

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

STARRED QUESTION NO:557
ANSWERED ON:05.05.2015
AMENDMENT IN OFFICIAL SECRETS ACT
Gandhi Shri Dilip Kumar Mansukhlal;Singh Shri Ganesh

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has any proposal to amend the Official Secrets Act, 1923, and if so, the details and the present status thereof;
- (b) whether any review of the said Act has ever been conducted;
- (c) if so, the details and outcome thereof;
- (d) the number of classified files stored with the Government under the provisions of the said Act; and
- (e) whether the Government proposes to declassify some of the said files and if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a) to (e): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 557 FOR 05.05.2015.

(a) Madam, the Government has set up a Committee consisting of Secretaries of the Ministry of Home Affairs, the Department of Personnel and Training and the Department of Legal Affairs to examine the provisions of the Official Secrets Act, 1923, particularly in the light of the Right to Information Act, 2005.

(b) & (c) The Official Secrets Act, 1923 was comprehensively amended by the Parliament in 1967 which had widened the scope of the offences covered under the Act and enhanced the punishment for the offences under the Act. Thereafter, the review of the Act has been conducted from time to time and it was decided that there is no need to further amend the Act.

(d) & (e): The classification of files is not done under the provisions of the Official Secrets Act. The classification or declassification of files is done by each Ministry/ Department of the Government as per their requirement in terms of the Manual of Departmental Security Instructions, 1994. These instructions are reviewed by the Ministry of Home Affairs from time to time and reiterated to all the Ministries/ Departments for compliance. As the actual process of classification and declassification is done by the Ministries/ Departments concerned as per their requirement, there is no central database of the total number of classified files.