

IN THE SUPREME COURT OF INDIA
CRIMINAL /APPELLATE JURISDICTION
CONTEMPT PETITION (C) D. NO. 36812 OF 2024

IN THE MATTER OF :

ANJU NAKADE PETITIONER

VERSUS

DR POONAM MALAKONDIAH GOVT OF ANDHRA PRADESH &
ORS
.....RESPONDENT

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Paper Book

ABHIMANYU TEWARI
COUNSEL FOR THE STATE OF ARUNACHAL PRADESH

IN THE SUPREME COURT OF INDIA
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CRIMINAL APPELLATE JURISDICTION
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Diary No. 36812 of 2024

IN THE MATTER OF

ANUJ KANADE

PETITIONER

VERSUS

**DR. POONAM MALAKONDIAH GOVT. OF ANDHRA
 PRADESH AND ORS.**

RESPONDENT

**REPLY/ COUNTER AFFIDAVIT ON BEHALF OF THE STATE OF ARUNACHAL
 PRADESH & ORS**

I Mr. MARI ANGU, JOINT SECETARY, DEPARTMENT OF ADMINISRATIVE REFORMS, GOVERNMENT OF ARUNACHAL PRADESH, do hereby submit as follows:

1. That the Department is the Joint Secretary
 of the Department of Administrative Reforms, Government of Arunachal Pradesh and duly authorised to swear this affidavit and is further well conversant with the facts and circumstances of the cases and such competent to swear this Present Affidavit.
2. That the instant contempt petition has been filed against the Respondent parties including the answering Respondent on the alleged ground that the judgment of this Hon'ble Court dated 20.03.2024 in WP Civil No.1040 of 2019 titled "**Pravasi Legal Cell vs Union of India**" has not been complied with by said Respondent.
3. That vide its order dated 20.03.2024 this Hon'ble Court was pleased to direct all states to establish online RTI Portal in terms of which information can be sought under the Right to Information Act from each ministry department
4. That in light of the aforementioned judgment of this Hon'ble Court the answering Respondent was pleased to notify that the state of Arunachal Pradesh has launch its online RTI Portal which can be viewed at rti.arunachal.gov.in.

Joint Secretary (AR)
Govt. of Arunachal Pradesh
Itanagar

Executive Magistrate
Law, Legislative & Justice Deptt.
Civil Secretariat, Itanagar
Arunachal Pradesh
Authorised by State Govt.



5. That the portal is fully functional and available online.

6. That it is submitted that the answering Respondent has complied with the order of this Hon'ble Court 20.03.2024 in WP Civil No. 1040 of 2019 titled "**Pravasi Legal Cell vs Union of India**" in letter and spirit and as such no violation of the aforementioned order has mentioned in the Contempt Petition.

7. That in light of the aforementioned facts and circumstances it is prayed that the answering Respondent may be deleted from the array of parties to the instant contempt petition in as much as no Violation of the order in question has been pointed out with respect to the State of Arunachal Pradesh.

8. That the present affidavit may be taken on record. The answering Respondent further craves leave of this Honourable Court to file additional documents and make detailed submission at the time of hearing if required.

DEPONENT

VERIFICATION

(Dr. MARI ANGU)

Joint Secretary (AR)
Govt. of Arunachal Pradesh
Itanagar

I, the above named deponent do hereby verify that I have read and understood the contents of the above counter affidavit and that the same are true and correct to the best of my knowledge and belief No Part of the same is false and nothing material has been concealed therefore.

Verified at Itanagar on 18 day of Oct, 2024.

Executive Magistrate
Law, Legislative & Justice Deptt.
Civil Secretariat, Itanagar
Arunachal Pradesh
Authorised by State Govt.

Joint Secretary (AR)
Govt. of Arunachal Pradesh
Itanagar

NEXT DATE OF HEARING: 21.10.2024
SECTION: PIL-W
BEFORE THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION (C.) D. NO. 36812 OF 2024
IN
W.P. (C) NO. 1040 OF 2019

IN THE MATTER OF:

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			Total Rs. /-

CHANDAN: I.C NO. [REDACTED]
MOBILE NO. [REDACTED]

FILED BY:


(ANANDO MUKHERJEE)
ADVOCATE FOR RESPONDENT NO.3
CODE NO. [REDACTED]
[REDACTED]
[REDACTED]
MOB: [REDACTED]

**BEFORE THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CONTEMPT PETITION (C.) D. NO. 36812 OF 2024
IN
W.P. (C) NO. 1040 OF 2019**

IN THE MATTER OF:

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ADVOCATE FOR RESPONDENT NO.3: ANANDO MUKHERJEE

**BEFORE THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CONTEMPT PETITION (C.) D. NO. 36812 OF 2024
IN
W.P. (C) NO. 1040 OF 2019**

IN THE MATTER OF:

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DR. POONAM MALAKONADIAH
GOVT. OF ANDHRA PRADESH & ORS.

....RESPONDENTS

REPLY ON BEHALF OF THE RESPONDENT NO.3

1. The present Reply is being filed on behalf of the Respondent No.3 in the above captioned Contempt Petition (C) D. No. 36812 of 2024 filed in W.P. (C) No. 1040 of 2019. The present Contempt Petition has been filed by the Petitioner in W.P. (C) No. 1040 of 2019, *Pravasi Legal Cell Vs Union of India* wherein vide order/judgement dated 20.03.2023 this Hon'ble Court had directed to all the State governments/Union Territories to set up and operationalize online web portals so that information sought under the Right to Information Act 2005 is made available in respect of all public authorities falling within their jurisdiction and it was directed

to complete this exercise within a period of three months from the date of the order.

2. It is stated that the above captioned Contempt petition has been filed before this Hon'ble Court, seeking action to ensure accountability and enforcement of the order as passed by this Hon'ble Court in W.P. (C) No. 1040 of 2019.
3. At the very outset, it is most humbly and respectfully submitted that the Answering Respondent holds this Hon'ble Court in the highest esteem and has deep and unwavering respect for its authority. The Answering Respondent has taken every necessary step to ensure full compliance with the directives, orders, and instructions issued by this Hon'ble Court.
4. It is respectfully submitted that, in compliance with the aforementioned order in W.P. (C) No. 1040 of 2019, the Respondent No. 3 initiated the development of an Online Right to Information (RTI) Portal in the year 2023 itself. The Answering Respondent took immediate steps to ensure compliance by embarking on this project, which aims to streamline access to public information and enhance transparency.

5. It is stated and submitted that on 19.05.2023, it was requested from the Department of Personnel & Training, Government of India to provide source code of online RTI portal. The intent behind this request was to replicate and implement the same online RTI system in the State of Jharkhand, enhancing transparency and public access to information at the state level. It is further submitted that to expedite the matter and inquire about the status of the original request on 25.07.2023, a follow-up was made from the Department of Personnel & Training, Government of India.
6. It is pertinent to mention here that, as part of the efforts to develop an Online Right to Information (RTI) Portal, a “Terms of Use” agreement was executed between the Government of Jharkhand and the National Informatics Centre (NIC), Ranchi. This significant step took place on November 10, 2023. The agreement outlines the roles and responsibilities of both parties in the creation and management of the portal.

A true copy of the “Terms of Use” agreement dated 10.11.2023 executed between the Government of Jharkhand and the National Informatics Centre (NIC),

Ranchi is annexed herewith and marked as

ANNEXURE R-1{Pg 10 to 11 } to the present reply.

7. That it is stated that the National Informatics Centre (NIC) has successfully developed the Online Right to Information (RTI) Portal for the State of Jharkhand and has officially made it operational. This newly launched portal can be accessed by the public through the following web address: <https://rti.jharkhand.gov.in>. By making the portal live, the NIC has provided a streamlined digital platform that enables citizens to file RTI requests conveniently, thereby fostering greater transparency and ease of access to government information.
8. It is pertinent to mention that all the departments of the State are integrated into this portal. The integration of all other offices of the State into the Online Right to Information (RTI) Portal is currently underway at an accelerated pace. The government is making concerted efforts to ensure that every department and office is seamlessly connected to this digital platform, allowing for a comprehensive and unified system. This initiative will provide a centralized and user-friendly platform for the public to interact with the government, further advancing the state's digital governance goals.

9. It is further submitted that should any user experience difficulties while navigating or operating the Online Right to Information (RTI) Portal, assistance is readily available. Individuals seeking support can contact the designated toll-free helpline at 1800-345-6568. This helpline has been set up and is fully operational under the Personnel, Administrative Reforms, and Rajbhasha Department's Project Management Unit (PMU). The helpline is accessible during regular working hours on working days, ensuring that timely help is provided to those in need of guidance.

In addition to the telephonic support, users can also reach out for assistance via email by contacting the portal's support team at onlinerti.jh@gmail.com. Whether through phone or email, the government has ensured that multiple channels of communication are available to address any concerns, technical issues, or general inquiries related to the portal's usage. This comprehensive support system reflects the government's commitment to making the RTI process user-friendly and ensuring that citizens can access public information with minimal hassle.

10. Ongoing efforts are being made to enhance the accessibility of the Online Right to Information (RTI) Portal for the general public. The

government is continuously working to improve the portal's functionality, ensuring that it becomes more user-friendly and easier to navigate for citizens from all walks of life. These efforts include refining the interface, streamlining processes, and incorporating features that cater to the diverse needs of users, making it simpler to file RTI requests and obtain relevant information.

These continuous improvements reflect a commitment to digital inclusivity, ensuring that the portal remains a vital tool in promoting transparency and strengthening public engagement with governmental processes.

11. It is respectfully submitted that the Answering Respondent is bound by duty and obligation to this Hon'ble Court and holds its authority in the highest regard. It is submitted that there has been no deliberate or intentional disobedience of any directives or instructions issued by this Hon'ble Court. The Answering Respondent has made every possible effort to act in good faith and in accordance with the rulings of this Court.
12. That, the Answering Respondent is filing this reply, with further liberty in making such other further submissions as may be required

in the facts of the case subsequently or as may be directed by this Hon'ble court.

13. It is submitted that the averments in the reply are all true and correct to and nothing material has been concealed therefrom, and no part of it is false.
14. That the present reply is made *bona-fide* and in the interest of justice.

FILED ON: 17.10.2024

FILED BY:



ANANDO MUKHERJEE
ADVOCATE FOR THE RESPONDENT NO. 3