Ethics & Morality · GS - IV

There is a view that the Official Secrets Act is an obstacle to the implementation of Right to Information Act. Do you agree with the view? Discuss.

EXAM YEAR	PAPER	SUBJECT
2019	GS - IV	Ethics & Morality

MARKS	WORD LIMIT
10	~150 words

Answer Hint

Official Secrets Act 1923; Right to Information Act 2005; transparency; national security; Section 22; Section 8 exemptions; public interest; accountable governance

Model Answer

Introduction

The Official Secrets Act (OSA), 1923, protects specified official information from unauthorised disclosure, while the Right to Information (RTI) Act, 2005, promotes transparency and accountability in public administration.

Why the OSA May Obstruct RTI

1. Broad Secrecy Culture

Over-classification of government records can encourage officials to withhold information even when disclosure would serve public interest.

2. Fear of Prosecution

The possibility of legal consequences may discourage officials from releasing information or reporting wrongdoing.

3. Conflict in Administrative Practice

Authorities may invoke secrecy concerns too broadly, weakening the RTI Act's objective of public accountability.

Reasons for Retaining Legitimate Secrecy

National security, defence operations, intelligence sources and sensitive diplomatic information require protection. Unrestricted disclosure may endanger lives or harm public interests.

Legal Position

Section 22 of the RTI Act gives it overriding effect over inconsistent provisions of other laws, including the OSA. However, RTI exemptions under Section 8 continue to protect specified categories of information, subject to applicable public-interest provisions.

Way Forward

The government should adopt clear classification standards, conduct periodic reviews of secret records, train officials on RTI obligations and penalise deliberate misuse of secrecy provisions.

Conclusion

The OSA need not obstruct the RTI regime when applied narrowly and lawfully. The objective should be to protect genuinely sensitive information while ensuring maximum feasible transparency and accountability.

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