalf may, if he thinks fit, at the request and cost (to be determined by him) of any local authority or person, cause abstracts to be prepared and supplied containing any such statistical information as can be derived from the census returns being information which is not contained in any published report and which in his opinion, it is reasonable for that authority of person to require.

12. Census Officers to be Public Servants-All census officers shall be deemed to be public servants within the meaning of section 21 of the Bangladesh Penal Code.

13. Power to Make Rules-The Government may make rules or carrying out the purpose of this Act.