

हर काम देश के नाम



# रक्षा लेखा महानियंत्रक

उलान बटार रोड, पालम, दिल्ली छावनी-110010

**Controller General of Defence Accounts**

Ulan Batar Road, Palam, Delhi Cantt.- 110010

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F. No. AN/III/3012Circular/Vol.XI

dated 04.10.2023

To,

All PCsDA/PCA (Fys.)/PIFAs,  
CsDA/IFAs/RTCs./Dir (NADFM)  
(Through CGDA website)

**Subject: Sensitization of officials on the salient provisions of Official Secrets Act. 1923 - regarding.**

The undersigned is directed to forward a copy of MoD, DoD, D (Def. Policy)'s Circular no. MoD/13/D (Def. Policy) 2021 dated 05.09.2023 alongwith a gist of relevant provisions of Official Secrets Act. 1923 and rule of CCS (Conduct) Rules, 1964.

(Sushil Riyar)  
Sr. ACGDA (AN)

Copy to:

1. Officer-in-charge,  
AN-IV Section (Local) : For similar action as stated above.
2. IT & S Section (Local) : For uploading of circular on CGDA's website.

(Sushil Riyar)  
Sr. ACGDA (AN)

MoD/13/D(Def. Policy)2021  
Ministry of Defence  
Department of Defence  
D(Def. Policy)

Room No. 234-A, South Block  
New Delhi - 110011

Date: 05<sup>th</sup> September, 2023

**CIRCULAR**

**Sub.: Sensitization of officials on the salient provisions of Official Secrets Act, 1923**

In the recent past, there have been a number of incidents of leakage or unauthorized disclosure of official information which are in violation of the provisions contained in Official Secrets Act, 1923 and Rule 11 of Central Civil Services (Conduct) Rules, 1964

2. In view of the above, a gist of the relevant provisions of Official Secrets Act, 1923 and Rule 11 of Central Civil Services (Conduct) Rules, 1964 is enclosed herewith with a request to sensitize all the officials under your jurisdiction. The Official Secrets Act, 1923 and CCS (Conduct) Rules, 1964 are available in public domain.

3. This issues with the approval of Competent Authority.

Encl. As stated

*Pranay Kumar Soni*  
(Pranay Kumar Soni) 5/9/23  
Dir. (Policy & Planning)  
23011525 / 23012765

*JS & Addl FA (UA) 18/9*  
*OSD (DAO-C) 19/9*

Secretary, DMA,

Secretary DD R&D,

Secretary, DESW,

✓ FA(DS),

All JS in DoD & DDP

*AFA / LDAO-C*  
*1LP*  
*20/9/2023*

Copy to:

PPS to Defence Secretary

PPS to AS, DoD

PPS to AS, DDP

*SOC (DAO-C) 20.9.23*  
*ASO (SKI)*

O/o FA (DS), Ministry of Defence  
Diary No. 3946  
Date 6/9/23

O/o Addl. FA (R&D) &  
Joint Secretary  
R.2643 Date 14/9  
D.24120 Date 18/9

रक्षा मंत्रालय (नित्त प्रभाग) / MoD (Fin)  
समन्वय अनुभाग / DAD-Coord  
प्राप्त डाक / RECEIVED DAK  
दिनांक / Date : 20.9.23  
कागजी सं. / Dy. No. : 1300

## Salient Provisions of Official Secrets Act, 1923

### Objective:

To safeguard the privacy and confidentiality of the government particularly for national security purposes.

### Applicability:

The Official Secrets Act, 1923 extends to whole of India including any office or employment under any department of the government and applies also to individuals contracted or employed on behalf of the government and citizens of India outside India.

### Important Features:

- Provides the framework for dealing with espionage, sedition, and other potential threats to the integrity of the nation.
- Makes spying, sharing 'secret' information, unauthorized use of uniforms, interference with the police or armed forces in prohibited/restricted areas, among others, punishable offences.
- Guilty person may face jail term upto 14 years, a fine, or both.

### Important Sections of Official Secrets Act 1923 and punishments

- **Section 3: Penalties for spying** - Engaging in activities such as accessing forbidden areas, creating sketches or plans for the benefit of enemies, collecting and sharing secret codes, passwords, documents, or notes that could aid enemies and likely to affect the sovereignty and integrity of India and compromise the safety and security of the country, is punishable with imprisonment up to 14 years.
- **Section 5: Wrongful communication of information:** Any disclosure of secret official information, using it for gain of any foreign power, unauthorized retention or failure to take reasonable care is also a violation of the act, and is punishable with imprisonment up to three years, or with fine or with both.
- **Section 9. Attempts, incitements, etc.:** Attempts to commit an offence or even abetment has same liability as commission of offence.
- **Section 10. Penalty for harbouring spies:** Knowingly harbouring any person who has committed an offence or about to commit an offence under the Act, is an offence which is punishable with imprisonment up to three years or with fine or with both.

**Rule 11 of Central Civil Services (Conduct) Rules, 1964**

"No Government servant shall, except in accordance with any general or special order of the Government or in performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or any part thereof or classified information to any Government servant or any other person to whom he is not authorized to communicate such document or classified information".