

**No. 9.—1880.**

**J. R. LONGDEN,**

*An Ordinance to provide for taking a Census from time to time.*

**W**HEREAS it is expedient to provide for the taking of a  
Census from time to time, and at convenient times: **IT IS**  
**HEREBY ENACTED BY THE GOVERNOR OF CEYLON,**  
with the advice and consent of the Legislative Council thereof, as  
follows:—

*Census.*

1. THIS Ordinance may be cited as "The Census Ordinance, 1880." **Short title.**
2. THE Ordinance No. 5 of 1868 is hereby repealed. **Repealing clause.**
3. THE Governor, with the advice of the Executive Council, may from time to time by Proclamation appoint that a Census be taken at such time as shall be notified in such Proclamation. **Governor in Council may appoint times for taking Census.**
4. THE Governor may appoint an officer to superintend the taking of any Census. **Governor may appoint superintendent.**
5. THE Governor, with the advice of the Executive Council, may make such rules as he may deem necessary for carrying into effect the provisions of this Ordinance, and may attach penalties for the breach of any rule so made, to be recovered and enforced in the same and the like manner as penalties imposed by this Ordinance. Provided that no greater or higher penalty shall be imposed by such rules than is imposed by this Ordinance, and such rules shall come into operation upon being published in the *Gazette*. **The Governor with the advice of the Executive Council may make rules. Penalties may be imposed. Rules to be published in Gazette.**
6. UNLESS it shall be otherwise directed by the Governor with the advice of the Executive Council, the Government Agent of a Province shall be Commissioner of his province, and the Chairman of every Municipality and Local Board shall be Commissioner within the limits of such Municipality and Local Board. Every such Commissioner shall appoint enumerators, and shall assign a division to each enumerator, and shall distribute to every enumerator in his district the schedules which shall have been issued for that purpose. **Government Agent to be Commissioner of province. Chairman of Municipality and Local Boards to be Commissioner within his limits. Appointment of enumerators.**
7. SCHEDULES shall be prepared for the purpose of being filled up by or on behalf of the several occupiers of dwelling houses as hereinafter provided, with particulars of the name, sex, age, profession or occupation, relation to head of family, nationality and religion of every person who abode in every house at the time appointed for the taking of the Census, and also whether any were able to read or write or both, and whether any were blind, deaf, dumb, or insane. Every enumerator shall, previous to the time appointed for the taking of the Census, leave or cause to be left at every dwelling-house within his division one or more of the said schedules for the occupier or occupiers thereof or of any part thereof, and upon every schedule shall be plainly expressed that it is to be filled up by the occupier of such dwelling-house (or where such dwelling-house is let or sublet in different apartments, and occupied distinctly by different persons or families, by the occupier of each such apartment), and that the enumerator will collect all such schedules within his division within twenty-four hours next following the time appointed for the taking of the Census; and every occupier of any dwelling-house or of any apartment in any dwelling-house, with or for whom any such schedule shall have been left as aforesaid, shall fill up the said schedule to the best of his or her knowledge and belief, so far as relates to all persons dwelling in the house or apartment occupied by him or her, and shall sign his or her name thereto, and shall deliver the schedule so filled up or cause the same to be delivered to **Schedules to be prepared. Particulars to be inserted in schedules. Schedules to be left at dwelling-houses by enumerators. What shall be expressed in schedules. Occupiers of dwelling-houses &c, shall fill up schedules and deliver them to enumerator.**

- *Census.*

**Penalty for neglect or refusal to fill up schedule, or for making false return.**

the enumerator when required to do so: and every such occupier who shall refuse or neglect without lawful excuse, the proof of which shall lie upon such occupier, to fill up the said schedule to the best of his or her knowledge and belief, or to sign and deliver the same as herein required, or who shall make, sign, or deliver, or cause to be made, signed, or delivered any false or incorrect statement or return, or who shall refuse or neglect to obey any rule made under the authority of this Ordinance, shall be guilty of an offence, and shall be liable to a penalty not exceeding fifty rupees. Provided however that if any such occupier shall be unable to write it shall be his duty to furnish the enumerator with the information necessary to enable him to fill up the said schedule as required by this section, and thereupon it shall be the duty of the enumerator to fill up the schedule accordingly, and any such last mentioned occupier who shall neglect or refuse to furnish such information to the enumerator shall be guilty of an offence and liable to a penalty not exceeding fifty rupees.

**Enumerator's duties.**

8. THE enumerators shall visit every house in their respective divisions, and shall collect all the schedules so left within their divisions from house to house, within twenty-four hours next following the time appointed for the taking of the Census, and shall complete such of the schedules as upon delivery thereof to them shall appear defective, and correct such as they shall find to be erroneous, and shall enter such particulars as may be required by the instructions issued to them into books to be provided for that purpose, and shall deliver such books with the householders' schedules collected by them to the officer appointed by the Governor to receive such schedules.

**Who shall be deemed occupier of particular houses.**

9. THE principal officer in charge of every prison and police station, and the superintendent of every hospital and asylum, and the manager or keeper of every college or school, the superintendent or person in chief authority in any convent or monastery, and the incumbent or priest or other person in charge of every vihara or pansala or déwála, and the secretary of every club, and the manager of every hotel or boarding house or factory, and the keeper of every rest-house, and the master or keeper or trustee or person in charge of every public or charitable or religious institution, shall be deemed to be the occupier thereof, and shall fill up the schedules to be delivered to them, with all particulars required in such schedules as to all persons being in such prisons, police stations, hospitals, asylums, colleges, schools, convents or monasteries, viháras, pansalas, déwálas, clubs, hotels, boarding houses, factories, rest-houses, public charitable or religious institutions, at the time appointed for the taking of the Census, and as to all other particulars whatsoever required in such schedules, and shall sign and deliver the schedules so filled up to the enumerator when required so to do; and every such occupier who shall refuse or neglect without lawful excuse, the proof of which shall lie upon such occupier, to fill up the said schedules to the best of his or her knowledge and belief, and to sign and deliver the same as herein required, or who shall make, sign or deliver any false, incorrect or inaccurate schedule or shall make any false, incorrect or inaccurate statement or return as to any of the matters required in the said schedules or who shall refuse or neglect without lawful excuse, the proof of which shall lie upon such occupier, to obey any rule made under the authority of

**They shall fill up schedules.**

**Penalties for neglect or refusal to fill up schedules, or for making false returns.**

*Census.*

this Ordinance, shall be guilty of an offence, and shall be liable to a penalty not exceeding fifty rupees.

Commissioner to make list of estates of 20 acres or more.

10. IT shall be the duty of every Commissioner to make or cause to be made a list of all the estates in extent of twenty acres or more in his district, upon which there are ten or more resident coolies or labourers, and to cause to be delivered to the superintendent, or person in charge being resident on such estate the schedules prepared as aforesaid to be filled up by such superintendent or person in charge, with the particulars required in such schedules.

Schedules to be delivered to superintendent.

11. EVERY such superintendent or person in charge shall sign and deliver to the person from whom he shall receive such schedules a receipt to be provided for that purpose; and shall fill up the said schedules to the best of his knowledge and belief as to all persons being on the estate under his superintendence or charge at the time appointed for the taking of the Census; and shall within forty-eight hours from the time appointed for the taking of the Census transmit such schedules to the Kachehri of the district or to the nearest Post Office addressed to the Commissioner, together with a certificate signed by him that the said schedules have been truly and faithfully filled up by him, and that to the best of his knowledge and belief the same are correct.

Superintendents &c., to give receipts for schedules.

Superintendents shall fill up schedules.

And shall transmit same to Kachehri or Post Office, with certificate.

12. EVERY superintendent or person in charge of any estate refusing or neglecting to sign and deliver the receipt referred to in the last preceding clause; or refusing or neglecting to fill up the schedules, or to transmit the same within forty-eight hours from the time appointed for the taking of the Census to the Kachehri of the district or to the nearest Post Office addressed as aforesaid; or refusing or neglecting to sign or transmit the certificate required by the last preceding clause; or making any false, inaccurate or incorrect statement in any schedule; or making a false statement in the certificate, shall be guilty of an offence, and shall be liable to a penalty not exceeding one hundred rupees.

Penalties on Superintendents for neglecting or refusing to sign or fill up or transmit schedules or certificates or making false statements, &c.

13. THE officer appointed to superintend the taking of any Census shall obtain, by such ways and means as shall appear to him best adapted for the purpose, the returns required by this Ordinance with respect to all persons who during the time appointed for taking any Census were travelling or on shipboard, or for any other reason were not abiding in any house of which account is to be taken by the enumerators and other persons as aforesaid, and shall include such returns in the abstract to be made by him as hereinafter provided.

Persons on board ship to be enumerated.

14. THE officers appointed by the Governor to receive schedules and the Commissioners to whose address returns are to be forwarded under the provisions of this Ordinance shall, upon the receipt of such schedules or returns respectively, forthwith forward the same to the officer appointed to superintend the taking of the Census.

Returns to be forwarded to officer superintending Census;

15. THE officer appointed to superintend the taking of any Census shall cause an abstract to be made of the said returns and shall certify and forward the same to His Excellency the Governor within such time as may be appointed by His Excellency the Governor in Council for the purpose, and the same shall be printed and published for general information.

who shall forward abstract thereof to Governor for publication.

Offences may be prosecuted in the Police Court.

No prosecution to be instituted without the leave in writing of the Queen's Advocate.

16. ALL offences under this Ordinance may be prosecuted, tried and determined in the Police Court of the district within which the offence was committed, and such Police Court shall have power to inflict the punishments prescribed by this Ordinance, anything in any other Ordinance to the contrary notwithstanding.

17. NO prosecution shall be instituted under this Ordinance except under the authority in writing of the Queen's Advocate.

Passed in Council the Seventeenth day of November, One thousand Eight hundred and Eighty.

J. A. SWETTENHAM,  
Clerk to the Council.

Assented to by His Excellency the Governor this Twenty-fourth day of November, One thousand Eight hundred and Eighty.

J. DOUGLAS,  
Colonial Secretary.

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