

**GOVERNMENT OF INDIA  
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS  
LOK SABHA**

UNSTARRED QUESTION NO:5597

ANSWERED ON:07.09.2011

PUBLICATION OF CLASSIFIED DOCUMENTS

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**Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:**

(a) whether the Government is aware of the publication of `Strictly Confidential and Top Secret` correspondence between CBI and Director General of Income Tax;

(b) if so, the details thereof and the reaction of the Government thereto;

(c) whether publication or possession of `Classified` document is actionable under the Official Secret Act (OSA); and

(d) if so, the action taken by the Government against the company and persons responsible for publication/possession of classified document under Official Secret Act (OSA)?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY)

(a) & (b) : Yes, Madam. Two books, viz "2G Spectrum Scam" by Sh. Subramanian Swamy & "Close Encounters with Niira Radia" by Sh. R. K. Anand, have been published recently by M/s. Har-Anand Publications, Okhla Industrial Area-II, New Delhi.

At pages 309 of the book "Close Encounters with Niira Radia" by Shri R.K. Anand, a copy of letter dated 16.11.2009 of DIG/CBI/ACB/Delhi to DGIT

(Investigation), Delhi has been published. At pages 310-311 a copy of letter dated 20.11.2009 of Joint Director of Income Tax (Investigation), New Delhi to DIG/CBI/ACB/New Delhi has been published. At pages 312 to 322 certain classified papers, apparently belonging to Income Tax Department, have been published. Moreover, these correspondence between CBI and Income Tax Department were earlier published by "Pioneer" daily newspaper and various electronic media channels and web sites in the year 2010.

The matter is sub-judice before the Hon'ble Supreme Court of India.

(c) : Publication of classified documents would be an offence if it falls under the purview of Section 5 of the Official Secrets Act. Other provisions of this Act may also be invoked, depending upon the facts and circumstances of each case. In case of violations of the provisions of the Officials Secrets Act, necessary actions as per law and rules are taken.

(d) : Government processes cases for authorization for filing complaint in the Courts of competent jurisdiction on receipt of specific reports/requests from concerned Agencies/States Governments.