

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:1262

ANSWERED ON:28.07.2015

Official Secrets Act

Dhotre Shri Sanjay Shamrao;Mahtab Shri Bhartruhari;Singh Shri Bharatendra

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether cases of violation of Official Secrets Act have come to the notice of the Government in the country during each of the last three years and the current year, if so, the details thereof and the reasons therefor;

(b) whether the Government proposes to amend the said Act to curb its violation in the country, if so, the details thereof along with the time by which the said Act is likely to be amended; and

(c) whether the Government proposes to review the said Act for classification/declassification of files and if so, the details thereof?

Answer

Minister of State in the Ministry of Home Affairs
(SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a): Madam, as per information available with the Ministry of Home Affairs, the Ministry has authorized the officers of investigating agencies at the Centre/ State to file complaints in the Courts of competent jurisdiction in 27 cases under the Official Secrets Act, 1923 during the last three years (10 cases in 2012, 9 cases in 2013, 5 cases in 2014 and 3 cases in 2015).

(b): No Madam. However, 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.

(c): 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.
